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THE better to accommodate the Purchaſers of this Work, the Proprietors, at the Requeſt of many of the Subſcribers, inſtead of concluding at the End of the Parliament 1761, as was at firſt propoſed, have determined to continue it to the End of the laſt Seſſions. The Ninth Volume therefore will contain the third and fourth Years of the preſent King, together with the TABLE, which will be very conſiderably enlarged. The APPENDIX, conſiſting of antient and curious Statutes, ſome of which were never in Print before, will make a ſeperate Volume.

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6145.w.1.

THE

Statutes at Large,

From the Thirtieth Year of the Reign of

KING *GEORGE* the SECOND

To the End of the Second Year of the Reign of

KING *GEORGE* the THIRD.

To which is prefixed,

A TABLE of the TITLES of all the Publick and Private Statutes during that Time.

VOLUME the EIGHTH.

LONDON:

Printed for MARK BASKET, Printer to the King's Moſt Excellent Majeſty, and by the Aſſigns of ROBERT BASKET;

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MDCCLXIV.

A

TABLE

OF THE

Publick and Private Statutes,

CONTAINING

The TITLES of the ACTS from the thirtieth Year of the Reign of GEORGE II. to the third Year of the Reign of GEORGE III.

PUBLICK ACTS.

Anno 30 *Georgii* II.

1. AN Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, Bread, Biſcuit and Starch.
2. An Act to make Proviſion for the quartering of the Foreign Troops in his Majeſty's Service now in this Kingdom.
3. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain* for the Service of the Year one thouſand ſeven hundred and fifty-ſeven; and for diſcharging certain Arrears of Land Taxes incurred before the Time therein mentioned; and for the more effectual collecting of Arrears for the future.
4. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-ſeven; and concerning the Intereſt to be paid for Monies to be borrowed as well on the Credit of this Act, as on the Credit of an Act of this Seſſion of Parliament, for granting an Aid to his Majeſty by a Land Tax.
5. An Act for granting to his Majeſty a Sum not exceeding one million fifty thouſand and five Pounds and five Shillings, to be raiſed by Way of Lottery.
6. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
7. An Act to diſcontinue for a limited Time the Duties upon Corn and Flour imported; and alſo upon ſuch Corn, Grain, Meal, Bread, Biſcuit and Flour, as have been or ſhall be taken from the Enemy, and brought into this Kingdom.
8. An Act for the ſpeedy and effectual Recruiting of his Majeſty's Land Forces and Marines.
9. An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biſcuit Starch, Beef, Pork, Bacon, and other Victual (except Fiſh and Roots and Rice, to be exported to any Part of *Europe* Southward of *Cape Finiſterre)* from his Majeſty's Colonies and Plantations in *America*, unleſs to *Great Britain* or *Ireland*, or to ſome of the ſaid Colonies and Plantations; and to permit the Importation of Corn and Flour into *Great Britain* and *Ireland*, in Neutral Ships; and to allow the Exportation of Wheat, Barley, Oats, Meal and Flour, from *Great Britain* to the Iſle of *Man*, for the Uſe of the Inhabitants there.
10. An Act to prohibit for a limited Time the making of Low Wines and Spirits, from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour.
11. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
12. An Act to amend an Act made in the twenty-ninth Year of the Reign of his preſent Majeſty, intituled, *An Act to render more effectual an Act paſſed in the twelfth Year of the Reign of his late Majeſty King* George, *to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages; and alſo an Act paſſed in the thirteenth Year of the Reign of his ſaid late Majeſty, for the better Regulation of the Woollen Manufacture; and for preventing Diſputes among the Perſons concerned therein; and for limiting a Time for proſecuting for the Forfeiture appointed by the aforeſaid Act, in caſe of Payment of the Workmens Wages in any other Manner than in Money.*

The TITLES of the STATUTES.

13. An Act to rectify a Miſtake in an Act paſſed this Seſſion of Parliament, intituled, *An Act for the ſpeedy and effectual Recruiting of his Majeſty's Land Forces and Marines.*

14. An Act for continuing an Act of this preſent Seſſion of Parliament, intituled, *An Act to diſcontinue for a limited Time, the Duties upon Corn and Flour imported; and alſo upon ſuch Corn, Grain, Meal, Bread, Biſcuit, and Flour, as have been or ſhall be taken from the Enemy, and brought into this Kingdom.*

15. An Act for continuing an Act of this preſent Seſſion of Parliament, intituled, *An Act to prohibit, for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain; or from any Meal or Flour.*

16. An Act to extend the Liberty granted by an Act of the twenty-third Year of the Reign of his preſent Majeſty, of importing Bar Iron from his Majeſty's Colonies in *America*, into the Port of *London*, to the reſt of the Ports of *Great Britain*; and for repealing certain Clauſes in the ſaid Act.

17. An Act for the Importation of fine organzined *Italian* Thrown Silk.

18. An Act for the Relief and Encouragement of the Captors of Prizes, with reſpect to the Bringing and Landing Prize Goods in this Kingdom.

19. An Act for granting to his Majeſty ſeveral Rates and Duties upon Indentures, Leaſes, Bonds, and other Deeds; and upon News Papers, Advertiſements, and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying from a certain Time, the Sums of Money ariſing from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raiſing the Sum of three millions, by Annuities, to be charged on the ſaid Rates, Duties, and Sums of Money; and for making perpetual an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled *An Act for the better Regulation of Attornies and Solicitors*; and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and alſo the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

20. An Act more effectually to prevent the ſpreading of the Diſtemper now raging amongſt the Horned Cattle in this Kingdom.

21. An Act for the more effectual Preſervation and Improvement of the Spawn and Fry of Fiſh in the River of *Thames*, and Waters of *Medway*; and for the better regulating the Fiſhery thereof.

22. An Act to explain and amend an Act made in the eighteenth Year of his preſent Majeſty's Reign, to prevent the Miſbehaviour of the Drivers of Carts in the Streets in *London*, *Weſtminſter*, and Limits of the Weekly Bills of Mortality; and for other Purpoſes in this Act mentioned.

23. An Act for enabling his Majeſty to raiſe the Sum of one million, for the Uſes and Purpoſes therein mentioned.

24. An Act for the more effectual Puniſhment of Perſons who ſhall attain, or attempt to attain, Poſſeſſion of Goods or Money, by falſe or untrue Pretences; for preventing the unlawful Pawning of Goods; for the eaſy Redemption of Goods pawned; and for preventing Gaming in Publick Houſes by Journeymen, Labourers, Servants and Apprentices.

25. An Act for the better Ordering of the Militia Forces in the ſeveral Counties of that Part of *Great Britain* called *England*.

26. An Act for granting to his Majeſty certain Sums of Money out of the Sinking Fund; and applying certain Monies remaining in the Exchequer, and the Savings out of the Monies granted in this Seſſion of Parliament for the Pay of the Troops of *Hanover* for the Service of the Year one thouſand ſeven hundred and fifty-ſeven; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for Relief of *Claud Johnſon*, with reſpect to a Bond entered into by him, for ſecuring the Duties on Tobacco imported by *George Buchanan* and *William Hamilton*.

27. An Act for enlarging the Times for the firſt Meetings of Commiſſioners or Truſtees for putting in Execution certain Acts of this Seſſion of Parliament.

28. An Act to render more effectual the ſeveral Laws now in being for the Amendment and Preſervation of the Publick Highways and Turnpike Roads of this Kingdom.

29. An Act to indemnify Perſons who have been guilty of the unlawful importing, landing, or running of prohibited, uncuſtomed, or other Goods or Merchandize, upon certain Terms therein mentioned.

30. An Act for allowing a further Bounty on Veſſels employed in the White Herring Fiſhery; for giving Liberty to alter the preſent Form and Size of the Nets uſed in the ſaid Fiſhery; and for other Purpoſes therein mentioned.

31. An Act to explain, amend, and render more effectual, an Act paſſed in the twenty-eighth Year of the Reign of his preſent Majeſty, intituled *An Act to enable the Churchwardens, Overſeers, and Inhabitants of the Pariſh of* Saint Saviour, *in the Borough of* Southwark, *in the County of* Surry, *to hold a Market within the ſaid Pariſh, not interfering with the High Street in the ſaid Borough.*

32. An Act for draining and preſerving certain Marſh and Fen Lands and Low Grounds in the Pariſh of *Wiggenhall Saint Mary Magdalen*, in the County of *Norfolk*.

33. An Act for draining and preſerving certain Fen Lands and Low Grounds in the ſeveral Pariſhes of *Ramſey*, *Bury*, *Wiſtow*, *Warboys*, *Farceitt*, *Standground*, and *Water-newton*, in the County of *Huntingdon*, and of *Doddington* in the *Iſle of Ely*, and County of *Cambridge*.

34. An Act to enable the Commiſſioners for building *Weſtminſter Bridge*, to widen the Street or Avenue leading from *Cockſpur Street*, to the Paſſage in *Spring Garden*, near Saint *James's* Park.

35. An Act for draining and preſerving certain Fen Lands lying in the *South Level*, Part of the Great Level of the Fens, commonly called *Bedford Level*, between *Brandon River* and *Sams's Cut Drain*; and for impowering the Governor, Bailiffs, and Commonalty, of the Company of Conſervators of the ſaid Great Level, to ſell certain Lands within the ſaid Limits, commonly called *Inveſted Lands*.

36. An Act for draining and preſerving certain Fen Lands, Low Grounds and Commons, in the Townſhips or Hamlets of *March* and *Wimblington*, and in the Pariſh of *Upwell*, in the *Iſle of Ely*, and County of *Cambridge*.

37. An Act for enlarging the Times limited for executing and performing ſeveral Proviſions, Powers and Directions, in certain Acts of this Seſſion of Parliament.

38. An

38. An Act for amending, widening and keeping in Repair, ſeveral Roads in and near to the Town of *Tenbury*, in the Counties of *Salop*, *Worceſter* and *Hereford*.
39. An Act for repairing and widening ſeveral Roads leading to, through, and from the Town of *Frome* in the County of *Somerſet*; and for giving futher Powers to the Truſtees in an Act paſſed in the twenty-fifth Year of his preſent Majeſty's Reign, for repairing the Roads from the Town of *Warminſter* in the County of *Wilts*, to the City of *Bath* in the County of *Somerſet*, and other Roads therein mentioned.
40. An Act for enlarging the Terms and Powers granted by two Acts of Parliament, one paſſed in the third, and the other in the ſeventeenth Year of the Reign of his preſent Majeſty, for repairing the Road leading from a Gate called *Shipſton Toll-gate*, at *Bridg-town*, in the Pariſh of *Old-Stratford*, in the County of *Warwick*, through *Alderminſter* and *Shipſton upon Stower*, to the Top of *Long Compton Hill*, in the ſaid County of *Warwick*; and alſo for repairing the Road leading from the firſt Mile-ſtone ſtanding on the ſaid *Shipſton* Road, through a Lane called *Clifford Lane*, and through *Mickleton* and *Chipping Campden*, to a Place called *Andover's Ford*, in the County of *Glouceſter*.
41. An Act for amending, widening and keeping in Repair, the Road from the Turnpike Road at the Bottom of *Shaw Hill*, in the Pariſh of *Melkſham*, through *Googes Lane*, *Corſham*, *Biddeſtone* and *Weſt Yatton*, to the Turnpike Road at *Upper Combe*, in the Pariſh of *Caſtlecombe*, in the County of *Wilts*.
42. An Act for the aſcertaining and collecting the Poor's Rates; and for the better ordering and regulating the Poor in the Pariſh of Saint *Luke*, in the County of *Middleſex*.
43. An Act for amending, widening and keeping in Repair, the Road from the Town of *Hitchin*, in the County of *Hertford*, through the Town of *Shefford* and *Carrington Cotton End*, to a Lane oppoſite a Farm Houſe called *Saint Leonard's*, leading into the Turnpike Road from *Saint Alban's*, to the Town of *Bedford*; and alſo the Road from the Turning-out of the aforeſaid Road into *Henlow Field*, to *Gerford Bridge*; and alſo the Road from the Town of *Henlow*, over *Henlow Bridge*, to *Arleſey* in the County of *Bedford*.
44. An Act for amending, widening and keeping in Repair, the Road leading from *Burleigh Bridge* in the Town of *Loughborough*, to *Aſhby de la Zouch*, in the County of *Liceſter*.
45. An Act for amending, widening and keeping in Repair, the Roads from the Eaſt End of the Town of *Hertford*, in the County of *Hertford*, through *Watton*, to *Broadwater*; and from the Town of *Ware*, through *Watton*, to the North End of the Town of *Walkern* in the ſaid County.
46. An Act for amending, widening, making commodious and keeping in Repair, the Road from the *Croſs Keys*, otherwiſe *Brickers Barn*, in the Pariſh of *Corſham*, in the County of *Wilts*, to *Bath-Eaſton Bridge*, in the County of *Somerſet*.
47. An Act for making the River *Blyth* navigable from *Haleſworth Bridge*, in the County of *Suffolk*, into the Haven of *Southwould*.
48. An Act for repairing and widening the Road from *Towceſter*, through *Silverſton* and *Brackley*, in the County of *Northampton*, and *Ardley* and *Middleton Stoney*, to *Weſton Gate*, in the Pariſh of *Weſton on the Green*, in the County of *Oxford*.
49. An Act for repairing and widening the Road from *Markfield* Turnpike, in the County of *Leiceſter*, over *Charley*, otherwiſe *Charnwood* Foreſt, through the Town of *Whitwick*; and from thence through *Talbot*, *Lane*, to where the Road leading from the Town of *Loughborough*, to the Town of *Aſhby de la Zouch* in the ſaid County, comes in from *Ryley Lane*, near to a Place called *Snape Gate*.
50. An Act for amending, widening and keeping in Repair, the Roads leading from the Village of *Milford*, in the County of *Surry*, through *Petworth*, to the Top of *Dunckton Hill*, and from *Petworth* to *Stopham Bridge*, in the County of *Suſſex*.
51. An Act for explaining and amending ſeveral Acts of Parliament for repairing the Roads between a Place called the *White Poſt*, on *Alconbury Hill*, and *Wansford Bridge*, in the County of *Huntingdon*, and between *Norman Croſs Hill*, in the ſaid County, and the City of *Peterborough*, with reſpect to the Elections of new Truſtees, the Power of compelling Perſons employed by the Truſtees in the Execution of ſuch Acts, to deliver up ſuch Books and Papers relating thereto as are in their Cuſtody, and alſo to the Manner of ſummoning and holding the Meetings of the Truſtees.
52. An Act for enlarging the Term and Powers granted by an Act paſſed in the twentieth Year of the Reign of his preſent Majeſty, for repairing the High Road leading from the North End of the *Cow Cawſey*, near the Town of *Newcaſtle upon Tyne*, to the Town of *Belford*; and from thence to *Buckton Burn*, in the County of *Northumberland*; and for making the ſame more effectual.
53. An Act for enlarging the Term and Powers granted by two Acts of Parliament, one paſſed in the fourth Year of the Reign of his late Majeſty King *George*, and the other in the ninth Year of the Reign of his preſent Majeſty, for repairing the Highways from *Crown Corner*, in the Town of *Reading*, leading by and through the ſeveral Pariſhes of *Shinfield* and *Heckfield*, in the ſeveral Counties of *Berks*, *Wilts* and *Southampton*, to *Baſingſtoke*, in the County of *Southampton*.
54. An Act for enlarging the Terms and Powers granted by two ſeveral Acts paſſed in the fourteenth Year of his preſent Majeſty, the one for repairing the Roads from a Place called *The Red Houſe*, near *Doncaſter*, to *Wakefield*, and through the ſaid Town of *Wakefield*, by *Dewsbury*, *Hightown* and *Lightcliff*, to the Town of *Halifax*, in the Weſt Riding in the County of *York*; and the other for repairing the Road from *Wakefield* to *Pontefract*, and from thence to a Place called *Weeland*, in the Townſhip of *Henſall*; and from *Pontefract* to *Wentbridge*, in the Townſhip of *Darrington* in the Weſt Riding of the County of *York*.
55. An Act for rebuilding the Bridge over the River *Ribble*, between the Townſhips of *Preſton* and *Penwortham*, near a Place called *The Fiſh Houſe*, in the County Palatine of *Lancaſter*.
56. An Act for rebuilding and keeping in Repair the Shire Hall of the County of *Warwick*.
57. An Act for enlarging the Term and Powers granted by an Act paſſed in the twenty-ſixth Year of the Reign of his preſent Majeſty, intituled, *An Act for repairing ſeveral Roads leading into the City of* Glaſgow, ſo far as the ſame relates to certain Roads mentioned in the ſaid Act; and alſo to enlarge the Term and Powers granted by an Act paſſed in the twenty-ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act to explain, amend and render more effectual an Act paſſed in the*

the twenty-ſixth Year of the Reign of his preſent Majeſty, intituled, An Act for repairing ſeveral Roads leading into the City of *Glaſgow*; and to repair ſeveral other Roads leading into the ſaid City; and for building a Bridge croſs the River of *Inchinnan*.

58. An Act for enlarging the Term, and amending and altering ſeveral Powers granted by an Act made in the twentieth Year of his preſent Majeſty's Reign, for opening, cleanſing, repairing and improving the Haven of *Southwould*, in the County of *Suffolk*.

59. An Act for building a Bridge over the River *Lea*, at or near a Place called *Jeremy's Ferry*; and for making, repairing and widening Roads from thence into the great Roads at *Snareſbrook* in the County of *Eſſex*, and at *Clapton* in the County of *Middleſex*.

60. An Act for repairing and widening the Road from the North End of *Dapdon Wharf*, in the Pariſh of *Stoke*, next *Guldeford*, through *Guldeford* to *Andrew's Croſs*, and to *Alford Bars* in the County of *Surry*, and from thence to *Saint Mary's Gate* in *Arundel* in the County of *Suſſex*.

61. An Act for repairing the Road from a Place called *The Golden Farmer*, near *Bagſhot* in the County of *Surry*, to *Hertfordbridge Hill* in the County of *Southampton*.

62. An Act for making the River *Ivel*, and the Branches thereof navigable from the River *Ouze*, at *Tempsford* in the County of *Bedford*, to *Shotling Mill*, otherwiſe called *Burnt Mill*, in the Pariſh of *Hitchin* in the County of *Hertford*; and to *Black Horſe Mill*, in the Pariſh of *Bygrave*, in the ſaid County of *Hertford*; and to the South and North Bridges in the Town of *Shefford*, in the ſaid County of *Bedford*.

63. An Act for building a Bridge or Bridges croſs the River of *Thames*, from a certain Place in *Old Brentford*, in the Pariſh of *Ealing*, in the County of *Middleſex*, known by the Name of *Smith* or *Smith's Hill*, to the oppoſite Shore in the County of *Surry*.

64. An Act for enlarging the Terms and Powers granted by two Acts of Parliament of the firſt and ſeventeenth Years of the Reign of his preſent Majeſty, for repairing and amending ſeveral Roads leading to and from the Borough of *Eveſham*, in the County of *Worceſter*; and for explaining and making more effectual the ſaid Acts; and alſo for amending, widening and keeping in Repair ſeveral other Roads in the Counties of *Worceſter*, *Warwick* and *Glouceſter*.

65. An Act for Cleanſing, Paving and Lightening the Streets of the City of *Bath*, and Liberties thereof; and for regulating Chairmen; and alſo for the Keeping a ſufficient and well-regulated Watch in the Night-time, in the ſaid City and Liberties; and to oblige all Owners of Houſes and other Buildings within the ſaid City and Liberties, to bring down the Water from the Roofs of their Houſes and other Buildings by proper Pipes, down the Sides or Walls of ſuch Houſes and Buildings; and alſo to oblige all Coal Carriages to paſs by the Borough Walls of the ſaid City during the Night Seaſon.

66. An Act to explain, amend and render more effectual, an Act made in the laſt Seſſion of Parliament, *For repairing and widening ſeveral Roads leading from a Gate called* Poole Gate, *in the Town and County of* Poole.

67. An Act for enlarging the Terms and Powers granted by an Act paſſed in the twelfth Year of the Reign of his preſent Majeſty, for repairing and enlarging the Highways between the Top of *Kingſdon Hill* and the City of *Bath*, and for amending ſeveral other Highways therein mentioned, leading to the ſaid City; and alſo for repairing ſeveral other Roads therein mentioned.

68. An Act for repairing and widening the Roads leading from *Spalding High Bridge*, through *Littleworth*, and by *Frognall*, and over *James Deeping Stone Bridge*, in the County of *Lincoln*, to *Maxey Outgang*, in the County of *Northampton*, adjoining the High Road there.

69. An Act for amending, widening and keeping in Repair the Roads from the Town of *Wrexham*, in the County of *Denbigh*, to *Pentre Bridge*, in the County of *Flint*; and from the Town of *Mold*, to *Northopp*, *Holywell* and *Rhuddlan*, in the ſame County; and from thence to the *Ferry Houſe* oppoſite to the Town of *Conway*, in the County of *Carnarvon*; and from *Ruthin* to the ſaid Town of *Mold*.

PRIVATE ACTS.

Anno 30 *Georgii* II.

1. AN Act to enable *Oliver Cramer* Eſquire, and the Heirs of his Body, to take and uſe the Surname of *Coghill*, purſuant to the Will of *Marmaduke Coghill* Eſquire, deceaſed, and to bear the Family Arms of *Coghill*.

2. An Act to enable the Reverend *Thomas Collier* Clerk, and his Iſſue, to take and uſe the Surname of *Barnard*.

3. An Act for naturalizing *John Baptiſt Durand*, and *Bartholomew Rilliet*.

4. An Act for naturalizing *John Frederick Falwaſſer*.

5. An Act for dividing and encloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Greens, in the Manor and Pariſh of *Prior's Hardwick*, in the County of *Warwick*.

6. An Act for confirming and eſtabliſhing certain Articles of Agreement, and an Award for dividing and incloſing the Common Fields, Common Downs, Meadows and Paſtures, within the Manor of *Barton Stacy*, in the Pariſh of *Barton Stacy*, in the County of *Southampton*.

7. An Act for dividing and incloſing the Common Field, Common Meadows, Common Paſtures, Common Grounds, and Commonable Lands, in the Townſhip of *Burcheſter*, otherwiſe *Burceſter*, otherwiſe *Biſſiter Market End*, in the County of *Oxford*; and for extinguiſhing all Right of Common in certain Common Meadows, Common Paſtures and incloſed Grounds, in the ſaid Townſhip.

8. An Act for confirming and eſtabliſhing two ſeveral Articles of Agreement, for incloſing and dividing *Northwood Hanchurch Heath*, and *Toft Green*, in the Manor and Pariſh of *Trentham*, in the County of *Stafford*.

9. An Act for dividing and incloſing a certain Piece of Paſture Gound, called *Whitgift Paſture*, in the County of *York*; and for giving a Compenſation in lieu of Tythes, to the Impropriator of the Rectory of *Whitgift* aforeſaid.

10. An Act for varying and poſtponing certain Limitations in a Grant made by King CHARLES the Second, of a Duty on Coals ſhipped in the River *Tyne*, to *Charles* late Duke of *Richmond* and *Lenox*; and for enabling the preſent Duke of *Richmond*, *Lenox* and *Aubigny*, to make a Jointure on his intended Marriage with Lady *Mary Bruce*.

11. An Act for ſettling a certain yearly Sum upon the Right Honourable *Ann Fitzroy*, commonly called Counteſs

teſs of *Euſton*, Wife of the Right Honourable *Auguſtus Fitzroy* Eſquire, commonly called Earl of *Euſton*, out of certain yearly Penſions iſſuing out of the Hereditary Revenue of the Exciſe, and compriſed in certain Letters Patent bearing Date the two and twentieth Day of *October* in the twenty-ſixth Year of the Reign of King CHARLES the Second, in Part of the Jointure agreed to be ſecured to her upon her Intermarriage with the ſaid Right Honourable *Auguſtus Fitzroy* Eſquire, commonly called Earl of *Euſton*.

12. An Act for veſting the Eſtate and Intereſt late of *Robert Cheatham* Eſquire, deceaſed, in the Duties granted by certain Acts of Parliament, for maintaining a Light-houſe on the *Edyſtone* Rock, in Truſtees, in Truſt to raiſe Money to be applied towards rebuilding the ſaid Light-houſe.

13. An Act to impower the Warden and Society of *The King's Town*, of *Sutton Coldfield*, in the County of *Warwick*, to grant Part of a Common called *Sutton Coldfield Park*, unto *Simon Luttrell* Eſquire, and his Heirs.

14. An Act to enable *Mary Jeffreys*, the Wife of *Jeffrey Jeffreys* Eſquire, a Lunatick, and the Committee or Committees of his Eſtate for the Time being, to make Leaſes of the Parts and Shares of the ſaid *Mary Jeffreys*, of divers Lands, Tenements and Hereditaments, in the County of *Devon*, deviſed by the Will of Sir *William Maurice*, deceaſed, during the Continuance of the ſaid Lunatick's Intereſt therein.

15. An Act for eſtabliſhing and rendering effectual certain Articles of Agreement for incloſing the Common Fields and Grounds in the Manor of *Stragglethorpe*, within the Pariſh of *Beckingham*, in the County of *Lincoln*; and for making a Compenſation to the Rector of the ſaid Pariſh, for the Glebe Lands and Tythes in *Stragglethorpe* aforeſaid.

16. An Act for dividing, allotting and incloſing the Common, Open and Arable Fields and Waſte Grounds, in *Earlſtone*, in the Pariſh of *Burghcleare*, in the County of *Hants*.

17. An Act for dividing and incloſing the Common Fields, Common Meadows, Common Paſtures, Common Grounds, and Commonable Lands within the Townſhip of *Piddington*, in the County of *Oxford*.

18. An Act for dividing and incloſing certain Common Paſtures and Common Grounds, in the Manor and Pariſh of *Wingerworth*, and in the Hamlet of *Tupton*, in the Pariſh of *North Wingfield* reſpectively, in the County of *Derby*.

19. An Act to enable *Thomas Turner* Eſquire, and his Iſſue, to take and uſe the Surname and Arms of *Payler*.

20. An Act for naturalizing *John Jacob Thompſons*.

21. An Act for veſting the ſettled Eſtate of *George William* Earl of *Coventry*, in the County of *Cambridge*, in Truſtees, in Truſt to ſell the ſame; and to lay out the Money ariſing by ſuch Sale, in the Purchaſe of other Lands and Hereditaments lying nearer to his Eſtate in the Counties of *Worceſter*, *Glouceſter* and *Warwick* to be ſettled to the Uſes therein mentioned.

22. An Act for diſcharging *John* Lord *Trevor*, Executor of *Thomas* Lord *Trevor*, deceaſed, from the Sum of eight thouſand and eight hundred Pounds, agreed by the ſaid *Thomas* Lord *Trevor*, to be laid out in the Purchaſe of Lands, and for confirming the Application made by the ſaid *John* Lord *Trevor*, of the ſaid eight thouſand and eight hundred Pounds, towards the Diſcharge of the Sum of ten thouſand Pounds, charged on the Manor of *Bromham*, and other the Eſtates late of the ſaid *Thomas* Lord *Trevor*, in the County of *Bedford*.

23. An Act for impowering the Guardians of *Henry* Lord *Arundell* of *Wardour*, and *Thomas Arundell* his Brother, both Infants, to make Leaſes and Copyhold Grants of their ſeveral Eſtates, during their reſpective Minorities.

24. An Act for impowering *Henry* Viſcount *Irwin*, *George Ingram* his Brother, and *Charles Ingram*, his Nephew, to ſettle Part of the ſaid Viſcount *Irwin's* Eſtate, upon the Marriage of the ſaid *Charles Irwin*, and for other Purpoſes therein mentioned.

25. An Act for regulating and improving certain Benefactions veſted in the Rector and principal Profeſſors and Maſters of the Univerſity and College of *Glaſgow*.

26. An Act to impower Sir *John Shaw* Baronet, to make a Partition, during the Minority of *John Shaw*, his Infant Son, of certain Premiſſes deviſed to him by the Will of Dame *Anna Maria Shaw* Widow, deceaſed.

27. An Act for Sale of Part of the ſettled Eſtates of *George Chaſin* the elder, and *George Chaſin* the younger, Eſquires; in the Counties of *Dorſet* and *Somerſet*, for Payment of their Debts; and for rendering a Power in a certain Settlement therein mentioned, for making Jointures more effectual; and for other Purpoſes.

28. An Act for veſting certain Tythes and Hereditaments in the *Iſle of Wight*, the Eſtate and Inheritance of *Thomas Bagſter* Eſquire, a Lunatick, in Truſtees, to be ſold for diſcharging Incumbrances affecting the ſame and for other Purpoſes therein mentioned.

29. An Act for confirming the Title of *William Welby* Eſquire, to certain Lands and Hereditaments in the County of *Lincoln*, purchaſed of *Francis Fyſher* Eſquire; and for veſting and ſettling other Eſtates of the ſaid *Francis Fyſher*, in the ſaid County, upon the Truſts, and for the Purpoſes therein mentioned.

30. An Act to enable *Lilias Montgomerie* of *Skelmorly*, to ſell Lands in the County of *Renfrew*; and to lay out the Monies ariſing thereby, in the Purchaſe of Lands contiguous to other Lands of the ſaid *Lilias Montgomerie*, in the County of *Air*; and for other Purpoſes therein mentioned.

31. An Act for enabling *Mary Hearle* Widow, *Thomas Hearle* Clerk, and *John Rogers* Eſquire, Guardians of *Margaret Hearle*, *Jane Hearle*, *Betty Hearle*, and *Harriet Hearle*, Infants, to make Leaſes of ſeveral Eſtates in the County of *Cornwall*; and alſo Setts and Leaſes of the Mines therein; and to carry on Adventures during the Minority of the ſaid Infants.

32. An Act for eſtabliſhing and rendering effectual, certain Articles of Agreement, for the dividing and incloſing the Common Fields, Common Meadow Grounds, and Common or Waſte, in the Townſhip of *Biſhopthorpe*, in the County of the City of *York*, and for other Purpoſes therein mentioned.

33. An Act for dividing and incloſing certain Common Fields, Common Paſtures, Common Meadows, Common Grounds, and Waſte Grounds, within the Pariſh of *Wolfhampcote*, in the County of *Warwick*.

34. An Act for confirming and eſtabliſhing Articles of Agreement for dividing and incloſing the open Town Fields of *Weſt Matſen*, and a ſmall Common or Waſte Ground thereto adjoining, in the County of *Northumberland*.

35. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Com-

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mon Grounds, and Waſte Grounds, in the Manor and Lordſhip of *Pryors Marſton* in the County of *Warwick*.

36. An Act for dividing and incloſing certain Fields, Meadows, and Commons, in the Manor of *Fulford* in the County of *York*.

37. An Act for dividing and incloſing a Parcel of Common Ground in the Manor of *Strenſall* in the County of *York*; and for giving Compenſation to the Prebendary of *Strenſall* aforeſaid, and his Farmer, and the Vicar of *Strenſall*, in lieu of their reſpective Tythes and Eccleſiaſtical Dues out of the ſaid Parcel of Ground.

38. An Act for eſtabliſhing and rendering effectual Articles of Agreement for dividing and incloſing the open Fields and Common Grounds in *Pocklington* in the County of *York*.

39. An Act for dividing and incloſing *Thornton*, otherwiſe *Biſhop Thornton* Moor ſtinted Paſture, or Common, within the Manor of *Biſhop Thornton*, with *Biſhopſide* in the County of *York*.

40. An Act for dividing and incloſing ſeveral open and Arable Meadow and Paſture Grounds in the Pariſh of *Loxley* in the County of *Warwick*.

41. An Act for dividing and incloſing the Common Fields, Grounds and Meadows in the Manor and Pariſh of *Baumber*, otherwiſe *Bamburgh* in the County of *Lincoln*.

42. An Act to diſſolve the Marriage of the Honourable *Charles Hope Weir* Eſquire, with *Ann Vane* his now Wife, and to enable him to marry again; and for other Purpoſes therein mentioned.

43. An Act to diſſolve the Marriage of *Thomas Nuthall* Gentleman, with *Lucy Scott* his now Wife, and to enable him to marry again; and for other Purpoſes therein mentioned.

44. An Act for naturalizing *John Durade*.

45. An Act to aſcertain, eſtabliſh and confirm the Boundaries of the Manors and Pariſhes of *North Mims* and *Northaw*, ſo far as the ſame extends to and upon the ſeveral Commons called *North Mims* and *Northaw* Common in the County of *Hertford*.

46. An Act to enable the Governors of the Hoſpital of King *James*, founded in *Charter Houſe*, to ſell and convey the Manor of *Blacktoft*, and divers Lands and Tenements in the County of *York*; and for laying out the Money ariſing thereby, in the Purchaſe of other Lands and Tenements, for the Benefit of the ſaid Hoſpital.

47. An Act to enable the Guardian of *Charles Ward*, an Infant, to ſell and convey Part of his Eſtate in the County of *Warwick*, purſuant to an Agreement with the Right Honourable *Francis* Earl *Brooke*; and for applying the Purchaſe-money in Diſcharge of Incumbrances affecting the ſame.

48. An Act for carrying into Execution Articles of Agreement, entered into before, and in Conſideration of the Marriage of *Criſp Molineux* Eſquire, with *Katharine Montgomery* his now Wife.

49. An Act for veſting the ſettled Eſtates of *Lillie Smith Aynſcombe* Eſquire, and *Valentina* his Wife, in Truſtees, to be ſold; and for applying the Money ariſing by ſuch Sale, in the Purchaſe of other Freehold Lands, Tenements and Hereditaments, to be ſettled and limited to the like Uſes; and for other Purpoſes in the ſaid Act mentioned.

50. An Act for veſting Part of the Real Eſtate of *Henry Chivers Vince* Eſquire, deceaſed, in Truſtees, to be ſold for raiſing Money to diſcharge the Debts and Incumbrances directed to be paid by a Decree of the Court of *Chancery*.

51. An Act for veſting divers Meſſuages, Lands and Hereditaments, Part of the Real Eſtate late of *George Daviſon* deceaſed, in Truſtees, to enable them to convey the ſame to the Purchaſers or Mortgagees thereof, or unto ſuch other Perſon or Perſons as the Court of *Chancery* ſhall direct.

52. An Act for dividing and incloſing certain open and common Fields, lying within the Pariſh or Townſhip of *Morton*, otherwiſe *Morton Morrel* in the County of *Warwick*.

53. An Act for dividing and incloſing ſeveral Commons or Waſtes, and alſo ſeveral Common Fields, Meadows, Paſtures, and Waſte Grounds lying within the Manor of *Wimeſwould* in the County of *Leiceſter*.

54. An Act for confirming a Partition between *William* Earl of *Dartmouth*, and *Frances Catherine* Counteſs of *Dartmouth*, his Wife, and Sir *William Maynard* Baronet, of ſeveral Eſtates in the Counties of *Bucks*, *Middleſex*, *Surry*, *Suffolk*, and *Hertford*, and in the City of *London*, and for veſting and ſettling the intire Premiſſes to the ſeveral Uſes therein mentioned.

55. An Act to impower *Elizabeth*, the Wife of *Henry Thomas Carr* Eſquire, a Lunatick, to make an Appointment of a Sum of three thouſand Pounds, towards the Payment of the ſaid Lunatick's Debts; and for other Purpoſes therein mentioned.

56. An Act for Sale of Part of the ſettled Eſtate of *William Thompſon* Eſquire, in the County of *Berks*, to raiſe Money towards diſcharging ſeveral Mortgage Debts and Incumbrances affecting other Parts of his ſettled Eſtates in the ſame County.

57. An Act for impowering the Receiver General of his Majeſty's Cuſtoms to releaſe and diſcharge the Eſtate and Effects of *George Buchanan* and *William Hamilton*, from a Debt due to his Majeſty, upon Payment, by the Aſſignees under the Commiſſion of Bankruptcy againſt them, of a Sum of Money therein mentioned.

58. An Act to enable *Samuel Jackſon* Eſquire, now called *Samuel Dodington*, and his Heirs Male, to take and uſe, in Exchange for his and their own Surname and Arms, the Surname and Arms of *Dodington*, purſuant to the Will of *George Dodington* Eſquire, deceaſed.

59. An Act to enable *James Newſam* Eſquire, and his Iſſue, to take and uſe the Surname of *Craggs*.

PUBLICK ACTS.

Anno 31 *Georgii* II.

1. AN Act for continuing certain Laws made in the laſt Seſſion of Parliament, for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biſcuit and Starch; and for prohibiting the making of Low Wines and Spirits, from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal or Flour; and to allow the Tranſportation of Wheat, Barley, Oats, Meal and Flour, to the *Iſle of Man*, for the Uſe of the Inhabitants there; and for reviving and continuing an Act made in the ſame Seſſion, for diſcontinuing the Duties upon Corn and Flour imported, and upon Corn, Grain, Meal, Bread, Biſcuit and Flour, taken from the Enemy; and to permit the Importation of Corn and Flour into *Great Britain* and *Ireland*, in Neutral Ships; and to authoriſe his Majeſty, with the Advice of his Privy Council, to order and permit the Exportation of ſuch Quantities of the Commodities aforeſaid, as may be neceſſary for the Suſtentation of any

any Forces in the Pay of *Great Britain*, or of thoſe of his Majeſty's Allies acting in Support of the Common Cauſe; and to prohibit the Payment of any Bounty upon the Exportation of any of the ſaid Commodities to be made during the Continuance of this Act.

2. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-eight.

3. An Act for allowing the Importation of ſuch Fine *Italian* Organzine Silk into this Kingdom from any Port or Place whatſoever, as ſhall have been ſhipped on or before the Day therein mentioned.

4. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-eight; and for inforcing the Payment of the Rates to be aſſeſſed upon *Somerſet Houſe* in the *Strand*.

5. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.

6. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

7. An Act for appointing Commiſſioners for putting in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and fifty-eight; and for inforcing the Payment of the Rates to be aſſeſſed upon* Somerſet Houſe *in the Strand*; and for rectifying a Miſtake in the ſaid Act; and for allowing farther Time to the Receivers of certain Aids, for ſetting *inſuper* for Monies in Arrear.

8. An Act for inlarging the Terms and Powers granted and continued by ſeveral Acts of Parliament, for repairing the Harbour of *Dover* in the County of *Kent*.

9. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Imployments; and to indemnify Juſtices of the Peace, and others, who have omitted to regiſter their Qualifications within the Time limited by Law; and for giving further Time for thoſe Purpoſes, and the filing of Affidavits of Articles of Clerkſhip.

10. An Act for the Incouragement of Seamen imployed in the Royal Navy; and for eſtabliſhing a regular Method for the punctual, frequent, and certain Payment of their Wages; and for enabling them more eaſily and readily to remit the ſame for the Support of their Wives and Families; and for preventing Frauds and Abuſes attending ſuch Payments.

11. An Act to amend an Act made in the third Year of the Reign of King *William* and Queen *Mary*, intituled, *An Act for the better Explanation, and ſupplying the Defects of the former Laws for the Settlement of the Poor*, ſo far as the ſame relates to Apprentices gaining a Settlement by Indenture; and alſo to impower Juſtices of the Peace to determine Differences between Maſters and Miſtreſſes and their Servants in Huſbandry, touching their Wages, though ſuch Servants are hired for leſs Time than a Year.

12. An Act to incourage the Growth and Cultivation of Madder in that Part of *Great Britain* called *England*, by aſcertaining the Tithe thereof there.

13. An Act for allowing a further Time for holding the firſt Meetings of Commiſſioners or Truſtees for putting in Execution certain Acts made in the laſt Seſſion of Parliament.

14. An Act for further explaining the Laws touching the Electors of Knights of the Shire to ſerve in Parliament for that Part of *Great Britain* called *England*.

15. An Act for the Incouragement of the Exportation of Culm to *Liſbon*, in the Kingdom of *Portugal*.

16. An Act to inforce and render more effectual an Act made in the twenty-fifth Year of his preſent Majeſty's Reign, intituled, *An Act for annexing certain forfeited Eſtates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to eſtabliſh a Method of managing the ſame, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of* Scotland, *and preventing Diſorders there for the future*.

17. An Act to explain, amend, and render more effectual an Act paſſed in the twenty-ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for appointing a ſufficient Number of Conſtables for the Service of the City and Liberty of* Weſtminſter; *and to compel proper Perſons to take upon them the Office of Jurymen, to preſent Nuſances and other Offences within the ſaid City and Liberty*.

18. An Act for draining and preſerving certain Fen Lands and Low Grounds in the Iſle of *Ely* and County of *Cambridge*, between the *Cam*, otherwiſe *Grant*, *Ouſe*, and *Mildenhall* Rivers, and bounded on the South Eaſt by the Hard Lands of *Iſleham*, *Fordham*, *Soham* and *Wicken*; and for impowering the Governor, Bailiffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, called *Bedford Level*, to ſell certain Lands within the ſaid Limits, commonly called *Inveſted Lands*.

19. An Act for draining and preſerving certain Fen Lands, Low Grounds, and Commons, in the Pariſhes of *Chatteris* and *Doddington*, in the Iſle of *Ely* in the County of *Cambridge*.

20. An Act for applying a Sum of Money granted in this Seſſion of Parliament for rebuilding *London Bridge*; and for rendering more effectual an Act paſſed in the twenty-ninth Year of his preſent Majeſty's Reign, intituled, *An Act to improve, widen and inlarge the Paſſage over and through* London Bridge.

21. An Act for allowing further Time for Inrolment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers.

22. An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions; and upon Houſes; and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities, and a Lottery, to be charged on the ſaid Rates and Duties.

23. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Weſtern Diviſion of the Hundred of *Brixton* in the County of *Surry*.

24. An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Borough of *Great Yarmouth*, and the Liberties thereof.

25. An Act for eſtabliſhing a free Market for the Sale of Corn and Grain within the City or Liberty of *Weſtminſter*.

26. An Act to explain, amend and inforce an Act made in the laſt Seſſion of Parliament, intituled, *An Act for the better Ordering of the Militia Forces in the ſeveral Counties of that Part of* Great Britain *called* England.

27. An Act for repealing an Act made in the twenty-fifth Year of his preſent Majeſty, to reſtrain the making Inſurances on Foreign Ships bound to or from the *Eaſt Indies*.

28. An Act to permit the Importation of Salted Beef, Pork and Butter from *Ireland*, for a limited Time.
29. An Act for the due making of Bread; and to regulate the Price and Aſſize thereof; and to puniſh Perſons who ſhall adulterate Meal, Flour or Bread.
30. An Act for applying the Money granted by Parliament towards defraying the Charge of Pay and Cloathing for the Militia, for the Year one thouſand ſeven hundred and fifty-eight; and for defraying the Expences incurred on Account of the Militia, in the Year one thouſand ſeven hundred and fifty-ſeven.
31. An Act for granting to his Majeſty certain Sums of Money out of the Sinking Fund for the Service of the Year one thouſand ſeven hundred and fifty-eight; and for impowering the proper Officers to make forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, in lieu of ſuch as ſhall be loſt, burnt, or otherwiſe deſtroyed; and for obliging the Retailers of Wines, commonly called *Sweets* or *Made Wines*, to take out a Wine Licence.
32. An Act for repealing the Duty granted by an Act made in the ſixth Year of the Reign of his late Majeſty, on Silver Plate, made, wrought, touched, aſſayed or marked in *Great Britain*; and for granting a Duty on Licences, to be taken out by all Perſons dealing in Gold or Silver Plate; and for diſcontinuing all Drawbacks upon Silver Plate exported; and for more effectually preventing Frauds and Abuſes in the Marking or Stamping of Gold or Silver Plate.
33. An Act for enabling his Majeſty to raiſe the Sum of eight hundred thouſand Pounds, for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament.
34. An Act for inlarging the Times for the firſt Meetings of Commiſſioners or Truſtees, for putting in Execution certain Acts of this Seſſion of Parliament; and for other Purpoſes therein mentioned.
35. An Act to continue ſeveral Laws therein mentioned, for granting a Liberty to carry Sugars of the Growth, Produce or Manufacture of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Colonies directly into Foreign Parts, in Ships built in *Great Britain*, and navigated according to Law; for the preventing the committing of Frauds by Bankrupts; for giving further Incouragement for the Importation of Naval Stores from the *Britiſh* Colonies in *America*; and for preventing Frauds and Abuſes in the Admeaſurement of Coals in the City and Liberty of *Weſtminſter*; and for preventing the Stealing or Deſtroying of Madder Roots.
36. An Act for continuing certain Laws therein mentioned relating to *Britiſh* Sail Cloth, and to the Duties payable on Foreign Sail Cloth; and to the Allowance upon the Exportation of *Britiſh* made Gunpowder; and to the Incouragement of the Trade of the Sugar Colonies in *America*; and to the Landing of Rum or Spirits of the *Britiſh* Sugar Plantations, before the Duties of Exciſe are paid thereon; and for regulating the Payment of the Duties on Foreign Exciſeable Liquors; and for the Relief of *Thomas Watſon*, with regard to the Drawback on certain *Eaſt Indian* Callicoes; and for rendering more commodious the new Paſſage leading from *Charing Croſs*.
37. An Act to permit the Exportation of certain Quantities of Malt now lying in his Majeſty's Storehouſes; and to allow the Bounty upon ſuch Corn and Malt as was ſhipped and cleared for *Ireland*, on or before a limited Time; and to authoriſe the Tranſportation of Flour, Meal, Bread and Biſcuit, to the Iſlands of *Guernſey* and *Jerſey*, for the Uſe of the Inhabitants there, in lieu of the Wheat, Malt or Barley, which may now, by Law, be tranſported to thoſe Iſlands.
38. An Act for applying a Sum of Money granted in this Seſſion of Parliament towards carrying on the Works for fortifying and ſecuring the Harbour of *Milford* in the County of *Pembroke*.
39. An Act for veſting certain Meſſuages, Lands, Tenements and Hereditaments, for the better ſecuring his Majeſty's Docks, Ships, and Stores, at *Portſmouth*, *Chatham* and *Plymouth*, and for the better fortifying the Town of *Portſmouth*, and Citadel of *Plymouth*, in Truſtees, for certain Uſes; and for other Purpoſes therein mentioned.
40. An Act to aſcertain the Weight of Truſſes of Straw, and to puniſh Deceits in the Sale of Hay and Straw in Truſſes in *London*, and within the Weekly Bills of Mortality, and within the Diſtance of thirty Miles thereof; and to prevent common Saleſmen of Hay and Straw from buying the ſame on their own Account to ſell again; and alſo to reſtrain Saleſmen, Brokers, or Factors in Cattle, from buying on their own Account to ſell again, any Live Cattle in *London*, or within the Weekly Bills of Mortality, or which are driving up thereto.
41. An Act to amend and render more effectual an Act paſſed in the twenty-ninth Year of his preſent Majeſty's Reign, intituled, *An Act for incloſing by the mutual Conſent of the Lords and Tenants, Part of any Common, for the Purpoſe of planting and preſerving Trees fit for Timber or Underwood; and for more effectually preventing the unlawful Deſtruction of Trees.*
42. An Act for making perpetual ſeveral Acts therein mentioned, for preventing Theft and Rapine on the Northern Borders of *England*; for the more effectual puniſhing wicked and evil diſpoſed Perſons going armed in Diſguiſe, and doing Injuries and Violences to the Perſons and Properties of his Majeſty's Subjects, and for the more ſpeedy bringing the Offenders to Juſtice; and alſo two Clauſes to prevent the cutting or breaking down the Bank of any River, or Sea Bank; and to prevent the malicious cutting of Hop Binds; for the more effectual Puniſhment of Perſons maliciouſly ſetting on Fire any Mine, Pit, or Delph of Coal, or Canal Coal; and of Perſons unlawfully hunting or taking any Red or Fallow Deer in Foreſts or Chaſes; or beating or wounding the Keepers or other Officers in Foreſts, Chaſes or Parks; and alſo ſo much of an Act as relates to the Power of appealing to the Circuit Courts in Civil Caſes in *Scotland*.

PRIVATE ACTS.

Anno 31 *Georgii* II.

1. AN Act to enable *John* Earl of *Sandwich*, *Wellbore Ellis* Eſquire, and *Thomas Potter* Eſquire, to take in *Great Britain*, the Oath of Office as Vice Treaſurer and Receiver General and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*; and to qualify themſelves for the Injoyment of the ſaid Offices.
2. An Act for transferring certain *South Sea* Annuities, ſtanding in the Name of the late Treaſurer to the Commiſſioners for building fifty new Churches, unto the reſpective Rectors of eight of thoſe Churches, and for veſting certain Sites for Churches purchaſed by the ſaid Commiſſioners, in Truſtees, in order to ſell the ſame for the Purpoſes therein mentioned.

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3. An Act to enable *George Amyand* and *John Anthony Rucker* of *London*, Merchants, Agents for the *Embden Eaſt India* Company, to ſell and diſpoſe of the Cargo of the Ship the *Prince Ferdinand of Pruſſia*, to the United Company of Merchants of *England* trading to the *Eaſt Indies*, and to enable the ſaid United Company to purchaſe, land, ſell and diſpoſe of the ſame, or any Part thereof; and to impower the ſaid *George Amyand* and *John Anthony Rucker*, to make Inſurances upon the ſaid Ship and Cargo.

4. An Act to enable *Mary Woollett* Spinſter (notwithſtanding her Infancy) upon her Marriage with *Robert Mead Wilmot* Eſquire, to ſettle and convey her Eſtate and Intereſt in certain Meſſuages, Lands and Hereditaments in the County of *Kent*, and in two ſeveral Sums of two thouſand Pounds, and three hundred Pounds, to the Uſes in certain Articles of Agreement mentioned.

5. An Act to diſſolve the Marriage of *Godfrey Wentworth* Eſquire, with *Dorothea Pilkington* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

6. An Act for dividing and incloſing certain Waſtes or Commons called *Brancepeth*, and *Stockley* Moors or Commons, within the Manor and Pariſh of *Brancepeth* in the County of *Durham*.

7. An Act for dividing and incloſing certain open and common Fields in *Great Glen* in the County of *Leiceſter*, called the *Upper* or *North End Fields*, and all the Common Paſtures, Common Meadows, and Common and Waſte Grounds within the ſame Fields.

8. An Act for naturalizing *George Clifford*.

9. An Act for veſting the Foreſts and Manors of *Singleton* and *Charlton*, and other Manors, Lands, Tenements and Hereditaments in the Counties of *Suſſex* and *Wilts*, in Truſtees, and their Heirs, upon the Truſts therein mentioned, freed and diſcharged from the Eſtates, Uſes and Truſts, to which the ſame are at preſent ſubject; and for other Purpoſes therein mentioned.

10. An Act for incloſing and dividing the Moors and Commons within the Chapelry of *Hamſterly*, in the Manor of *Walſingham* in the County of *Durham*.

11. An Act for confirming a Contract of Leaſe of Mines between *Charles* Duke of *Queenſbury* and *Dover*, of the one Part; and *Ronald Crawfurd*, *James Crawfurd*, and *Daniel Telfer*, of the other Part; and for enabling the ſaid Duke, and his Heirs of Entail, to grant Leaſes in Terms of the ſaid Contract.

12. An Act to enable *John* Earl of *Egmont*, in the Kingdom of *Ireland*, to raiſe Money for purchaſing Lands in *Great Britain*, for the Purpoſes of his Marriage Settlement by Mortgage, inſtead of Sale of Part of his *Iriſh* Eſtate.

13. An Act for ſelling divers Lands and Tenements, and Shares of Lands and Tenements, in *London*, *Middleſex*, and *Surrey*, of and belonging to *Ralph* Earl of *Verney*, in the Kingdom of *Ireland*, *Mary* Counteſs of *Verney*, and Dame *Henrietta Maria Clayton* reſpectively, and for laying out the Money ariſing by ſuch Sale in purchaſing other Lands and Hereditaments to be ſettled in lieu thereof.

14. An Act to enable Sir *Maurice Croſbie* Knight, or any future Guardian of *Francis Thomas* Earl of *Kerry* and *Lixnaw*, in the Kingdom of *Ireland*, a Minor, to diſcharge an Incumbrance on certain Collieries and Coal Mines in the County of *Durham*, Part of the Eſtate of the ſaid Earl.

15. An Act for carrying into Execution ſeveral Contracts made by or on Behalf of *James* late Lord *Bulkeley*, in the Kingdom of *Ireland*, in his Life-time, for the Sale of ſeveral Lands and Tenements in the County of *Angleſey*; and for applying the Purchaſe-money to diſcharge Incumbrances affecting the ſame.

16. An Act for ſettling the ſeveral Charities of the Hoſpital and Free School at *Kirkleatham* in the County of *York*, of the Foundation of Sir *William Turner* Knight, deceaſed, and the Poſſeſſions and Revenues thereunto belonging, purſuant to the Will and Codicil of *Cholmley Turner*, late of *Kirkleatham* aforeſaid, Eſquire, deceaſed.

17. An Act to enable *Charles Bagot*, now called *Charles Cheſter*, and his Sons, to take the Surname of *Cheſter*, and for carrying an Agreement therein mentioned into Execution.

18. An Act for veſting in *William Read* Eſquire, and his Heirs, ſeveral intailed Eſtates in the County of *York*, in order that the ſame may be ſold; and for the ſettling another Eſtate in the ſaid County of *York* to the like Uſes.

19. An Act for veſting Part of the Lands, Tenements and Hereditaments, ſettled on the Marriage of *William Norris* Eſquire, in the ſaid *William Norris*, and his Heirs; and for ſettling other Lands in lieu thereof.

20. An Act to veſt Part of the ſettled Eſtate of *Penyſton Powney* Eſquire, deceaſed, in Truſtees, to be ſold, and to lay out the Money ariſing from the Sale thereof, in Real Eſtates, to be ſettled to the ſame Uſes.

21. An Act to diſſolve the Marriage of *George Foſter Tuffnell* Eſquire, with *Elizabeth Foſter* his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

22. An Act for eſtabliſhing Agreements made between *Charles Brandling* Eſquire, and other Perſons, Proprietors of Lands, for laying down a Waggon Way, in order for the better ſupplying the Town and Neighbourhood of *Leeds* in the County of *York*, with Coals.

23. An Act to confirm and eſtabliſh Articles of Agreement for dividing and incloſing ſeveral open and common Fields in *Ottringham*, in the County of *York*.

24. An Act for confirming and eſtabliſhing Articles of Agreement for dividing and incloſing the open common Fields, common Meadow, Commons and waſte Grounds, in the Townſhips of *Brompton* and *Sawden*, in the Pariſh of *Brompton*, in the North Riding of the County of *York*.

25. An Act for eſtabliſhing and confirming Articles of Agreement for dividing and incloſing two ſtinted Paſtures or Commons called *Settle Banks*, *High Scarr*, and *Scaleber* within the Townſhip of *Settle*, in the County of *York*.

26. An Act for dividing and incloſing *Newton Moor* or *Newton Common*, within the Manor of *Newton cum Beninbrough*, in the County of *York*.

27. An Act for dividing and incloſing the common and open Fields, common Paſtures, common Meadows, common Pieces, common Grounds, and waſte Grounds, in the Townſhip of *Geydon*, in the Pariſh of *Biſhop's Itchington*, in the County of *Warwick*.

28. An Act for dividing and allotting certain Fields, Meadow Grounds, and common Paſtures, in the Manor and Townſhip of *Skirpenbeck*, in the County of *York*, and for other Purpoſes therein mentioned.

29. An Act for dividing and incloſing certain open and common Fields called *Northleigh Common Fields*,

and a Common or Waſte called *Northleigh Heath*, within the Pariſh or Townſhip of *Northleigh*, in the County of *Oxford*.

30. An Act for dividing and incloſing the common Fields, common Paſtures, common Meadows, common Grounds, Heaths, and waſte Ground, of *Upper Boddington*, and *Lower Boddingoon*, within the Pariſh of *Upper Boddington*, in the County of *Northampton*, and for ſettling a Rate or certain annual Sum of Money to be paid in lieu of the Tythes of certain old Incloſures within the ſaid Pariſh.

31. An Act for dividing and incloſing the common Fields, common Paſtures, common Meadows, common Grounds, and waſte Grounds, in the Manor and Lordſhip of *Woodford*, otherwiſe *Halſe Woodford*, in the County of *Northampton*.

32. An Act for dividing and incloſing the common, open, and Arable Fields, and common Meadows, in the Manor and Pariſh of *Hareby*, in the County of *Lincoln*.

33. An Act for dividing and incloſing the open and common Fields, common Meadows, common Ground, and waſte Ground, in the Manor and Pariſh of *Helmdon*, in the County of *Northampton*.

34. An Act for confirming and eſtabliſhing Articles of Agreement for dividing and incloſing certain common Fields within the Manor of *Wilnecote*, in the County of *Warwick*; and alſo for erecting and working one or more Fire Engine or Fire Engines, for the more effectual draining the Coal Mines in the ſaid Manor.

35. An Act for dividing and incloſing certain open and common Fields, in the Hamlet, Townſhip, or Village of *Upton*, in the Pariſh of *Blewbury*, in the County of *Berks*.

36. An Act for confirming and eſtabliſhing certain Articles of Agreement, for dividing and incloſing the open common Fields in the Pariſh of *Edithweſton*, in the County of *Rutland*.

37. An Act for naturalizing *Anthony Fonblanque*, and *Nicholas Baptiſt Aubert*.

38. An Act for naturalizing *John Baptiſt D'abbadie*.

39. An Act for ſeparating *Lawrence* Earl *Ferrers* from *Mary* Counteſs *Ferrers* his Wife, for the Cruelty of the ſaid Earl; and for ſettling a Maintenance for the ſaid Counteſs, out of the Eſtate of the ſaid Earl.

40. An Act to enable the Dean and Chapter of the Collegiate Church of *Saint Peter* at *Weſtminſter*, and their Succeſſors, to make and grant unto *James Mallers* a Leaſe or Leaſes of certain Pieces of Ground, Meſſuages, Tenements, and Hereditaments, comprized within certain Limits, for a longer Term of Years than they are at preſent enabled to grant.

41. An Act for Sale of the Eſtates of *Marmaduke Gwynne* Eſquire, in the County of *Pembroke*, to diſcharge Incumbrances affecting the ſame, and for other Purpoſes therein mentioned.

42. An Act for naturalizing *John Knight*.

PUBLICK ACTS.

Anno 32 *Georgii* II.

1. AN Act to continue for a limited Time, an Act made in the laſt Seſſion of Parliament, intituled, *An Act to permit the Importation of ſalted Beef, Pork and Butter from* Ireland, *for a limited Time*, and to amend the ſaid Act.

2. An Act to continue for a farther Time, the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biſcuit and Starch; and alſo to continue for a farther Time, the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal or Flour; and to prohibit for a limited Time, the making of Low Wines and Spirits from Bran.

3. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-nine.

4. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-nine.

5. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army in their Quarters.

6. An Act to explain and Amend an Act paſſed in the twenty-ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more eaſy and ſpeedy Recovery of ſmall Debts within the Town and Borough of* Southwark, *and the ſeveral Pariſhes of* Saint Saviour, Saint Mary *at* Newington, Saint Mary Magdalen Bermondſey, Chriſt Church, Saint Mary Lambeth, *and* Saint Mary *at* Rotherhith, *in the County of* Surrey, *and the ſeveral Precincts and Liberties of the ſame*; and for extending the Powers and Proviſions of the ſaid Act to ſuch Part of the Eaſtern Half of the Hundred of *Brixton*, in the ſaid County, as is not included in the ſaid Act.

7. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments within the Time limited by Law; and for allowing further Time for that Purpoſe.

8. An Act for taking off the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biſcuit, and Starch.

9. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.

10. An Act for granting to his Majeſty a Subſidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom; and an additional inland Duty on Coffee and Chocolate, and for raiſing the Sum of ſix millions ſix hundred thouſand Pounds, by way of Annuities and a Lottery, to be charged on the ſaid Subſidy and additional Inland Duty.

11. An Act to permit the free Importation of Cattle from *Ireland* for a limited Time.

12. An Act to diſcontinue for a limited Time, the Duties payable upon Tallow imported from *Ireland*.

13. An Act for draining and preſerving certain Fen Lands and Low Grounds in the Pariſhes of *Somerſham*, and *Pidley* with *Fenton*, and the Pariſh of *Colne*, in the County of *Huntingdon*.

14. An Act for the more regular and eaſy collecting, accounting for and paying of Poſt Fines, which ſhall be due to the Crown, or to Grantees thereof under the Crown; and for the Eaſe of Sheriffs in reſpect to the ſame.

15. An Act for the better Preſervation of the Turnpike Roads in that Part of *Great Britain* called *Scotland*.

16. An Act to continue, amend, explain, and render more effectual, an Act made in the ſixth Year of the Reign of his preſent Majeſty, for the better Regulation of Laſtage and Ballaſtage in the River *Thames*, and to prevent putting of Rubbiſh, Aſhes, Dirt, or Soil, into the

the ſaid River, and in the Streets, Paſſages, and Kennells, in *London*, and in the Suburbs thereof in *Middleſex*, and in *Weſtminſter*, and ſuch Part of the Dutchy of *Lancaſter* as is in *Middleſex*, and for allowing a certain Quantity of Dung, Compoſt, Earth, or Soil, to be yearly ſhipped as Ballaſt from the Layſtalls in *London* on Board any Collier or Coaſting Veſſel.

17. An Act for obviating a Doubt with reſpect to the ſummoning of Perſons for Offences committed againſt, or Forfeitures incurred by, the Laws of Exciſe.

18. An Act to continue ſo much of an Act made in the nineteenth Year of the Reign of his preſent Majeſty, as relates to the further Puniſhment of Perſons going armed or diſguiſed, in Defiance of the Laws of Cuſtoms or Exciſe; and to the Relief of the Officers of the Cuſtoms in Informations upon Seizures; and to appropriate certain Penalties mentioned in an Act made in the laſt Seſſion of Parliament, for the due Making of Bread; and to regulate the Price and Aſſize thereof; and to puniſh Perſons who ſhall adulterate Meal, Flour, or Bread.

19. An Act to explain and amend an Act paſſed in the thirtieth Year of his preſent Majeſty's Reign, for granting to his Majeſty ſeveral Rates and Duties upon Indentures, Leaſes, Bonds, and other Deeds; and upon News Papers, Advertiſements, and Almanacks; and upon Licences for retailing Wine; and other Purpoſes in the ſaid Act mentioned; ſo far as the ſame relates to ſome Proviſions with regard to Licences for retailing Wine; and to preſerve the Privileges of the two Univerſities in that Part of *Great Britain* called *England*, with reſpect to Licences for retailing Wine.

20. An Act for enforcing the Execution of the Laws relating to the Militia; and for removing certain Difficulties, and preventing Inconveniencies attending or which may attend the ſame.

21. An Act for applying the Money granted in this Seſſion of Parliament, towards defraying the Charge of Pay and Clothing for the Militia, from the thirty-firſt Day of *December* one thouſand ſeven hundred and fifty-eight to the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty.

22. An Act for adding certain Annuities granted in the Year one thouſand ſeven hundred and fifty-ſeven, to the Joint Stock of three *per Centum* Annuities, conſolidated by the Acts of the twenty-fifth, twenty-eighth, and twenty-ninth Years of his preſent Majeſty's Reign; and for carrying the ſeveral Duties therein mentioned to the Sinking Fund; and for charging the Annuities on ſingle Lives, granted in the Year one thouſand ſeven hundred and fifty-ſeven, on the Produce of the ſaid Fund.

23. An Act to continue ſeveral Laws therein mentioned, relating to the allowing a Drawback of the Duties upon the Exportation of Copper Bars imported; to the Encouragement of the Silk Manufactures; and for taking off ſeveral Duties on Merchandize exported, and reducing other Duties; to the Premium upon Maſts, Yards, and Bowſprits, Tar, Pitch, and Turpentine; to the encouraging the Growth of Coffee in his Majeſty's Plantations in *America*; to the ſecuring the Duties upon Foreign made Sail Cloth, and charging Foreign made Sails with a Duty; and for enlarging the Time for Payment of the Duties omitted to be paid on the Indentures and Contracts of Clerks, Apprentices or Servants; and alſo for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Sollicitors, and filing thereof.

24. An Act to amend an Act made in the laſt Seſſion of Parliament, for repealing the Duty granted by an Act made in the ſixth Year of the Reign of his late Majeſty on Silver Plate, and for granting a Duty on Licences to be taken out by all Perſons dealing in Gold or Silver Plate, by permitting the Sale of Gold or Silver Plate in ſmall Quantities without Licence; and by granting a Duty inſtead of the Duty now payable upon Licences to be taken out by certain Dealers in Gold or Silver Plate; and alſo a Duty upon Licences to be taken out by Pawnbrokers dealing in Gold or Silver Plate, and Refiners of Gold or Silver.

25. An Act to explain and amend an Act made in the twenty-ninth Year of his preſent Majeſty's Reign, intituled, *An Act for the Encouragement of Seamen, and the more ſpeedy and effectual Manning his Majeſty's Navy*; and for the better Prevention of Piracies and Robberies by Crews of private Ships of War.

26. An Act for applying a Sum of Money granted in this Seſſion of Parliament towards carrying on the Works for fortifying and ſecuring the Harbour of *Milford* in the County of *Pembroke*; and to amend and render more effectual an Act of laſt Seſſion of Parliament, for applying a Sum of Money towards fortifying the ſaid Harbour.

27. An Act for continuing, amending, explaining, and making more effectual, an Act made in the nineteenth Year of his preſent Majeſty's Reign intituled, *An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of* Weſtminſter, *and that Part of the Dutchy of* Lancaſter *adjoining thereto, and the ſeveral Pariſhes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and ſuch Part of the Pariſh of Saint* Andrew, Holborn, *as lies in the County of* Middleſex.

28. An Act for the Relief of Debtors with reſpect to the Impriſonment of their Perſons; and to oblige Debtors, who ſhall continue in Execution in Priſon beyond a certain Time, and for Sums not exceeding what are mentioned in the Act, to make Diſcovery of, and deliver upon Oath, their Eſtates for their Creditors Benefit.

29. An Act for further regulating the Power of taking Samples of Foreign Spirituous Liquors by the Officers of Exciſe; and alſo for impowering the Traders to take ſuch Samples before the Duties are charged.

30. An Act for making Compenſation to the Proprietors of ſuch Lands and Hereditaments as have been purchaſed for the better ſecuring his Majeſty's Docks, Ships, and Stores, at *Chatham*, *Portſmouth*, and *Plymouth*, and for better fortifying the Town of *Portſmouth*, and Citadel of *Plymouth*, in purſuance of an Act of the laſt Seſſion of Parliament; and for other Purpoſes therein mentioned.

31. An Act for granting to his Majeſty certain Sums of Money out of the Sinking Fund; and for applying certain Monies remaining in the Exchequer for the Service of the Year one thouſand ſeven hundred and fifty-nine; and for Relief of *Samuel Taylor*, with reſpect to a Bond entered into by him for ſecuring the Duties on Tobacco imported.

32. An Act for the more effectual preventing the fraudulent Importation of Cambricks and *French* Lawns.

33. An Act to explain and amend an Act made in the laſt Seſſion of Parliament, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions; and upon Houſes; and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities and a Lottery*

a Lottery to be charged on the ſaid Rates and Duties; ſo far as the ſame relates to the Rates and Duties on Offices and Penſions.

34. An Act for the better preventing the Importation of the Woollen Manufactures of *France* into any of the Ports in the *Levant* Sea, by or on the Behalf of any of his Majeſty's Subjects; and for the more effectual preventing the illegal Importation of Raw Silk and Mohair Yarn into this Kingdom.

35. An Act for augmenting the Salaries of the Puiſne Judges in the Court of *King's Bench*, the Judges in the Court of *Common Pleas*, the Barons of the Coif in the Court of *Exchequer* at *Weſtminſter*, the Judges in the Courts of *Seſſion* and *Exchequer* in *Scotland* and Juſtices of *Cheſter*, and the Great Seſſions for the Counties in *Wales*.

36. An Act for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament.

PRIVATE ACTS.

Anno 32 *Georgii* II.

1. AN Act for dividing and incloſing the Common Paſtures, Common Meadows, Common Grounds and Waſte Grounds, in the Pariſh of *Ecton*, in the County of *Northampton*.

2. An Act to enable the moſt Noble *Francis* Duke of *Bridgewater*, to make a navigable Cut or Canal from a certain Place in the Townſhip of *Salford*, to or near *Worſley Mill*, and *Middlewood*, in the Manor of *Worſley*, and to or near a Place called *Hollin Ferry*, in the County Palatine of *Lancaſter*.

3. An Act for dividing and incloſing the Open, Arable, Meadow, Paſture and Waſte Grounds, in the Pariſh of *Honington*, in the County of *Warwick*.

4. An Act for eſtabliſhing and rendering effectual, certain Articles of Agreement for incloſing and dividing the Commons and Waſte Grounds, in the Townſhips of *Bentley* and *Arkſey*, and Pariſh of *Arkſey*, in the County of *York*.

5. An Act for dividing and incloſing the open Fields and Meadows, common Paſture, and waſte Grounds, in the Manor and Pariſh of *Staunton*, in the County of *Nottingham*.

6. An Act for dividing and incloſing the open, arable, Meadow, Paſture, and waſte Grounds, in the Pariſh of *Preſton upon Stower*, in the County of *Glouceſter*.

7. An Act for dividing and incloſing certain open and common Fields in *Great Glen*, in the County of *Leiceſter*, called the *Nether* or *South End Fields*, and all the Lands and Grounds within the ſame Fields.

8. An Act for dividing and incloſing ſeveral common Fields and Grounds within the Manor of *Fillingham*, in the County of *Lincoln*.

9. An Act for dividing and incloſing the common Fields, common Paſtures, common Meadows, and common Ground, within the Manor and Pariſh of *Willoughby*, in the County of *Warwick*.

10. An Act to diſſolve the Marriage of *John Cooke* Eſquire, with *Suſannah Cooper* his now Wife, and to enable him to marry again; and for other Purpoſes therein mentioned.

11. An Act to enable *Chriſtopher Codrington* Eſquire, now called *Chriſtopher Bethell*, and his Heirs Male, to take and uſe the Surname and Arms of *Bethell*, purſuant to the Will of *Slingſby Bethell* Eſquire deceaſed.

12. An Act for continuing, eſtabliſhing, and confirming, the Surname and Arms of *Bootle*, unto *Richard Wilbraham Bootle* Eſquire, formerly called *Richard Wilbraham*, and *Mary Wilbraham Bootle* his Wife, and their Iſſue, purſuant to the Will of Sir *Thomas Bootle* Knight, deceaſed.

13. An Act to enable *Thomas Peckham* Eſquire and his Iſſue to take and uſe the Surname of *Fowle*.

14. An Act to enable *John Coant* Gentleman, and his Iſſue to take and uſe the Surname of *Wakelin*.

15. An Act for naturalizing *Caſper Schombart*, *John Spitta*, *Gyſbert Van Voorſt*, *Frederick de Chevrigny*, *Conrad Harkſen*, *Chriſtopher Strothoff*, and *Jaſper Laurence Richter*.

16. An Act for naturalizing *Thomas Pecholier*, *Peter Harriſon*, and *Samuel Bernard Graff*.

17. An Act for naturalizing *Phillippus Willem Caſſimir Van Straubenzee* Eſquire.

18. An Act for exemplifying or inrolling an Indenture of Settlement, and the Will and Codicils of the late Earl of *Arran* deceaſed, and making the ſame Evidence as well in *Ireland* as *Great Britain*.

19. An Act for dividing and incloſing one open and common Field called *Neithrop Field*, and ſeveral Parcels of Land called *Bull's Cloſe*, *the Hooks Common*, *Balkes Leys*, *White Poſt*, *Cow Layer*, *Paddock*, *Great March Cauſeways*, and *Ley*, within the Townſhip and Liberties of *Neithrop* and *Wickham*, and in the Pariſh of *Bambury*, in the County of *Oxford*.

20. An Act for eſtabliſhing and rendering effectual, certain Articles of Agreement for the incloſing and dividing certain Commons or Waſte Grounds called *Redneſs* and *Swineſleet Paſtures*, in the County of *York*.

21. An Act for veſting divers Manors, Lands, and Hereditaments, in the Counties of *Bucks*, *Northampton*, *Salop*, and *Stafford*, deviſed by the Will of *Evelyn* late Duke of *Kingſton*, in the preſent Duke of *Kingſton*, in Fee Simple; and for ſettling other Manors, Lands, and Hereditaments, in the County of *Nottingham*, of greater Value, in lieu thereof, to the like Uſes.

22. An Act for confirming and eſtabliſhing an Exchange agreed to be made between the moſt Noble *John* Duke of *Bedford*, and *Ambroſe Reddall* Gentleman, *Judy* his Wife, and *Elizabeth* their only Child.

23. An Act for veſting Part of the Eſtates intailed by the Will of the moſt Noble *Charles Noel* Duke of *Beaufort*, deceaſed, in Truſtees to be ſold; and for purchaſing other Eſtates to be ſettled to the like Uſes; and for impowering the Guardian and Truſtees named in the ſaid Will, to make Leaſes of the ſaid Duke's Eſtates, in the Counties of *Glouceſter*, *Wilts*, *Hants*, *Devon*, *Dorſet*, *Glamorgan*, and *Brecon*, during the Minority of his Children.

24. An Act for ſettling the Real and Leaſehold Eſtates of the moſt Honourable *Margaret Brydges*, commonly called Marchioneſs of *Carnarvon*, Wife of the moſt Honourable *James Brydges* Eſquire, commonly called Marquis of *Carnarvon*, and late *Margaret Nicoll*, Spinſter, an Infant, for the Benefit of the ſaid Marquis and Marchioneſs, and their Iſſue; and for applying Part of the perſonal Eſtate of the ſaid Marchioneſs for the Purpoſes therein mentioned.

25. An Act for empowering *Henry Arthur* Earl of *Powis*, and *Barbara* Counteſs of *Powis*, to make Leaſes of the Eſtate late of *William* Marquis of *Powis*, deceaſed, in the County of *Montgomery*, for twenty-one Years, or three Lives, at the improved Rent.

26. An Act for making a Partition and Diviſion of certain Lands and Hereditaments, in the County of *Surrey*, agreed

agreed to be purchaſed by *Thomas* late Lord *Onſlow*, and for ſettling and limiting the ſame, for the Benefit of the ſeveral Perſons claiming under his Marriage Settlement and Will reſpectively; and alſo for ſelling and diſpoſing of Timber growing on the Eſtate deviſed, by his Will, for the Purpoſes therein mentioned.

27. An Act for raiſing Money out of the Perſonal Eſtate of the late Ducheſs of *Buckinghamſhire* and *Normanby*, deceaſed to renew a Leaſe of certain Manors and Eſtates in the County of *York*, in the Manner and for the Purpoſes therein mentioned.

28. An Act to enable *William Walley* and others to ſell and convey three undivided fourth Parts of a Meſſuage or Farm, and ſeveral Pieces or Parcels of Land and Hereditaments, lying in or near the Pariſh of *Hays*, in the County of *Kent*, unto the Right Honourable *William Pitt*, in Fee Simple, and for inveſting the Purchaſe-money in other Lands and Hereditaments to be ſettled to the ſame Uſes and Eſtates, as the ſaid three undivided fourth Parts are now ſubject to; and to enable the Truſtees named in the Will of *William Cleaver* the Elder, deceaſed, to convey certain Pieces or Parcels of Land, in the Pariſh of *Hayes* aforeſaid, Part of the Eſtate deviſed by the Will and Codicil of ſaid *William Cleaver*, unto the ſaid *William Pitt*, in Fee Simple, in Exchange for Part of the ſaid firſt-mentioned Lands.

29. An Act to repeal an Act made in the laſt Seſſion of Parliament, intituled, *An Act to enable* Charles Bagot, *now called* Charles Cheſter, *and his Sons, to take the Surname of* Cheſter, *and for carrying an Agreement therein mentioned, into Execution*; and for explaining and altering that Agreement, and giving better Directions for the carrying the ſame, ſo explained and altered into Execution.

30. An Act for carrying into Execution the Articles made on the Marriage of Sir *Edward Blackett* Baronet, with Dame *Anne* his Wife, by a Settlement to be made with, and under certain Variations and Proviſions, more beneficial for the iſſue of the ſaid Marriage.

31. An Act to impower the Honourable *Edward Bouverie* and *William Bouverie*, reſpectively, to make Leaſes of *Cheſter's Key* and *Brewer's Key*, and other Tenements and Buildings in the City of *London*, deviſed by the Wills of *Bartholomew Clarke* and *Hitch Younge* Eſquires, deceaſed.

32. An Act to impower certain Perſons to enfranchiſe ſeveral cuſtomary Lands and Hereditaments, Parcel of the ſeveral Manors of *Nicol Foreſt*, *Solport* and *Bewcaſtle*, in the County of *Cumberland*, late the Eſtates of the Honourable *Catherine Widrington* Widow, deceaſed, directed to be ſettled to certain Uſes, by the Will and Codicil of the ſaid *Catherine Widrington*; and for other Purpoſes therein mentioned.

33. An Act for transferring to the Guardians of *Charles William Molyneux*, an Infant, a certain Power of Leaſing, contained in the Marriage Settlement of *Richard* late Lord Viſcount *Molyneux* deceaſed, during the Minority, and for the Benefit of the ſaid Infant.

34. An Act to exchange Lands between *Samuel Wegg* Eſquire, and the Dean and Chapter of the Cathedral Church of *Saint Paul*, in the City of *London*.

35. An Act for veſting divers Lands and Hereditaments in the Counties of *Cornwall* and *Devon*, ſettled and entailed on *Denys Rolle* Eſquire, and his Iſſue, in him, in Fee Simple, and for ſettling other Lands and Hereditaments in the ſaid County of *Devon*, of greater Value, to the ſame Uſes.

36. An Act for veſting the Manor of *Duxford*, and divers Lands and Hereditaments in the County of *Cambridge* Part of the ſettled Eſtate of *James Barry* Eſquire, and *Elizabeth* his Wife, in Truſtees, to be conveyed to *Richard Crop* Eſquire, purſuant to Articles, and for ſettling other Eſtates in the County of *York*, of greater Value, in lieu thereof, to the Uſes of their Marriage Articles.

37. An Act for Sale of the Inheritance of Part of the ſettled Eſtate of *John Caryll* Eſquire, in the County of *Suſſex*, to diſcharge Incumbrances affecting the ſame.

38. An Act to impower *William Warburton* Eſquire, to make Leaſes of Part of his ſettled Eſtate in *Malvern Chace*, for ninety-nine Years, in order for the cultivating and improving of the ſame.

39. An Act for Sale of Part of the ſettled Eſtates of *Thomas Buckley* Eſquire, in the County of *Lancaſter*, for diſcharging an Incumbrance affecting the ſame, prior to his Marriage Settlement.

40. An Act for giving further Time to Truſtees, therein named, to execute certain Truſts veſted in them, in and by an Act of Parliament made in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for veſting the Remainder in Fee of ſeveral Lands in* Ireland, *in Truſtees, in order to ſell the ſame to Proteſtant Purchaſers*.

41. An Act for dividing and incloſing ſeveral open Fields, Meadows and Commons, within the Lordſhip and Liberty of *Loughborough*, in the County of *Leiceſter*.

42. An Act for dividing and incloſing certain Open and Common Fields, called *Little Barrington* Common Fields, and a Common or Waſte called *The Downs*, within the Manor of *Little Barrington*, in the County of *Glouceſter*.

43. An Act for dividing and incloſing the Open and Common Fields of *Hoton*, in the County of *Leiceſter*, and all the Lands and Grounds within the ſame Fields.

44. An Act for dividing and incloſing the Open, Arable Fields, Open Meadows, and Common Paſture Grounds, in the Pariſh of *Sileby*, in the County of *Leiceſter*.

45. An Act for incloſing and dividing the Common Fields and Common Grounds, of and in the Manor and Pariſh of *Harmſton*, in the County of *Lincoln*.

46. An Act for dividing and incloſing ſeveral Fields, Meadows, Paſtures, Common and Waſte Grounds, in the Pariſh of *Everton*, in the County of *Nottingham*.

47. An Act for dividing and incloſing the Open and Common Fields of *Breedon*, *Tonge* and *Wilſon*, in the Manor of *Breedon*, and County of *Leiceſter*, and certain Commonable and Waſte Grounds, within the reſpective Liberties thereof.

48. An Act for incloſing and dividing the Common Fields, in the Manor of *Eaſt Cotham*, in the County of *York*, and extinguiſhing the Right of Warren of the Lord of the ſaid Manor in Part of a Tract of Ground called the *Sea Batts* or *Coney Warren*, in *Eaſt Cotham* aforeſaid.

49. An Act for dividing and incloſing the Open Fields and Meadows, Common Paſture and Waſte Grounds, in the Manor of *Thiſtleton*, in the County of *Rutland*.

50. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Grounds, in the Manor and Pariſh of *Slapton*, in the County of *Northampton*.

51. An

51. An Act for dividing and inclosing the Open and Common Fields of *Oadby*, in the County of *Leiceſter*, and all the Lands and Grounds within the ſame Fields.
52. An Act for dividing and inclosing certain Open, Common and Arable Fields, Meadows, Paſtures and Waſte Grounds within the Manor of *Burſtall*, in the Pariſh of *Belgrave*, in the County of *Leiceſter*.
53. An Act for dividing and inclosing ſeveral Open Fields, and Commonable Lands, within the Manor and Pariſh of *Coleby*, in the County of *Lincoln*.
54. An Act for dividing and inclosing the Open and Common Fields of *Desford*, in the County of *Leiceſter*, and the Lands and Grounds therein, and alſo ſuch Lands, in the Lordſhip of *Peckleton*, in the ſaid County, as lie open to ſaid Fields.
55. An Act for dividing and inclosing ſeveral Open and Common Fields, Common Meadows, Common Paſtures, and Common Grounds, in the Manor or Lordſhip of *Barton*, otherwiſe *Barton in Fabis*, in the ſeveral Pariſhes of *Barton* and *Clifton*, in the County of *Nottingham*.
56. An Act for dividing and inclosing certain Open and Common Fields, Meadows, Common Paſtures, and Waſte Grounds, in the Pariſh or Townſhip of *Bolton upon Dearne*, in the County of *York*.
57. An Act for dividing and inclosing certain Open, Arable Fields, in the Manor of *Biſhops Waltham*, in the County of *Southampton*.
58. An Act to enable *Arthur Hill* Eſquire, and *Arthur* his Son, and their Iſſue Male, to take the Name and Arms of *Trevor*.
59. An Act to enable *Robert Dobyns* Eſquire, now called *Robert Yate*, and his firſt and other Sons, and their Heirs Male, to take and uſe the Surname of *Yate*, in purſuance of the Will of *Walter Yate* Eſquire, deceaſed.
60. An Act for naturalizing *John Chriſtian Suhring*, and *John Henry Suhring*.

PUBLICK ACTS.

Anno 33 *Georgii* II.

1. AN Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain* for the Service of the Year one thouſand ſeven hundred and ſixty.
2. An Act to enable his Majeſty's Lieutenants of the ſeveral Counties, Ridings, or Places, in that Part of *Great Britain* called *England*, to proceed in the Execution of the Laws relating to the militia, notwithſtanding any Suſpenſion of the ſame; and for other Purpoſes relating to the ſaid Laws.
3. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and ſixty.
4. An Act to continue, for a further Time, the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal, Flour, or Bran.
5. An Act to continue, for a limited Time, the Importation of ſalted Beef, Pork and Butter from *Ireland*.
6. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
7. An Act for granting to his Majeſty ſeveral Duties upon Malt, and for raiſing the Sum of eight millions by way of Annuities and a Lottery, to be charged on the ſaid Duties; and to prevent the fraudulent obtaining of Allowances in the gauging of Corn making into Malt; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders and other Orders, loſt, burnt or otherwiſe deſtroyed.
8. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
9. An Act for preventing the exceſſive Uſe of Spirituous Liquors, by laying additional Duties thereon; for ſhortening the Prohibition of making Low Wines and Spirits from Wheat, Barley, Malt or other Grain, and from Meal, Flour and Bran; for encouraging the Exportation of *Britiſh* made Spirits; and for more effectually ſecuring the Duties payable upon Spirits, and preventing the fraudulent Relanding or Importation thereof.
10. An Act to enable his Majeſty to make Leaſes and Copies of Offices, Lands and Hereditaments, Parcel of his Dutchy of *Cornwall*, or annexed to the ſame; and for other Purpoſes therein mentioned.
11. An Act for taking down and removing the Magazine for Gunpowder, and all Buildings thereto belonging, ſituate near *Greenwich*, in the County of *Kent*; and erecting, inſtead thereof, a new Magazine for Gunpowder at *Purfleet*, near the River of *Thames*, in the County of *Eſſex*; and applying a Sum of Money granted in this Seſſion of Parliament towards thoſe Purpoſes; and for obviating Difficulties ariſen upon an Act made in the laſt Seſſion of Parliament, for making Compenſation for Lands and Hereditaments purchaſed for his Majeſty's Service at *Portſmouth*, *Chatham* and *Plymouth*.
12. An Act for adding certain Annuities granted in the Year one thouſand ſeven hundred and fifty-nine, to the Joint Stock of three *per Centum* Annuities, conſolidated by the Acts of the twenty-fifth, twenty-eighth, twenty-ninth and thirty-ſecond Years of his preſent Majeſty's Reign, and for carrying the ſeveral Duties therein mentioned to the Sinking Fund; and for cancelling ſuch Lottery Tickets as were made forth in purſuance of an Act of the thirtieth Year of his preſent Majeſty's Reign, and were not diſpoſed of.
13. An Act for allowing further Time for Inrollment of Deeds and Wills made by Papiſts; and for Relief of Proteſtant Purchaſers.
14. An Act for enlarging the Times for the firſt Meetings of Commiſſioners or Truſtees for putting in Execution certain Acts of this Seſſion of Parliament.
15. An Act for rendering the Exportation of Culm from the Harbour of *Milford*, in the County of *Pembroke*, and the Limits thereof, to the neighbouring Counties, more eaſy to the Proprietors and Purchaſers of the ſame; and for better ſecuring the Duties payable thereon.
16. An Act to continue ſeveral Laws therein mentioned relating to the clandeſtine Running of uncuſtomed Goods, and preventing Frauds relating to the Cuſtoms; to prevent the clandeſtine Running of Goods, and the Danger of Infection thereby; to the granting Liberty to carry Rice from his Majeſty's Province of *Carolina* in *America*, directly to any Part of *Europe*, Southward of *Cape Finiſterre*, in Ships built and navigated according to Law; to the free Importation of Cochineal and Indico; to the prohibiting the Importation of Books reprinted Abroad, and firſt compoſed, written and printed in *Great Britain*; and for allowing further Time for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Solicitors, and filing thereof.
17. An Act to continue an Act made in the twelfth Year of the Reign of her late Majeſty Queen ANNE, intituled,

tuled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain.

18. An Act for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein mentioned; and for further appropriating certain Supplies granted in this Seſſion of Parliament.

19. An Act for the more effectual ſecuring the Payment of ſuch Prize and Bounty Monies as were appropriated to the Uſe of *Greenwich Hoſpital*, by an Act made in the twenty-ninth Year of the Reign of his preſent Majeſty, intituled, *An Act for the Encouragement of Seamen, and the more ſpeedy and effectual Manning his Majeſty's Navy.*

20. An Act to enforce and render more effectual the Laws relating to the Qualification of Members to ſit in the Houſe of Commons.

21. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and ſixty.

22. An Act for limiting, confining and better regulating the Payment of the weekly Allowances made by Act of Parliament, for the Maintenance of Families unable to ſupport themſelves during the Abſence of Militia Men, embodied and ordered out into actual Sercice; and for explaining ſo much of an Act made in this Seſſion of Parliament, intituled, *An Act for puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters*, as relates to the Militia when embodied and in actual Service; and for explaining and amending certain Parts of the Laws now in Force, for the better ordering of the Militia Forces in that Part of *Great Britain* called *England.*

23. An Act for enabling his Majeſty to raiſe a certain Sum of Money towards paying off and diſcharging the Debt of the Navy; and towards Naval Services, for the Year one thouſand ſeven hundred and ſixty.

24. An Act for applying the Money granted in this Seſſion of Parliament, towards defraying the Charge of Pay and Cloathing of the unembodied Militia for one Year, ending the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; and for explaining certain Parts of the Acts for the better ordering of the Militia Forces within that Part of *Great Britain* called *England*, relating to the Money to be given to private Militia Men, upon their being ordered out into actual Service; and to the Cloaths of private Millitia Men; and to the Time of the Commencement of the Pay of the embodied Militia.

25. An Act for continuing certain Laws relating to the additional Number of one hundred Hackney Chairs, and to the Powers given for regulating Hackney Coaches and Chairs.

26. An Act for reviving and continuing ſo much of an Act made in the twenty-firſt Year of his preſent Majeſty's Reign, as relates to the more effectual Trial and Puniſhment of High Treaſon, and Miſpriſion of High Treaſon, in the Highlands of *Scotland*; and alſo for continuing two other Acts, one made in the nineteenth Year, and the other made in the twenty-firſt Year of his preſent Majeſty's Reign, ſo far as they relate to the more effectual diſarming the Highlands of *Scotland*, and for ſecuring the Peace thereof.

27. An Act to repeal ſo much of an Act paſſed in the twenty-ninth Year of his preſent Majeſty's Reign, concerning a Free Market for Fiſh at *Weſtminſter*, as requires Fiſhermen to enter their Fiſhing Veſſels at the Office of the Searcher of the Cuſtoms at *Graveſend*; and to regulate the Sale of Fiſh at the firſt Hand in the Fiſh Markets in *London* and *Weſtminſter*; and to prevent Saleſmen of Fiſh buying Fiſh to ſell again on their own Account; and to allow Bret and Turbot, Brill and Pearl, although under the reſpective Dimenſions mentioned in a former Act, to be imported and ſold; and to puniſh Perſons who ſhall take or ſell any Spawn, Brood or Fry of Fiſh, unſizeable Fiſh, or Fiſh out of Seaſon, or Smelts under the Size of five Inches; and for other Purpoſes.

28. An Act for encouraging the Exportation of Rum and Spirits of the Growth, Produce and Manufacture of the *Britiſh* Sugar Plantations, from this Kingdom, and of *Britiſh* Spirits made from Melaſſes.

29. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments, and to indemnify Juſtices of the Peace, Deputy Lieutenants, Officers of the Militia and others, who have omitted to regiſter or to deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes.

30. An Act for widening certain Streets, Lanes and Paſſages, within the City of *London*, and Liberties thereof; and for opening certain new Streets and Ways within the ſame; and for other Purpoſes therein mentioned.

31. An Act for regulating the Proceedings in Perſonal Actions in the reſpective Courts Baron of the Hundred of *High Peak*, and Manor of *Caſtleton*, in the County of *Derby*.

32. An Act for draining and preſerving certain Fen Lands and Low Grounds in the Iſle of *Ely* and Counties of *Suffolk* and *Norfolk*, between *Mildenhall River* South, *Plant Load* and *Brandon River* North, bounded on the Weſt by the River *Ouſe*, and on the Eaſt by *Winter Load*, *Earſwell Brooke*, and the *Hard Lands* of *Mildenhall*; and for impowering the Governor, Bailiffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, commonly called *Bedford Level*, to ſell certain Fen Lands lying within the Limits aforeſaid, commonly called *Inveſted Land.*

PRIVATE ACTS.

Anno 33 *Georgii* II.

1. AN Act for naturalizing *Paul Amſinck* the younger and *Helwig Lewis Tonnies.*

2. An Act to enable the moſt Noble *Francis* Duke of *Bridgewater* to make a navigable Cut or Canal, from or near *Worſley Mill*, over the River *Irwell*, to the Town of *Mancheſter*, in the County Palatine of *Lancaſter*, and to, or near, *Longford Bridge*, in the Townſhip of *Stretford*, in the ſaid County.

3. An Act to enable *John* Earl of *Sandwich*, *Welbore Ellis* Eſquire, and *Robert Nugent* Eſquire, to take in *Great Britain*, the Oath of Office as Vice Treaſurer, and Receiver General, and Paymaſter General of all his Majeſty's Revenues, in the Kingdom of *Ireland*, and to qualify themſelves for the Enjoyment of the ſaid Offices.

4. An Act to enable the Governors of the Hoſpital of King JAMES, founded in *Charter-Houſe*, to grant Building, or other Leaſes of ſome Parts of the Eſtates of the ſaid Hoſpital, lying in the Pariſh of *Saint James*, *Clerkenwell*, and elſewhere, in the County of *Middleſex*, for ſuch Terms of Years as are therein mentioned.

5. An Act for dividing and incloſing the Open and Common Fields, Common Meadows, Common Paſtures, Common Grounds, and Commonable Lands, within

the Pariſh, Townſhip and Liberties of *Sulgrave*, in the County of *Northampton*.

6. An Act for dividing and incloſing the Common Fields, Meadows, Paſtures, and Waſte Grounds in the Pariſh of *Mackworth* in the County of *Derby*.

7. An Act for dividing and incloſing the Common Field, Common Paſtures, Common Meadows, Common Grounds, and Waſte Grounds, in *Marſton Saint Lawrence* in the County of *Northampton*.

8. An Act for dividing and incloſing the Common and open Fields, in the Pariſh of *Hoby* in the County of *Leiceſter*.

9. An Act for dividing and incloſing the Common Fields, within the Pariſh of *Lutcham*, alias *Litcham*, in the County of *Norfolk*, and for extinguiſhing the Rights of Common or Shackage in the ſaid Common Fields, and certain other Lands in the ſaid Pariſh, called *Half-year Cloſes*.

10 An Act for dividing and incloſing the open and Common Fields of *Somerby* in the County of *Leiceſter*, and all the Lands and Grounds within the ſame Fields.

11. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Waſte Grounds, and Commonable Lands in the Pariſh of *Barford* in the County of *Warwick*.

12. An Act for incloſing and dividing the Moor, or Common, called *Hunwick* Edge, in the Manor of *Bondgate* and County of *Durham*.

13. An Act to diſſolve the Marriage of *Exuperius Turner* Eſquire, with *Elizabeth Louiſa*, his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

14. An Act to diſſolve the Marriage of *Mark Goodfleſh* Gentleman, with *Elizabeth Fielding*, his now Wife, and to enable him to marry again, and for other Purpoſes therein mentioned.

15. An Act to enable *James Hammet* Eſquire, and his Iſſue, to take and uſe the Surname of *Hamlyn* only.

16. An Act to enable *Henry Stoffold*, and *Robert Stoffold*, Gentlemen, now called *Henry Auſten*, and *Robert Auſten*, and their Heirs, to take and uſe the Surname, and Arms, of *Auſten*, inſtead of their own Surname and Arms, purſuant to the Will of *Robert Auſten* Eſquire, deceaſed.

17. An Act to qualify and enable *Samuel Hallet* Eſquire, now called *Samuel Farewell*, and his Heirs, to uſe and take in Exchange for his and their own Surname, the Surname of *Farewell*, purſuant to the Will of *Nathaniel Farewell* Eſquire, deceaſed..

18. An Act to enable *Thomas Lewis* Eſquire, and his Heirs Male, to take, uſe and bear the Surname and Arms of *Lloyd*, purſuant to the Will of *Richard Lloyd* Eſquire, deceaſed.

19. An Act for naturalizing *Peter Trapaud*, *Nicholas Battier*, *Chriſtopher Battier*, *John Ralph Battier*, *Abel Mitz*, *Peter Aubertin*, *John William Smith*, *Gabriel Anthony Ernſt*, *Frederick Nicholas Graff*, *Emanuel Philip Bize*, and *David Samuel Henry Duveluz*.

20. An Act for naturalizing *Maria Elizabeth Spencer*, Wife of *Richard Spencer* Eſquire.

21. An Act for repealing an Act of the Parliament of *Scotland*, made in the Year one thouſand ſix hundred and eighty-one, intituled, *Act Anent the Salmond Fiſhing in the Water of* Nyth.

22. An Act for dividing and incloſing the Commons and Waſte Grounds in the Manor and Conſtablery of *Owſton* in the Weſt Riding of the County of *York*.

23. An Act for incloſing divers Parcels of Waſte Grounds, or Commons, in *Longton* in the County of *Lancaſter*, and for injoying Part thereof as a ſtinted Paſture, until the Incloſure of the ſame.

24. An Act for dividing and incloſing a certain Common, or open Piece of Waſte Ground, in the Pariſh or Townſhip of *Harthill*, with *Woodhall* in the County of *York*.

25. An Act for dividing and incloſing ſeveral open Fields, Meadows and Commons, within the Lordſhip and Liberty of *Seagrave* in the County of *Leiceſter*.

26. An Act for the dividing and incloſing the open Fields, Meadow and Common Paſture Grounds, and Waſte Grounds, in the Manor and Pariſh of *Hawkſworth* in the County of *Nottingham*.

27. An Act for dividing and incloſing the Moors, Commons and Waſte Grounds in the Manors of *Ugglebarnby* and *Eſkdaleſide* in the Pariſh of *Whitby* and County of *York*.

28. An Act for dividing and allotting certain open Arable Fields, Meadow and Paſture Grounds, and Commons, in the Townſhip of *Hayton* in the County of *Nottingham*.

29. An Act for ſelling Part of the ſettled Eſtate of *Smart Lethieullier* Eſquire in the County of *Eſſex*, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Tenements, to be ſettled to the Uſes of his Marriage Settlement.

30. An Act for veſting the Inheritance of certain Eſtates in the County of *Northampton*, Part of the intailed Eſtate of *John Freeman* Eſquire, in him, in Fee Simple, and for ſettling other Eſtates in the Counties of *Wilts* and *Middleſex*, in lieu thereof.

31. An Act to enable *John Coopey*, Doctor of Phyſick, and *Humphry Brent Coopey*, his Brother, and their Iſſue Male reſpectively, to take and uſe the Surname and Arms of *Brent*, purſuant to the Will of *Humphrey Brent*, late of the *Middle Temple*, *London*, Eſquire.

32. An Act for naturalizing *Rene Cornabe*, and *John Daniel Lucadou*.

33. An Act for dividing and incloſing the ſeveral open and Common Fields, Meadows and Commons, within the Lordſhip or Liberty of *Barrow upon Soar* in the County of *Leiceſter*.

34. An Act for dividing and incloſing certain open and Common Fields, Meadows, Commons and Waſte Grounds, within the Manor or Lordſhip of *Adwicke in the Street* in the County of *York*.

35. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds, and Waſte Grounds, of and in the Manor, Hamlet and Liberties of *Weſt Farndon* in the Pariſh of *Woodford*, otherwiſe *Halſe Woodford* in the County of *Northampton*.

36. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Grounds in the Manor and Pariſh of *Southam* in the County of *Warwick*.

37. An Act for the dividing and incloſing the open and Common Fields in the Pariſh of *Melton Mowbray* in the County of *Leiceſter*.

38. An Act for incloſing and dividing the Common Fields, Common Meadows and Paſture Grounds, within the Pariſh of *Folkeſworth* in the County of *Huntingdon*.

39. An Act for dividing and incloſing the open and Common Fields of *Broughton Sulney* in the County of *Nottingham*.

40. An

40. An Act for dividing and inclosing the open Fields of *Coſtock*, otherwiſe *Cortlingſtock* in the County of *Nottingham*, and all the Lands and Grounds within the ſaid open Fields.
41. An Act for dividing and inclosing the open Common, in the Townſhip of *Ardſley* and Pariſh of *Darfield* in the Weſt Riding of the County of *York*.
42. An Act for dividing and inclosing the open and Common Fields of *Hinckley*, in the County of *Leiceſter*.
43. An Act for dividing and inclosing ſeveral open Fields, Commons, or Waſtes, and Common Meadow Grounds, within the Manor and Soke of *Catton*, in the County of *York*.
44. An Act for the inclosing and dividing divers Parcels of Commons and Waſte Grounds, lying, and being in the ſeveral Townſhips of *Walton on the Hill*, and *Fazakerley*, in the Pariſh of *Walton on the Hill* aforeſaid, and County Palatine of *Lancaſter*.
45. An Act for inclosing and dividing the Common Fields, Common Meadows, Lammas Grounds, and other Common and Waſte Lands, in the Manor and Pariſh of *Aſpley Guiſe* in the County of *Bedford*.
46. An Act for dividing and inclosing the Common Fields, Commons, Meadows, and other commonable Lands and Grounds, in the Pariſh of *Coddington* in the County of *Nottingham*.
47. An Act for dividing and inclosing the Common Fields, Common Paſtures, Common Meadows, and Common Grounds, in the Pariſh of *Blakeſley*, in the County of *Northampton*, excluſive of the Hamlet of *Wood End*, in the ſaid Pariſh.
48. An Act for dividing and inclosing certain Lands, in the Pariſh of *Clifton* in the County of *Nottingham*.
49. An Act for dividing and inclosing the Common Fields, Meadows, Paſtures, and Waſte Grounds, in the Pariſh of *Friſby upon the Wreak*, in the County of *Leiceſter*.
50. An Act for dividing and allotting the Common and Waſte Grounds, open Arable Fields, Meadows, and Paſtures, in the Townſhip and Pariſh of *Miſſon*, in the Counties of *Nottingham* and *Lincoln*, or one of them.
51. An Act for dividing and inclosing the open Fields and Grounds, in the Manor and Pariſh of *Fletton*, in the County of *Huntingdon*.
52. An Act for veſting the Inheritance of the Rectory and Tithes of *Bedgeworth*, granted by King *Henry* the Eighth, to the late diſſolved Corporation of *Bergavenny*, and by them leaſed to *Jeſus College*, in *Oxford*, towards maintaining a Fellow and Scholars, from *Bergavenny School*, and for veſting other Rectories and Tithes, in the County of *Monmouth*, granted by the ſaid King *Henry*, to the ſaid Corporation, in Truſtees, for ſupporting the ſaid School, and for Relief of the Poor of the ſaid Town.
53. An Act for veſting certain Eſtates, in *Penſilvania*, *New Jerſey*, and *Maryland*, belonging to the Proprietors of a Partnerſhip, commonly called *The* Penſilvania *Land Company in* London, in Truſtees, to be ſold, and for other Purpoſes therein mentioned.
54. An Act to impower the moſt noble *William* Duke of *Devonſhire*, to make Leaſes for any Term not exceeding ninety-nine Years, of certain Eſtates, lying in the Pariſh of *Saint James*, *Weſtminſter*, in the County of *Middleſex*, deviſed to him by the Will of the Right honourable *Dorothy*, Counteſs of *Burlington*, deceaſed.
55. An Act to enable *John* Earl of *Hopetoun* Curator of Law to *George Vanden Bempde*, Marquis of *Annandale*, his Uncle, a Lunatick and the Curator of Law of the ſaid Marquis for the Time being, to grant Feus of certain Lands, Houſes, and others, in the County of *Dumfries*, and to exchange the Lands therein mentioned.
56. An Act for veſting ſeveral Lands and Tenements, in the Pariſh of *Chiſlehurſt*, in the County of *Kent*, given to charitable Uſes, for the Benefit of the ſaid Pariſh, in the Right Honourable *Robert Bertie*, Eſquire, commonly called Lord *Robert Bertie*, and his Heirs, and for making Proviſion, of greater Value inſt ad thereof, for the Benefit of the Poor of the ſaid Pariſh, and for other Purpoſes therein mentioned.
57. An Act to impower *John Spencer*, Eſquire, to make Leaſes of the Manor of *Wimbledon*, and of Lands and Grounds in *Wimbledon*, *Barnes*, *Mortlacke*, *Eaſt Sheen*, *Putney*, and *Wandſworth*, in the County of *Surrey*, given and deviſed by, and purchaſed in purſuance of, the Will of the moſt Noble *Sarah* late Dutcheſs Dowager of *Marlborough*, reſpectively, in order for building upon, and improving the ſame.
58. An Act for Sale of Part of the ſettled Eſtate of Sir *Matthew Fetherſton*, Baronet, in the County of *Eſſex*, and for laying out the Money, ariſing by ſuch Sale, in the Purchaſe of other Lands and Hereditaments, to be ſettled in lieu thereof.
59. An Act to enable *George Keith*, late Earl Mariſchall, to ſue, or maintain, any Action or Suit, notwithſtanding his Attainder, and to remove any Diſability in him by reaſon of his ſaid Attainder, to take, or inherit, any Real or Perſonal Eſtate, that may, or ſhall hereafter, deſcend or come to him, or which he was intitled unto in Reverſion or Remainder before his Attainder.
60. An Act for veſting certain Tenements and Hereditaments, in the County of *Suſſex*, ſettled by *John Meres Fagge* Eſquire, upon the Marriage of *Elizabeth* his Daughter with Sir *John Peachy* Baronet, in Truſtees to convey the ſame to Sir *William Peere Williams* Baronet, and for ſettling Lands and Hereditaments in the County of *Kent*, of greater Value in lieu thereof.
61. An Act for Sale of Part of the entailed Eſtate of the late *Francis Charteris* Eſquire, and for purchaſing of other Lands, to be ſettled to the ſame Uſes.
62. An Act for the Sale of the Real Eſtate of *Thomas Beynon* Eſquire, a Lunatick, for diſcharging the Incumbrances affecting the ſame, and for laying out the Reſidue of the Money ariſing by ſuch Sale, in the Purchaſe of other Lands and Hereditaments for the Benefit of the ſaid *Thomas Beynon* and his Heirs.
63. An Act for exchanging certain Meſſuages, Lands, and Hereditaments, in the Pariſhes of *Beckingham* and *Lewiſham*, in the County of *Kent*, Part of the Eſtate late of *Hugh Raymond* Eſquire deceaſed, for other Lands and Hereditaments in the ſaid Pariſh of *Beckingham*, belonging to *John Cator* the younger, and for ſettling the Lands ſo taken in Exchange to the ſame Uſes, as the Lands given in Exchange ſtand limited, and for enabling *Jones Raymond* and *Peter Burrell* Eſquires, to grant Building Leaſes of other Parts of the Eſtate, late of the ſaid *Hugh Raymond*.
64. An Act for ſelling certain Manors, Capital Meſſuages, Lands, and Hereditaments, in the County of *Hertford*, compriſed in a Settlement made by *William Strode* Eſquire deceaſed, and for purchaſing with the Money ariſing by ſuch Sale other Lands and Hereditaments, to be ſettled to the like Uſes.

65. An Act for ſettling the Real Eſtate of *James Thomas* Eſquire deceaſed, purſuant to an Agreement between his Heir at Law and Deviſee, for that Purpoſe.
66. An Act to enable the Dean and Chapter of the Collegiate Church of Saint *Peter* at *Weſtminſter*, and their Succeſſors, to make and grant unto *James Mallors*, a Leaſe or Leaſes of certain Pieces of Ground, Meſſuages, Tenements, and Hereditaments, compriſed within certain Limits, for a longer Term of Years than they are at preſent enabled to grant.
67. An Act to impower *John Wall*, the Grandfather, and *Mary Wall*, the Guardian of *Anna Maria Wall*, an Infant, to execute Articles, Leaſes, or Grants, for giving Liberty to drive a Sough through an Eſtate, called *Cowley Eſtate*, in the Pariſhes of *Darley* and *Youlgreave*, in the County of *Derby*, deſcended to and now veſted in the ſaid *Anna Maria Wall*.
68. An Act to enable *William Ruſſel* Eſquire, and his Iſſue, to take and uſe the Surname of *Kempe* only, purſuant to the Will of *William Kempe* Eſquire deceaſed.

PUBLICK ACTS.

Anno 1 *Georgii* III.

1. AN Act for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of *Great Britain*.
2. An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain* for the Service of the Year one thouſand ſeven hundred and ſixty-one.
3. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſixty-one.
4. An Act to continue for a limited Time the Importation of ſalted Beef, Pork, and Butter from *Ireland*.
5. An Act to enable his Majeſty to be Governor of the *South Sea Company*.
6. An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters.
7. An Act for granting to his Majeſty an additional Duty upon Strong Beer and Ale; and for raiſing the Sum of twelve millions, by way of Annuities and a Lottery, to be charged on the ſaid Duty; and for further encouraging the Exportation of Strong Beer and Ale.
8. An Act for the Regulation of his Majeſty's Marine Forces while on Shore.
9. An Act to continue An Act made in the ſixth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better ſecuring and encouraging the Trade of his Majeſty's Sugar Colonies in* America.
10. An Act for extending an Act, intituled, *An Act to diſcontinue, for a limited Time, the Duties payable on Tallow imported from* Ireland, to Hogs-Lard and Greaſe.
11. An Act to enable his Majeſty to make Leaſes, and Copies of Offices, Lands, and Hereditaments, Parcel of his Dutchy of *Cornwall*, or annexed to the ſame; and for other Purpoſes therein mentioned.
12. An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, Deputy Lieutenants, Officers of the Militia, and others, who have omitted to regiſter or to deliver in their Qualifications within the Time limited by Law; and for giving further Time for thoſe Purpoſes.
13. An Act to amend an Act paſſed in the eighteenth Year of the Reign of King *George* the Second, concerning the Qualification of Juſtices of the Peace; and for other Purpoſes therein mentioned.
14. An Act to extend the Proviſions relating to the holding of Courts-martial, and to the Puniſhment of Offences committed in the *Eaſt Indies*, contained in the Act made in the twenty-ſeventh Year of his late Majeſty's Reign, intituled, *An Act for puniſhing Mutiny and Deſertion of Officers and Soldiers in the Service of the United Company of Merchanes of* England *trading to the* Eaſt Indies, *and for Puniſhment of the Offences committed in the* Eaſt Indies, *or at the Iſland of* Saint Helena, to the ſaid Company's Settlement of *Fort Marlborough*, and to ſuch other Principal Settlements, wherein the ſaid Company may be hereafter impowered to hold Courts of Judicature.
15. An Act to enable his Majeſty to grant unto *George Keith*, late Earl Mariſchall, a Sum therein limited, out of the Principal Money and Intereſt now remaining due to the Publick on account of the Purchaſe Money of certain Parts of the forfeited Eſtates of the ſaid late Earl.
16. An Act to continue the Duties for Encouragement of the Coinage of Money.
17. An Act for Relief of Inſolvent Debtors.
18. An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer for the Service of the Year one thouſand ſeven hundred and ſixty-one.
19. An Act for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for exempting any Annuities or Sums of Money granted or to be granted to the Royal Family, from Payment of Taxes.
20. An Act for enabling his Majeſty to raiſe a certain Sum of Money towards paying off and diſcharging the Debt of the Navy, and towards Naval Services for the Year one thouſand ſeven hundred and ſixty-one; and for allowing further Time for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Sollicitors, and filing thereof.
21. An Act for the better Preſervation of the Game in that Part of *Great Britain* called *Scotland*; and for repealing Part of an Act paſſed in the twenty-fourth Year of the Reign of his late Majeſty, for the better Preſervation of the Game in that Part of *Great Britain* called *Scotland*.
22. An Act for applying the Money granted in this Seſſion of Parliament towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England* when unembodied, and of the Cloathing of the Part of the ſaid Militia now unembodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one.
23. An Act for rendering more effectual the Proviſions in an Act made in the twelfth and thirteenth Years of the Reign of his late Majeſty King *William* the Third (intituled, *An Act for the further Limitation of the Crown, and better ſecuring the Rights and Liberties of the Subject*) relating to the Commiſſions and Salaries of Judges.

PRIVATE

The TITLES of the STATUTES.

PRIVATE ACTS.

Anno 1 *Georgii* III.

1. AN Act for naturalizing *John Dolignon*, *Peter Thellusſon*, *Peter Anthony Planche*, and *Chriſtian Poppe*.
2. An Act for naturalizing *Roſe Marie Heath*, Wife of *Benjamin Heath* Eſquire.
3. An Act to enable *Charles Molloy* an Infant (lately called *Charles Cooke*) and the Heirs of his Body, to take and uſe the Surname and Arms of *Molloy*, purſuant to the Will of Sir *Charles Molloy* Knight, deceaſed.
4. An Act for the dividing and incloſing the open Arable Lands, and the Open, Meadow, Paſture, and Waſte Grounds, in the Pariſh of *Rearſby*, in the County of *Leiceſter*.
5. An Act for dividing and incloſing the Common Fields, Common or Waſte Ground, and other Commonable Places, in the Pariſh of *Hinton*, otherwiſe *Hinton Walriſh*, in the County of *Berks*.
6. An Act for dividing and incloſing the open and Common Fields of *Aſfordby* in the County of *Leiceſter*.
7. An Act for dividing and incloſing certain Common Fields and Common Meadows, and a Common Hill called *Snowſhill Hill*, lying within the Manor of *Snowſhill*, in the County of *Glouceſter*.
8. An Act for dividing and incloſing the open and Common Fields, Common Meadows, Common Paſtures, Common Grounds, and Commonable Lands, within the Pariſh, Townſhip, and Liberties of *Morton Pinkney*, in the County of *Northampton*.
9. An Act for dividing and incloſing the Common Fields, Commons, and Waſte Grounds, lying in the Pariſh and within the Precincts of the Manor of *Langton Herring*, in the County of *Dorſet*.
10. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds, Grange Lands, and Waſte Grounds, of and in the Manor and Pariſh of *Eydon*, in the County of *Northampton*.
11. An Act for the dividing and incloſing the open and Common Fields, in the Hamlet of *Pailton*, in the Pariſh of *Monks Kirby*, in the County of *Warwick*.
12. An Act for veſting Part of the ſettled Eſtates of the Right Honourable *William* Earl of *Dartmouth*, and *Frances Katherine* Counteſs of *Dartmouth*, his Wife, in the City of *London*, and County of *Middleſex*, in Truſtees, to be ſold, and for laying out the Money to ariſe thereby in the Purchaſe of other Lands and Hereditaments, to be ſettled to the ſame Uſes, as the ſaid ſettled Eſtates now ſtand limited
13. An Act for veſting Part of the ſettled Eſtate of *William Thornton* Eſquire, in the County of *York*, in him, in Fee Simple, diſcharged of the Uſes of his Marriage Settlement; and for ſettling other Lands of greater Value to the ſame Uſes.
14. An Act to enable *Capel Hanbury* Eſquire, and *George Hanbury* Eſquire, for themſelves and their reſpective Iſſue Male, to make an Exchange of their ſettled Eſtates in the County of *Monmouth*, and for other Purpoſes therein mentioned.
15. An Act for rendering effectual an Agreement, for making a Partition of ſeveral Lands, Tenements, and Hereditaments, in the County of *Leiceſter*, late the Eſtates of *James Sherard* Doctor of Phyſick, and *Robert Freeman* Gentleman deceaſed, and for other Purpoſes therein mentioned.
16. An Act for enabling the acting Truſtees and Executors of *William Lemon* Eſquire deceaſed, to make Leaſes for Lives, or Years determinable on Deaths, of the Eſtates in the County of *Cornwall*, deviſed by his Will, or purchaſed in Purſuance thereof reſpectively, during the Minority of his Grandſons and Nephews, intitled to the ſame, for the Time being, and for enabling the ſaid Grandſons and Nephews, when of Age, and the ſaid Truſtees, during their Infancy reſpectively, to make and grant Setts and Leaſes of Mines, according to the Cuſtom of the Country.
17. An Act for confirming and eſtabliſhing an Exchange of Lands agreed to be made between *Charles Tudway* Eſquire, and the Archdeacon of *Wells*, in the County of *Somerſet*.
18. An Act to enable the Rector of the Pariſh and Pariſh Church of Saint *Mary Newington Butts*, in the County of *Surrey*, and his Succeſſors, to grant a Leaſe or Leaſes, of certain Glebe Lands belonging to the ſaid Rectory.
19. An Act for naturalizing *Frederick Raſch*, and *John Roger Siebel*.
20. An Act for naturalizing *Jan Turner*, and *Auguſt Gotlieb Pieſchel*.
21. An Act for naturalizing *Conſtantia Hampden*, Wife of *Robert Hampden* Eſquire.
22. An Act for naturalizing *Benjamin Maiſonneuve*.
23. An Act for naturalizing *Nicholas Theaud*.
24. An Act for naturalizing *Simon Baratty*.
25. An Act for naturalizing *Anthony Villion*.
26. An Act for dividing and incloſing the Common Fields, Common Paſtures, Common Meadows, Common Grounds, Waſte Grounds, and Commonable Lands, in the Manor and Pariſh of *Wappenham*, in the County of *Northampton*, excluſive of the Hamlet of *Aſtwell* and *Faulcut*, in the ſaid Pariſh.
27. An Act for dividing and incloſing the open and Common Fields, Paſtures, Meadows, and other Grounds, within the Pariſh of *Exhall*, in the County of the City of *Coventry*.
28. An Act for dividing and incloſing the Common Fields, Common Paſtures, Waſte Grounds, and Commonable Lands in the Pariſh of *Ryton*, otherwiſe *Ruyton upon Dunſmore*, in the County of *Warwick*.
29. An Act for dividing and incloſing an open Common within the Manor and Pariſh of *Morreſby*, in the County of *Cumberland*.
30. An Act for dividing and incloſing the open and Common Fields, Common Meadows, Common Grounds, and Waſte Ground within *Wardington Williamſcott*, otherwiſe *Willſcot*, and *Coton*, otherwiſe *Cotes*, in the County of *Oxford*.
31. An Act for confirming and eſtabliſhing Articles of Agreement for dividing and incloſing ſeveral Commons, Common Heaths, and Waſte Grounds, in the adjoining Manors of *Eaſt Lulworth*, and *Combe Keynes*, in the County of *Dorſet*.
32. An Act for dividing and incloſing certain open and Common Grounds, called *Norham Infields*, and the Common or Waſte, called *Norham Moor*, within the Townſhip of *Norham*, in the County of *Durham*.
33. An Act for dividing and incloſing the Common and open Fields of *Anſty* in the County of *Leiceſter*.
34. An Act for dividing and incloſing the open and Common Fields of *Abkettleby*, in the County of *Leiceſter*, and all the Lands and Grounds within the ſame Fields.

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35. An Act for dividing and incloſing certain open and Common Fields in the Pariſh of *Fringford*, otherwiſe *Ferringford* in the County of *Oxford*.
36. An Act for dividing, incloſing, and allotting the Moors, Commons and Waſte Grounds, called *Pool Common*, in the Manors of *Lanverchidol*, and *Stret Marcel*, otherwiſe *Street Marſhall*, in the Pariſhes of *Pool* and *Guilsfield* in the County of *Montgomery*.
37. An Act for confirming and eſtabliſhing Articles of Agreement, for dividing and incloſing certain open and Common Fields, in *Burton Pidſea*, in *Holderneſs*, in the County of *York*.
38. An Act for confirming Articles of Agreement, for incloſing Common or Waſte Ground within the Manor or Lordſhip of *Heſlington* in the County of *York*.
39. An Act to enable *John* Earl of *Sandwich*, *Welbore Ellis* Eſquire, and *Robert Nugent* Eſquire, to take in *Great Britain* the Oath of Office, as Vice Treaſurer and Receiver General, and Paymaſter General of all his Majeſty's Revenues in the Kingdom of *Ireland*; and to enable *William* Earl of *Harrington* to take, in *Great Britain*, the Oath of Office as Cuſtomer and Collector of the Ports of *Dublin*, *Skerrys*, *Malahide* and *Wicklow* in the ſaid Kingdom; and to enable *Richard Rigby* Eſquire, to take, in *Great Britain*, the Oath of Office, as Keeper and Maſter of the Rolls of the Court of *Chancery* in the ſaid Kingdom, and Clerk, Keeper, or Maſter of the Rolls, Books, Writs and Records of the ſaid Court; and to qualify themſelves for the Injoyment of the ſaid reſpective Offices.
40. An Act for veſting Part of the ſettled Eſtate of *Frederick* Viſcount *Bolingbroke*, in the County of *Kent*, in Truſtees, to be ſold, and for ſettling an Eſtate, in the County of *Surrey*, of greater Value in lieu thereof, and for impowering him to ſell other Part of the ſaid *Kentiſh* Eſtate, for the Purpoſes therein mentioned.
41. An Act for ſelling divers Lands and Hereditaments in *London*, *Middleſex*, *Surrey*, *Berkſhire* and *Northamptonſhire*, deviſed by the Wills of *Bartholomow Clarke*, and *Hitch Younge*, Eſquires; and for laying out the Money, ariſing by ſuch Sale, in the Purchaſe of other Lands and Hereditaments, to be ſettled in lieu thereof, to the Uſes of the ſaid Wills reſpectively.
42. An Act for veſting the Plantation and Eſtate of *John Walter* Eſquire, and *Newton* his Wife (late *Newton Walker* Spinſter) in the Iſland of *Barbadoes*, in Truſtees, for raiſing Money to be applied in purchaſing of Stock, and for other Purpoſes for the Improvement of the ſame Plantation and Eſtate.
43. An Act for ſelling divers Lands and Hereditaments, in the City of *London*, and in the Counties of *Middleſex*, *Kent*, *Buckingham* and *Somerſet*, deviſed by the Will of Sir *William Dodwell* Knight, deceaſed, and purchaſed in purſuance thereof reſpectively; and for laying out the Money ariſing by ſuch Sale, in purchaſing other Lands and Hereditaments, in or near the County of *Glouceſter*, to be ſettled in lieu thereof, to the Uſes of the ſaid Will.
44. An Act for veſting the ſettled Eſtate of *John Williams* Eſquire, in the County of *Eſſex*, in Truſtees, to be ſold for raiſing Money to diſcharge Incumbrances, and laying out the Surplus in the Purchaſe of Lands and Hereditaments, to be ſettled to the Uſes limited of the ſaid ſettled Eſtate.
45. An Act for ſelling a Meſſuage and Lands, in *Whaddon*, in the County of *Bucks*, ſettled by the late *Brown Willis* Eſquire, on the Marriage of his Son; and for purchaſing another Eſtate in lieu thereof, to be ſettled to the ſame Uſes.
46. An Act for veſting and ſettling the Real and Perſonal Eſtate of *John Morſe*, late Citizen and Goldſmith of *London*, deceaſed, for the Benefit of the ſeveral Perſons intitled under his Will; and for the better anſwering and effecting the Intents and Purpoſes of the ſame Will.
47. An Act for diveſting, out of the Crown, the Remainder in Fee of the ſeveral Lands in *Ireland*, late the Eſtate of *Martin Dillon* Eſquire; and for veſting the ſame in *Carleton Whitelocke*, of the City of *Dublin* Eſquire, and his Heirs, in Truſt for *Henry Michel*, of the ſaid City of *Dublin* Eſquire, his Heirs and Aſſigns.

PUBLICK ACTS.

Anno 2 Georgii III.

1. AN Act for enabling his Majeſty to make Proviſion for ſupporting the Royal Dignity of the Queen, in caſe ſhe ſhall ſurvive his Majeſty.
2. An Act to repeal ſo much of an Act paſſed in the firſt Year of the Reign of his preſent Majeſty King GEORGE the Third, intituled, *An Act for the Relief of Inſolvent Debtors*, as relates to Creditors compelling Priſoners charged in Execution to deliver up their Eſtates, and to ſuch Priſoners being thereupon diſcharged.
3. An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſixty-two.
4. An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry for the Service of the Year one thouſand ſeven hundred and ſixty-two.
5. An Act for more effectually preventing the exceſſive Uſe of Spirituous Liquors for Home Conſumption, by laying additional Duties upon Spirits made in *Great Britain*, or imported into the ſame; and for better regulating and encouraging the Exportation of *Britiſh* made Spirits; and for ſecuring the Payment of the Duties upon Spirituous Liquors.
6. An Act for the Importation of ſalted Beef, Pork and Butter, into this Kingdom from *Ireland*, for a limited Time, for the Supply of his Majeſty's Ships, Tranſport and other Ships and Veſſels, in his Majeſty's immediate Service and Pay.
7. An Act for enabling his Majeſty to raiſe a certain Sum of Money towards paying off and diſcharging the Debt of the Navy, and towards Naval Services for the Year one thouſand ſeven hundred and ſixty-two.
8. An Act for granting to his Majeſty ſeveral Rates and Duties upon Windows or Lights.
9. An Act for charging certain Annuities granted in the Year one thouſand ſeven hundred and ſixty, on the Sinking Fund; and for carrying the Duties therein mentioned to the ſaid Fund; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders and other Orders, loſt, burnt or otherwiſe deſtroyed.
10. An Act for raiſing by Annuities, in Manner therein mentioned, the Sum of twelve millions, to be charged on the Sinking Fund; and for applying the Surplus of certain Duties on Spirituous Liquors, and alſo the Monies ariſing from the Duties on Spirituous Liquors, granted by an Act of this Seſſion of Parliament.

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11. An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.
12. An Act for the Regulation of his Majesty's Marine Forces while on Shore.
13. An Act for appointing Commissioners for putting in Execution an Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and sixty-two.*
14. An Act to prevent vexatious Proceedings against Brewers, Victuallers and others, with respect to the Prices of Beer and Ale; for better securing the Revenue upon Strong Beer and Ale, by preventing fraudulent mixing thereof; to repeal so much of an Act made in the first Year of the Reign of his present Majesty, as extends certain Provisions relative to the Exportation of Spirituous Liquors to the Exportation of Strong Beer and Ale; and for the more effectual preventing the relanding of Beer, Ale, Cyder and Mum shipped for Exportation as Merchandize.
15. An Act for the better supplying the Cities of *London* and *Westminster* with Fish, and to reduce the present exorbitant Price thereof; and to protect and encourage Fishermen.
16. An Act for the Encouragement of Seamen, and the more speedy and effectual Manning his Majesty's Navy.
17. An Act for Relief of the Vassals of the several Estates which are or may be annexed to the Crown, by virtue of an Act passed in the twenty-fifth Year of the Reign of his late Majesty, and for carrying the Purposes of the said Act more effectually into Execution; and for enforcing and carrying into Execution so much of an Act, passed in the first Year of the Reign of his present Majesty, as relates to the paying and discharging the Wadsetts affecting the Estate of *Lovat*.
18. An Act for rendering more effectual an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for providing a Publick Reward for such Person or Persons as shall discover the Longitude at Sea*, with regard to the making Experiments of Proposals made for discovering the Longitude.
19. An Act for the better Preservation of the Game in that Part of *Great Britain* called *England*.
20. An Act to explain, amend and reduce into one Act of Parliament, the several Laws now in Being, relating to the raising and training the Militia within that Part of *Great Britain* called *England*.
21. An Act for Paving, Cleansing and Lighting the Squares, Streets and Lanes within the City and Liberty of *Westminster*, the Parishes of *Saint Giles in the Fields*, *Saint George the Martyr*, *Saint George Bloomsbury*, that Part of the Parish of *Saint Andrew's Holbourn* which lies in the County of *Middlesex*, the several Liberties of the *Rolls* and *Savoy*, and that Part of the Dutchy of *Lancaster* which lies in the County of *Middlesex*, and for preventing Annoyances therein; and for other Purposes therein mentioned.
22. An Act for the keeping regular, uniform and annual Registers of all Parish Poor Infants under a certain Age, within the Bills of Mortality.
23. An Act to indemnify such as have omitted to qualify themselves for Offices and Employments, and to indemnify Justices of the Peace, Deputy Lieutenants and Officers of the Militia or others, who have omitted to register or deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes; and for the making and filing of Affidavits of Articles of Clerkship.
24. An Act for importing Salt from *Europe* into the Colony of *Nova Scotia* in *America*.
25. An Act for naturalizing such foreign Protestants as have served, or shall serve for the Time therein mentioned, as Officers or Soldiers in his Majesty's Royal *American* Regiment, or as Engineers in *America*.
26. An Act for allowing further Time for Inrollment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers.
27. An Act for enabling the Judges of the Court of Session in *Scotland* to make an Adjournment of the said Court for such Time, betwixt the twentieth Day of *December* and the fifteenth Day of *January*, yearly, as they shall judge most convenient, not exceeding twenty Days.
28. An Act to prevent the committing of Thefts and Frauds by Persons navigating Bum Boats, and other Boats upon the River *Thames*.
29. An Act to amend so much of an Act made in the first Year of the Reign of King JAMES the First, intituled, *An Act for the better Execution of the Intent and Meaning of former Statutes made against Shooting in Guns, and for the Preservation of the Game of Pheasants and Partridges, and against the destroying of Hares with Hare Pipes, and Tracing Hares in the Snow*; as relates to the Preservation of House Doves and Pigeons, by making the Manner of convicting such Person or Persons as shall offend therein, more easy and expeditious.
30. An Act for enlarging and improving the North East Avenue of *London Bridge*.
31. An Act for making perpetual an Act for the better Regulation and Government of Seamen in the Merchants Service; and for extending the Provisions thereof to his Majesty's Colonies in *America*.
32. An Act for draining and preserving certain low Lands called *The Fens*, lying on both Sides of the River *Witham*, in the County of *Lincoln*; and for restoring and maintaining the Navigation of the said River from the *High Bridge* in the City of *Lincoln*, through the Brough of *Boston*, to the Sea.
33. An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies remaining in the Exchequer, for the Service of the Year one thousand seven hundred and sixty-two; and for settling and securing a certain Annuity for the Use of the Right Honourable *Arthur Onslow*, Speaker of the House of Commons in the last five Parliaments.
34. An Act for enabling his Majesty to raise the Sum of one million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament; and for allowing Time for the Payment of the Stamp Duties omitted to be paid upon Admissions into Corporations or Companies, and Appointments to Offices therein; and for the Relief of *William Earle*, in respect of a Quantity of White Salt, lost by the Wreck of a Ship near the Harbour of *Dublin*.
35. An Act for applying the Money granted in this Session of Parliament, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England*, when unembodied, and of the Cloathing of the Part of the said Militia now unembodied, for

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one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-two.

36. An Act for better ſecuring the Payment of the Sums of Money directed by an Act made in the thirty-ſecond Year of the Reign of his late Majeſty King GEORGE the Second, to be applied in Augmentation of the Salaries of the Puiſne Judges in the Court of *King's Bench*, the Judges in the Court of *Common Pleas*, the Barons of the Coif in the Court of *Exchequer* at *Weſtminſter*, and the Juſtices of *Cheſter* and the Great Seſſions for the Counties in *Wales* for the Time being.

37. An Act for veſting certain Lands, Tenements and Hereditaments, upon the Sea Coaſts, in the Counties of *Kent*, *Suſſex* and *Southampton*, on which Forts and Batteries have been erected for the Defence of the ſaid Coaſts, in Truſtees, for certain Uſes; and for other Purpoſes therein mentioned.

38. An Act for the more eaſy and ſpeedy Recovery of ſmall Debts, within the Town and County of the Town of *Kingſton upon Hull*.

PRIVATE ACTS.

Anno 2 *Georgii* III.

1. AN Act for naturalizing *Anna Maria Thornton*, Wife of *Octavius Thornton* Merchant.

2. An Act for dividing and incloſing certain Common Fields and Meadows, in the Pariſh of *Holy Croſs*, in *Perſhore*, in the County of *Worceſter*.

3. An Act for naturalizing *Philip Jacob Krauter*, and *John Paris*.

4. An Act for naturalizing *John Berens*.

5. An Act for eſtabliſhing and confirming certain Articles of Agrement for the dividing and incloſing ſeveral Common Fields, Meadows and Paſtures, in the Townſhips of *Elvaſton* and *Thulſton*, in the County of *Derby*.

6. An Act for naturalizing *Francis Rodolph Fatio*, *John Le Coq*, *John Henry Cazenove*, and *Henry Peter Kuhff*.

7. An Act for dividing and incloſing two Pieces or Parcels of Open and unincloſed Lands, called *The Town Hill*, and *The Burroughs*, in the Borough and Manor of *Swanſea*, in the County of *Glamorgan*.

8. An Act for dividing and incloſing the Common Fields, Meadows, Paſtures and Waſte Grounds, in the Townſhip of *Aſton upon Trent*, in the County of *Derby*.

9. An Act for dividing and incloſing the Common Fields, Common Meadows, Common Grounds, and Commonable Places, in the Pariſh of *Swanburne*, in the County of *Bucks*.

10. An Act for dividing and incloſing ſeveral Common Fields, Meadows, Paſtures, and Waſte Grounds, in the Pariſh of *Barrowby*, in the County of *Lincoln*.

11. An Act to enable the moſt Noble *Francis* Duke of *Bridgewater* to make a navigable Cut or Canal from *Longford Bridge*, in the Townſhip of *Stretford*, in the County Palatine of *Lancaſter*, to the River *Merſy*, at a Place called *The Hemp Stones*, in the Townſhip of *Halton*, in the County of *Cheſter*.

12. An Act for authorizing and enabling *John Woods*, *William Woods*, and *John Challen*, Merchants, to erect and build one or more Tide Mill or Tide Mills for grinding Corn and Grain, upon a Creek or Channel, in the Manor and Pariſh of *Biſhopſton*, in the County of *Suſſex*.

13. An Act for Sale of certain Lands, Tenements and Hereditaments, in the Pariſhes of *Witham*, *Frary*, *Marſton* or *Nunny*, in the County of *Somerſet*, deviſed and limited by the Will of Sir *William Wyndham* Baronet, deceaſed, and for laying out the Money ariſing by ſuch Sale in the Purchaſe of other Lands and Hereditaments to be ſettled to the ſame Uſes, except as therein mentioned.

14. An Act for confirming and eſtabliſhing a Partition between *Samuel Blunt*, *Henry Humphery*, *James Clitherow*, Eſquires, and others, of ſeveral Eſtates in the Counties of *Suſſex*, *Surrey* and *Kent*, and for veſting and ſettling the entire Premiſſes to the ſeveral Uſes therein mentioned.

15. An Act for incorporating the Truſtees, named in the Settlement and Will of *Chriſtopher Tancred* Eſquire, deceaſed, and to enable them to take the Eſtate late of the ſaid *Chriſtopher Tancred*, to them and their Succeſſors, in Perpetuity, for the charitable Uſes in ſuch Settlement and Will, and for the better Management of the Charity.

16. An Act for veſting a Piece or Pieces of Ground in *Kenſington*, in the County of *Middleſex*, Part of the ſettled Eſtate of *Robert Philimore* Gentleman, in Truſtees, to be ſold, and for applying the Money, ariſing by ſuch Sale, in the Purchaſe of Lands, Tenements and Hereditaments, to be ſettled and limited to the like Uſes as the ſaid Ground now ſtands ſettled.

17. An Act to enable the Right Honourable the Lady *Frances Hanbury Williams*, to take upon her, and uſe, the Surname of *Coningeſby*, purſuant to a Proviſo in a Settlement made by her Father *Thomas* Earl *Coningeſby*, deceaſed.

18. An Act to enable *John Haſe* Eſquire, and his Heirs Male, to take and uſe the Surname and Arms of *Lombe*.

19. An Act for naturalizing *Henrietta Frederique* Viſcounteſs *Stormont*, Wife of the Right Honourable *David* Lord Viſcount *Stormont*.

20. An Act for naturalizing *Philip Schumacher* and *Nicholas Brandt*.

21. An Act for naturalizing *Jacob Wolffe* Eſquire, commonly called Baron *Wolffe*.

22. An Act for naturalizing *Paul Metivier*.

23. An Act for naturalizing *James Repinder*.

24. An Act for naturalizing *Jean Charnaud*.

25. An Act for dividing and incloſing the Open and Common Field, Common Meadows, Common Paſtures, Common Grounds, and Commonable Lands, within the Hamlet and Liberties of *Princethorpe*, in the Townſhip and Pariſh of *Stretton upon Dunſmore*, in the County of *Warwick*.

26. An Act for dividing and incloſing a certain Moor, or Common, called *Middlewood Moor*, or *Uſhaw Moor*, within the Manor of *Lancheſter*, in the County of *Durham*.

27. An Act for dividing and incloſing the whole Year Lands, and Paſture Grounds, Common Fields, half Year Incloſures, Shack Meadows and Commons, in the Pariſh of *Snettiſham*, in the County of *Norfolk*.

28. An Act for dividing and incloſing the Open Fields in the Pariſh of *Hungerton*, in the County of *Leiceſter*.

29. An Act for dividing and incloſing the Open Fields of *Thurmaſton*, in the Pariſh of *Belgrave* and *Barkby*, in the County of *Leiceſter*.

30. An Act for dividing and incloſing the Open and Common Fields and Common Grounds in *Whiſſondine*, in the County of *Rutland*.

31. An Act for veſting certain Lands, Tenements and Hereditaments, heretofore given, in Truſt, for the Be-

nefit of the Poor Inhabitants of the Pariſh of *Woburn*, in the County of *Bedford*, in his Grace *John* Duke of *Bedford*, and his Heirs, and for eſtabliſhing a better Fund in lieu thereof.

32. An Act for diſcharging the Eſtate of *Frederick* Viſcount *Bolingbroke*, in the County of *Surrey*, from the Uſes and Limitations of a former Settlement, and for ſettling Lands and Hereditaments in the County of *Kent*, in lieu thereof, to the ſame Uſes.

33. An Act to enable *Patrick Blake* Eſquire, a Minor, to make a Settlement on *Annabella Bunbury* Spinſter, and the Iſſue of their intended Marriage; and for other Purpoſes therein mentioned.

34. An Act for the Sale of Part of the Eſtates entailed by the Will of *Edward Melliſh* Eſquire, deceaſed, and for laying out the Money ariſing by ſuch Sale, in the Purchaſe of other Eſtates to be ſettled to the like Uſes.

35. An Act for veſting a Rent Charge in Fee Simple, in Truſtees, for the Benefit of certain Poor Families deſcribed in the Will of *John Styleman* deceaſed, in lieu of a Moiety of certain Lands and Hereditaments, deviſed by the ſame Will, for the Benefit of the ſaid poor Families, and for veſting the ſaid Moiety in Fee Simple in *John Boyd* Eſquire, and his Heirs.

36. An Act for ſelling Part of the Eſtates of *William Maſon* Eſquire, deviſed to him by the Will of *William Maſon* Eſquire, deceaſed, and for laying out the Money to ariſe thereby in the Purchaſe of other Lands and Hereditaments, to be ſettled in lieu thereof, to the Uſes limited by the ſaid Will; and for exchanging other Part of the ſaid Eſtates of the ſaid *William Maſon*, ſo deviſed, for other Lands and Tenements to be ſettled in lieu thereof, to the Uſes limited by the ſame Will.

37. An Act for veſting all the Real and Perſonal Eſtates, late of *Elizabeth Morgan* Widow, deceaſed, in *Elizabeth Mackenzie*, Wife of *George Mackenzie* Eſquire, her Niece, Heir at Law, and only next of Kin, diſcharged from all Right, Claims and Intereſt, of the Maſter and Fellows of *Gonvile* and *Caius College*, in the Univerſity of *Cambridge*.

38. An Act for the Sale of the Eſtate of *Thomas Waite*, an Infant, for diſcharging Incumbrances affecting the ſame, and for applying the Surplus Money ariſing thereby for the Benefit of the ſaid Infant.

39. An Act for naturalizing *Diederick Weſſel Linden*.

40. An Act for dividing and incloſing the Open and Common Fields, in the Manor of *Shenley Brookend*, in the Pariſh of *Shenley* in the County of *Bucks*.

41. An Act for dividing and incloſing the ſeveral open and Common Fields, Meadows and Commons, within the Lordſhip or Liberty of *Quorndon* in the County of *Leiceſter*.

42. An Act for dividing and incloſing ſeveral Common Fields, Commons, Common Heaths and Waſte Grounds in the Pariſh of *Porteſham* in the County of *Dorſet*.

43. An Act for dividing and incloſing a certain Moor or Common within the Manor of *Evenwood* and Chapelry of *Saint Helen's Auckland* and County of *Durham*.

44. An Act for dividing, allotting and incloſing the open Fields, Paſtures and Pieces or Parcels of Meadows and Paſture Ground in the Lordſhip of *Sproatley*, in *Holderneſs*, in the County of *York*.

45. An Act for confirming Articles of Agreement for incloſing Common Fields, Commons, Paſtures and Waſte Grounds in the Townſhips or Hamlets of *Dringhoe*, *Upton* and *Brough* in the Pariſh of *Skipſea*, in *Holderneſs*, in the Eaſt Riding of the County of *York*.

46. An Act for dividing and incloſing the open and Common Fields, Common Paſtures, Common Meadows, Common Grounds and Waſte Grounds, of and in the Manor, Pariſh and Liberties of *Towceſter*, with the Hamlets of *Wood Burcott* and *Caldecote* in the County of *Northampton*.

47. An Act for incloſing and dividing the Common Fields, Moors and Common Grounds in the Townſhip of *Rotherham* in the County of *York*.

48. An Act for incloſing and dividing ſeveral open Fields and Commonable Lands within the Manor and Pariſh of *Wintringham* in the County of *Lincoln*.

49. An Act for repealing Part, and explaining and amending other Parts, of an Act made in the thirty-ſecond Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for veſting Part of the Eſtates intailed by the Will of the moſt Noble* Charles Noel, *Duke of* Beaufort, *deceaſed, in Truſtees, to be ſold, and for purchaſing other Eſtates, to be ſettled to the like Uſes, and for impowering the Guardian and Truſtees named in the ſaid Will, to make Leaſes of the ſaid Duke's Eſtates in the Counties of* Glouceſter, Wilts, Hants, Devon, Dorſet, Glamorgan *and* Brecon, *during the Minority of his Children*.

50. An Act for confirming a Partition of ſo many of the Eſtates of *Charles* late Duke of *Somerſet*, deceaſed, as were by him ſettled and deviſed to the Uſe of *Frances* late Marchioneſs of *Granby*, and of *Charlotte* Counteſs of *Aylesford*, his two Daughters, and their Iſſue, in ſtrict Settlement, with ſeveral Remainders over; and for veſting and ſettling the intire Premiſſes to the ſeveral Uſes therein mentioned; and for the ſeveral other Purpoſes therein mentioned.

51. An Act for rectifying a Miſtake in the Name of one of the Truſtees in the Settlement made upon the Marriage of the Right Honourable *William* Earl of *Harrington*, with the Right Honourable *Carolina* Counteſs of *Harrington* his Wife.

52. An Act for explaining and amending the Marriage Settlement of *Edward* Lord *Winterton*, in the Kingdom of *Ireland*, by impowering him to ſell Part of the Eſtates in the Counties of *Suſſex*, *Surrey* and *Norfolk*, therein compriſed, and for laying out the Monies ariſing by ſuch Sale, in the Purchaſe of other Eſtates of equal or greater Value, to be ſettled to the Uſes of the ſaid Marriage Settlement, and for other Purpoſes therein mentioned.

53. An Act to enable Sir *Nicholas Hacket Carew*, Baronet, to grant a Leaſe or Leaſes of Part of his ſettled Eſtate, for the Improvement thereof, purſuant to a Contract by him entered into for that Purpoſe.

54. An Act for veſting the Capital Meſſuage, with the Lands and Hereditaments thereunto belonging, at *Southgate* in the Pariſh of *Edmonton*, and at *Friar Barnett* in the County of *Middleſex*, and at *Eaſt Barnett* in the County of *Hertford*, late Part of the Eſtate of *James Colebrooke*, Eſquire, deceaſed, compriſed in the Marriage Settlement of Sir *George Colebrooke*, Baronet, in him and his Heirs, and for ſettling other Lands and Hereditaments in the Counties of *Surrey* and *Middleſex*, of equal Value, to the ſame Uſes, in lieu thereof, and for other Purpoſes in the ſaid Act mentioned.

55. An Act for diſcharging certain Leaſehold Houſes and Tenements compriſed in the Marriage Settlement of *Humfreys Ram*, Eſquire, from the Truſts of the Set-

tlement, and for ſettling Freehold Houſes of greater Value in lieu thereof.

56. An Act for veſting a Toft or Scite of a Copyhold Houſe in *Richmond* in the County of *Surrey*, lately pulled down, in Truſtees, to be ſold, leaſed, or otherwiſe diſpoſed of, for the Benefit of the Perſons claiming under the Will of *Matthias Perkins*, Gentleman, deceaſed; and for impowering *John Perkins*, his Son, to make ſuch Leaſes of his Eſtate at *Richmond* and *Tuddington*, as are therein mentioned.

57. An Act for diſcharging divers Lands, Eſtates and Hereditaments, deviſed by the Will of *Thomas Ruggles*, Eſquire, deceaſed, from the Uſes and Truſts of the ſaid Will; and for ſettling other Lands and Tenements, of greater Value, in lieu thereof, to the like Uſes.

58. An Act for veſting the ſettled Eſtate, late of *Ralph Jeniſon*, Eſquire, deceaſed, at *Great Walworth* in the County of *Durham*, in Truſtees, in Truſt to be conveyed to *John Dixon*, Gentleman, and his Heirs, purſuant to a Decree, and ſubſequent Orders, of the Court of Chancery at *Durham*.

59. An Act to enable *Joſeph Fell*, Eſquire, to make a Leaſe of a Farm and Lands in *Walthamſtowe* in the County of *Eſſex*, for a Term of ninety-nine Years.

60. An Act to enable *John Holden*, Gentleman, and *Thomas Holden*, his Son, an Infant, and their Truſtees, to raiſe the Sum of one thouſand Pounds, upon certain Eſtates in *Leiceſterſhire* and *Warwickſhire*, or on a ſufficient Part thereof, to be applied for the Purpoſes therein mentioned.

61. An Act for veſting two Acres of Land in *Walton upon Thames*, in Truſtees, to be ſold, and conveyed to the Executors of *Samuel Dicker*, Eſquire, for the Benefit of *Mary Delver*, an Infant.

62. An Act for veſting divers Lands and Hereditaments, in the Pariſh of *Igborough* in the County of *Norfolk*, Part of the ſettled Eſtate late of *Henry Ord*, Eſquire, deceaſed, in Truſtees, to convey the ſame to *James Nelthorpe*, Eſquire, and his Heirs, and to lay out the Money to be paid for the ſame, in the Purchaſe of other Lands and Hereditaments, to be ſettled to the Uſes therein mentioned.

63. An Act for veſting certain Eſtates in the Pariſh of *Saint Botolph*, *Billingſgate*, *London*, late the Eſtate of *William Clapham*, Gentleman, in Truſtees, for the Uſes and Purpoſes therein mentioned.

64. An Act for Sale of Part of the ſettled Eſtate of *Thomas Carew*, of *Crowcombe*, in the County of *Somerſet*, Eſquire, and for ſettling other Lands and Hereditaments, of greater Value in lieu thereof, to the ſame Uſes.

65. An Act for veſting the ſettled Eſtate of *John Weller*, Eſquire, deceaſed, lying in the Counties of *Kent* and *Cheſter*, in Truſtees, to be ſold, to pay off Incumbrances affecting the ſame, and to lay out the Surplus of the Money ariſing by ſuch Sale (if any) in the Purchaſe of other Lands to be ſettled to the Uſes of the Will of the ſaid *John Weller*.

66. An Act to enable *William Richards* and *Edward Richards*, Infants, and their Heirs, to take and uſe the Surname, and bear the Arms of *Powell*, purſuant to the Will of *Roger Powell*, Eſquire, deceaſed.

67. An Act to enable *Charles Smith*, an Infant, lately called *Charles Loraine*, and his Heirs, to take and uſe the Surname of *Smith*, purſuant to the Will of *Richard Smith*, Eſquire, deceaſed.

68. An Act for naturalizing *Luke Wettſtein*, *Peter Texier*, junior, and *Daniel Goy*.

69. An Act for naturalizing *John Doerner*.

THE

THE STATUTES at Large, &c.

Anno Regni GEORGII. II. tricesimo.

'AT the Parliament begun and holden at *Westminster* the thirty-first Day of *May*, *Anno Domini* one thousand seven hundred and fifty-four, in the twenty-seventh Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c.

'And from thence continued by several Prorogations to the second Day of *December* one thousand seven hundred and fifty-six. Being the fourth Session of this present Parliament.'

CAP. I.

An Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch.

Former Provisions concerning Corn, 1 & 2 P. & M. c. 5.

15 *Car.* 2. *c.* 7. 22 *Car.* 2. *c.* 13. 1 *Jac.* 2. *c.* 19. 1 *W. & M. st.* 1. *c.* 12 & 24. 11 & 12 *W.* 3. *c.* 20. 12 & 13 *W.* 3. *c.* 10. 5 *Ann. c.* 29, 2 *Geo.* 2. *c.* 18. 5 *Geo.* 2. *c.* 12. 11 *Geo.* 2. *c.* 22. 24 *Geo.* 2. *c.* 56. 26 *Geo.* 2. *c.* 15.

'WHEREAS the Exportation of any Sort of Corn, Meal, Malt, Flour, Bread, Biscuit, and Starch, out of the Kingdoms of *Great Britain* or *Ireland*, may, at this Time be greatly prejudicial to his Majesty's Subjects;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons whatsoever, at any Time or Times before the twenty-fifth Day of *December* in the Year of our Lord one thousand seven hundred and fifty-seven, shall, directly or indirectly, export, transport, carry, or convey, or cause or procure to be exported, transported, carried or conveyed out of or from the said Kingdoms of *Great Britain* or *Ireland*; or load or lay on Board, or cause or procure to be laden or laid on Board in any Ship or other Vessel, or Boat, in order to be exported or carried out of the said Kingdoms of *Great Britain* or *Ireland*, any Sort of Corn, Meal, Malt, Flour, Bread, Biscuit or Starch, under the Penalties and Forfeitures herein after mentioned; that is to say, That all the said Commodities that shall be so exported, shipped, or laid on Board, or loaded to be exported, shipped or carried out, contrary to this Act, shall be forfeited; and that every Offender or Offenders therein shall forfeit the Sum of twenty Shillings for every Bushel of Corn, Malt, Meal, or Flour; and twelve Pence of lawful Money of *Great Britain*, for every Pound Weight of Bread, Biscuit or Starch, and so in Proportion for any greater or less Quantity, which shall be so exported, shipped or put on Board to be exported; and also the Ship, Boat or Vessel, upon which any of the said Commodities shall be exported, shipped or laden to be exported, and all her Guns, Tackle, Apparel, and Furniture, shall be forfeited; and one Moiety of all the said Penalties and Forfeitures shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them that will sue for the same; and for Offences which shall be committed in that Part of *Great Britain* called *England*, such Penalties and Forfeitures shall be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, or before the Justices of Assize, or at the Great Sessions in *Wales*, or by Information at any General Quarter-Sessions of the Peace, for the County, City, Riding, Division, or Place where the Offence shall be committed; and in such Suit, no Essoin, Protection, Privilege, or Wager of Law, shall be allowed; and for Offences which shall be committed in that Part of *Great Britain* called *Scotland*, by Action, or summary Bill or Information in the Courts of Sessions or Exchequer in *Scotland*; and for Offences which shall be committed in *Ireland*, in his Majesty's Courts of Record in *Dublin*,

No Corn, &c. to be exported from Great Britain or Ireland, before 25 Dec. 1757.

One Moiety of the Forfeiture to go to the King, the other to the Prosecutor. Method of Recovery thereof if in England, Wales, Scotland, or Ireland.

Master and Mariners if convicted, to be committed.

Dublin, or at the General Quarter-Sessions of the Peace for the County, City or Place, where the Offence shall be committed; and that the Master and Mariners of any such Ship, Boat or Vessel, wherein any such Offence shall be commited, knowing such Offence, and wittingly and willingly aiding and assisting thereunto, and being thereof duly convicted in any such Courts as aforesaid, shall be imprisoned for the Space of three Months without Bail or Mainprize.

Officers impowered to seize the Vessels, and Commodities;

and to lodge the Goods in the King's Warehouses.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, being an Officer or Officers of the Customs, or being lawfully authorized in this Behalf by the Lord High Treasurer of *Great Britain*, or the Commissioners of the Treasury for the Time being, or any three or more of them, to take or seize all such of the said Commodities, not allowed to be exported by this Act, or by his Majesty's Royal Proclamation, or such Order of Council, in pursuance of this Act, as he or they shall happen to find, know, or discover to be laid on Board any Ship or other Vessel or Boat, at Sea, or in any Port, or in any navigable River or Water, to the Intent or Purpose to be exported, transported or conveyed, out of *Great Britain* or *Ireland*, contrary to the true Intent of this Act; and also the Ship, Vessel or Boat, in which the same shall be found, and to bring the said Goods to the King's Warehouse or Warehouses belonging to the Custom-house, next to the Place where such Seizures shall be made, or to some other safe Place (where there are no such Warehouses) in order to be proceeded against according to Law, and in case of Recovery, to be divided according to the Directions of this Act.

Necessary Provision for Ships on their Voyage;

and for the King's Ships, Forces, Forts, or Garrisons, are excepted.

III. Provided always that this Act, or any thing herein contained, shall not extend to prohibit the Exportation or carrying out of such, or so much of the said Commodities, as shall be necessary to be carried in any Ship or Ships, or other Vessel or Vessels, in their respective Voyages, for the Sustenance, Diet and Support of the Commanders, Masters, Mariners, Passengers or others, in the same Ships or Vessels only; or for the Victualling or providing any of his Majesty's Ships of War, or other Ships or Vessels in his Majesty's Service; or for his Majesty's Forces, Forts, or Garrisons; any thing herein contained to the contrary notwithstanding.

The said Commodities may be carried Coastwise, if a Cocquet be granted for the same, and Security given.

IV. Provided also, That this Act, or any thing herein contained, shall not extend to prohibit any Person or Persons to ship or put on Board any of the Commodities aforesaid, to be carried Coastwise; that is to say, from any Port, Creek, or Member of the Kingdoms of *Great Britain* or *Ireland*, to any other Port, Creek, or Member of the same respectively, having such or the like Coast-cocquet or Sufferance for that Purpose, and such or the like sufficient Security being first given for the Landing and Discharging the same in some other Port, Member or Creek of the said Kingdoms, and returning a Certificate in six Months, as if required by Law in Cases where Goods which are liable to pay Duties on Exportation, are carried Coastwise from one Port of *Great Britain* to another, and not otherwise.

The said Commodities may be exported to Gibralter, or the British Islands or Colonies in America, the Exporter declaring where the same are designed for, and giving Security.

V. Provided also, That this Act, or any thing herein contained, shall not extend to any of the said Commodities which shall be exported, or shipped to be exported, out of or from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, or from *Great Britain* or *Ireland* to *Gibraltar*, or unto any of his Majesty's Islands or Colonies in *America*, that have usually been supplied with any of the said Commodities from *Great Britain* or *Ireland*, for the Sustentation of the Inhabitants of the said Islands, Colonies or Dominions, or for the Benefit of the *British* Fishery in those Parts only; so as the Exporter do, before the shipping or laying on Board the same, declare the Island, Colony or Dominion, Islands, Colonies or Dominions, for which the said Commodities are respectively designed, and do become bound with other sufficient Security, in Treble the Value thereof, to the Commissioners or chief Officer or Officers of his Majesty's Customs, belonging to the Port or Place where the same shall be shipped or put on Board (who hath or have hereby Power to take such Security in his Majesty's Name, and to his Majesty's Use) that such Commodities shall not be landed or sold in any Parts whatsoever, other than the Kingdoms, Dominions, Islands or Colonies for which the same shall be so declared; and that a Certificate under the Hand and Seal of the Collector, Comptroller, or other chief Officer of the Customs; or if no such, of the Naval Officer, or some other principal Officer of the Port where the same shall be landed, shall within the respective Times herein after for that Purpose mentioned (the Danger of the Seas excepted) be returned to the Officers who took the said Bonds, that the said Commodities have been landed at the Port or Place for which the same shall be so declared; and for the taking of such Security, and giving such Certificates (which the respective Officers aforesaid are hereby on Demand required to give) no Fee or Reward shall be demanded or received; and if any Officer shall make any false Certificate of any such Commodities being so landed such Officer shall forfeit the Sum of two hundred Pounds, and lose his Employment, and be incapable of serving his Majesty, his Heirs or Successors, in any Office relating to the Customs; and if any Person shall counterfeit, raze or falsify any such Certificate, or knowingly publish any such counterfeit, rased or false Certificate, he shall forfeit the Sum of two hundred Pounds, and such Certificate shall be void and of none Effect; which said Penalties for Offences committed in *Great Britain* or *Ireland*, shall be recovered; in the same Courts, and in the same Manner, as the other Penalties inflicted by this Act are recoverable; and for Offences committed in the Colonies or Plantations in *America*, or other the Dominions belonging to the Crown of *Great Britain* in *Europe*, shall be recovered in the High Court of Admiralty, or in any other Chief Court of Civil or Criminal Jurisdiction in such respective Colonies, Plantations or Dominions; and shall be divided into equal Moieties between his Majesty and the Informer; and the said Bond or Bonds, if not prosecuted within three Years, shall be void.

Certificates from the Port of landing to be returned within a limited Time.

Officers to take Security, and grant Certificates, gratis.

Officer granting a false Certificate, to forfeit 200 l. and be cashiered.

200 l. Penalty on counterfeiting, &c. a Certificate.

Method of Recovery,

and Application thereof.

VI. Provided

VI. Provided also, That nothing herein contained shall extend to prohibit the Exportation of Beans to the *British* Forts, Castles and Factories in *Africa*, or for the Use of the Ships trading upon that Coast, that usually have been supplied with the same from *Great Britain* or *Ireland*, so as the like Security be given for the exporting thereof, as is required by this Act to be given by Persons carrying any of the said Commodities to the *British* Colonies in *America*. Beans may be exported to Africa on giving Security.

VII. Provided also, That nothing herein contained shall extend to prohibit the United Company of Merchants of *England*, trading to the *East Indies*, from exporting any of the said Commodities to any of their Forts, Factories or Settlements, for the Support of the Persons residing there, so as the like Security be given for the exporting thereof, as is required by this Act to be given by Persons carrying any of the said Commodities to the *British* Colonies in *America*. East India Company may export any of the said Commodities to their Forts and Settlements, giving Security.

VIII. Provided also, That this Act, or any thing herein contained, shall not extend to any Wheat, Malt or Barley, to be transported out of or from the Port of *Southampton* only, unto the Islands of *Jersey* and *Guernsey*, or either of them, for the only Use of the Inhabitants of those Islands, so as the Exporter before the lading of such Wheat, Malt or Barley, or laying the same on board, do become bound with other sufficient Security (which the Customer or Comptroller of the same Port hath hereby Power to take, in his Majesty's Name, and to his Majesty's Use; and for which Security no Fee or Reward shall be given or taken) that such Wheat, Malt or Barley, shall be landed in the said Islands of *Jersey* and *Guernsey*, one of them, (the Danger of the Seas only excepted) for the Use of the Inhabitants there, and shall not be landed or sold in any other Parts whatsoever, and to return the like Certificates of the landing the same there, as are herein before required on the Exportation of the said Commodities to the *British* Colonies in *America*, and within the Time for that Purpose herein after mentioned; and so as the Quantity of Wheat, Malt and Barley, which at any Time or Times after the passing of this Act, and before the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, shall be shipped at the said Port for *Jersey* and *Guernsey*, or either of them as aforesaid, doth not exceed in the whole five thousand Quarters; any Thing herein contained to the contrary notwithstanding. Wheat, Malt or Barley may be exported from Southampton to Jersey and Guernsey, the Exporter giving Security. Certificate of the Landing to be returned within a limited Time. Quantity to be exported not to exceed 5000 Quarters.

IX. And be it further enacted by the Authority aforesaid, That the Commissioners of the Customs for the Time being shall, and they are hereby required to give a full and true Account in Writing to both Houses of Parliament, at the beginning of the next Session thereof, of all Corn, Meal, Malt, Flour, Bread, Biscuit and Starch, that shall before that Time be exported to any Place whatsoever, by virtue or in pursuance of any of the Liberties or Powers hereby given or granted for that Purpose. Commissioners of the Customs to lay before both Houses of Parliament an Account of the Quantities of Corn, &c. exported.

X. Provided, That nothing in this Act contained shall extend to any Malt declared or made for Exportation on or before the fourth Day of *December* one thousand seven hundred and fifty-six, which shall be exported; provided the Proprietor or Proprietors thereof shall produce to the Collector or Chief Officer of the Port where such Malt shall be exported, a Certificate or Certificates from the Officer or Officers with whom the Entry of the Corn intended to be made into such Malt for Exportation shall have been made, that the said Malt was actually declared or made for Exportation on or before the said fourth Day of *December* one thousand seven hundred and fifty-six; nor to any other of the Commodities aforesaid which shall be cleared out of any Custom-house within *Great Britain*, before the twenty-fifth Day of *December* one thousand seven hundred and fifty-six; or out of any Custom-house in *Ireland* before the twenty-fifth Day of *December* one thousand seven hundred and fifty-six; but that such Ships and Vessels shall be permitted to proceed on their Voyages; any Thing herein contained to the contrary in any wise notwithstanding. Malt made for Exportation before 4 Dec. 1756, may be exported, the Proprietor producing a Certificate thereof from the proper Officer. Vessels cleared out before 25 Dec. 1756, permitted to proceed on their Voyages.

XI. Provided always, and be it enacted by the Authority aforesaid, That in case his Majesty at any Time or Times before the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, shall (in his Royal Discretion) judge it to be most for the Benefit and Advantage of this Kingdom, to permit the Exportation of Corn and other the Commodities aforesaid, or any of them, that then it shall and may be lawful to and for his Majesty, by his Royal Proclamation or Proclamations to be issued, by and with the Advice of his Privy Council, or by his Majesty's order in Council, to be published in the *London Gazette*, from Time to Time to permit and suffer all and every Person or Persons, Natives and Foreigners (but not any particular Person or Persons) at any Time or Times before the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, to export or carry out of the Kingdoms of *Great Britain* or *Ireland*, or out of both or either of them, all or any of the Commodities aforesaid, to all or any other Place or Places, and upon or without giving Security for the Landing thereof in such Place or Places, and returning Certificates of such Landing, as to his Majesty shall seem meet, and as in such Proclamation or Proclamations, or such Orders of Council, to be published in the *London Gazette*, shall be expressed and declared; any Thing herein contained to the contrary notwithstanding. His Majesty by Proclamation, or Order in Council, may at any Time before 25 Dec. 1757, permit the Exportation of Corn, &c.

XII. And be it further enacted by the Authority aforesaid, That all Certificates of the landing and discharging of the said Commodities to be exported, other than Coastwise, shall be returned within the respective Times following; that is to say, Where the Bonds are taken in respect of any of the said Commodities to be exported from *Great Britain* or *Ireland*, to any of the said Colonies or Plantations in *America*, within eighteen Calendar Months after the Date of the said Bonds; and where to *Gibraltar*, within twelve Calendar Months after the Date of such Bonds; and where to the Islands of *Guernsey* or *Jersey*, within six Calendar Months after the Date of such Bonds; and where from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, within six Calendar Months after the Date of such Bonds respectively. Times limited of returning the Certificates from the respective Ports where the Corn, &c. has been landed.

Continued by 31 *Geo.* 2. c. 1. *and farther by* 32 *Geo.* 2. c. 2. *and see* 32 *Geo.* 2. c. 8. *which takes off the Prohibition.*

CAP.

CAP. II.

An Act to make Provision for the quartering of the foreign Troops in his Majesty's Service, now in this Kingdom.

'WHEREAS Difficulties have lately arisen in providing Quarters for the foreign Troops in his 'Majesty's Service, which have been brought over for the Defence of *Great Britain*;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said foreign Troops brought over as aforesaid, shall and may, during their Continuance here, be quartered, and be received and provided for in Quarters, in the same Manner to all Intents and Purposes as the *British* Troops now are; and that the billetting, quartering, receiving and providing for such foreign Troops, in the Manner aforesaid, shall be deemed and taken to have been, and to be legal, valid and effectual, to all Intents and Purposes whatsoever.

Foreign Troops to be quartered and provided for as the British Troops.

CAP. III.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-seven; and for discharging certain Arrears of Land Taxes incurred before the Time therein mentioned; and for the more effectual collecting of Arrears for the future.

CAP. IV.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-seven; and concerning the Interest to be paid for Monies to be borrowed as well on the Credit of this Act, as on the Credit of an Act of this Session of Parliament, for granting an Aid to his Majesty by a Land Tax.

CAP. V.

An Act for granting to his Majesty a Sum not exceeding one million fifty thousand and five Pounds and five Shillings, to be raised by way of Lottery.

Most Gracious Sovereign,

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament 'assembled, towards raising the necessary Supplies to defray your Majesty publick Expences, have 'freely and voluntarily resolved to give and grant unto your Majesty, a Sum not exceeding one million 'fifty thousand and five Pounds and five Shillings, to be raised by way of Lottery, in such Manner and 'Form as is herein-after directed; and do therefore most humbly beseech your Majesty, that it may be 'enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for all Persons, Natives or Foreigners, and all Bodies Politick or Corporate, at any Time after the Tickets whereof the said Lottery is herein after directed to consist, shall be prepared in Manner herein after-mentioned, and ready to be delivered, and after publick Notice shall be given thereof by the Managers or Directors herein after-mentioned in the *London Gazette*, and before the Time to be prefixed by the said Managers or Directors for the Re-delivery of all the Books containing such Tickets (whereof publick Notice shall in like Manner be given by them) to contribute to the Payment of the said Sum not exceeding one million fifty thousand and five Pounds and five Shillings, by paying the Price of as many Tickets as they shall be willing to purchase, after the Rate of one Guinea for each Ticket, unto the first or chief Cashier or Cashiers of the Governor and Company of the Bank of *England*, for the Time being, (who is and are hereby appointed a Receiver or Receivers of such Contributions, without any further or other Warrant to be sued for, had or obtained in that Behalf) or unto such other Receiver or Receivers as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall nominate and appoint to be Receiver or Receivers of such Contributions; and that every such Contributor or Adventurer, for every such Sum of one Guinea so paid for each Ticket, shall be intitled to such Lot or Share, and shall receive such Sum or Sums of Money as is or are hereby directed or appointed.

Natives and Foreigners may contribute to the Sum of 1,050,005*l.* 5*s.* for the Purchase of Tickets in the present Lottery, at 11*l.* 1*s.* each Ticket.

Purchase-money to be paid to the Chief Cashier of the Bank.

II. Provided nevertheless, and be it enacted by the Authority aforesaid, That at any Time before such Tickets shall be prepared and ready to be delivered, and Notice shall be given thereof as aforesaid, all such Contributors, who in Books to be opened for that Purpose at the Bank of *England*, or at any other Place or Places to be appointed by the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall subscribe for one hundred Tickets in the said Lottery, or more, and shall deposit with and pay to the Cashier or Cashiers of the Governor and Company of the Bank of *England*, or such other Receiver or Receivers, the full Sum of one Guinea for every such Ticket, or a Moiety thereof, in Part of the Sum of one Guinea, payable for each of the Tickets so subscribed for, as a Security for Payment

Subscribers for 100 Tickets,

depositing the one Moiety of the Purchase-money,

of

of the Remainder of the several Sums due for such Tickets as aforesaid; and who having made such Deposit, shall, on or before the first Day of *June* one thousand seven hundred and fifty-seven, pay the Remainder of the Price of every such Ticket; and also all such Contributors who, during such Time, and in such Books, shall subscribe for twenty Tickets in the said Lottery, or for any Number greater than twenty, and less than one hundred, and shall pay to such Cashier or Cashiers, or other Receiver or Receivers, the full Sum payable for such Tickets, shall be intitled to as many Lottery Tickets as the full Value of such Tickets will purchase, and to such Lots, Shares and Sums of Money, in respect of such Tickets, ars are by this Act directed or appointed.

allowed to 1 June next to make good the second Payment.

Subscribers for any less Number, to pay the whole of the Purchase-money at the Time of subscribing.

III. And be it further enacted by the Authority aforesaid, That upon the Receipt of the full Price of any Tickets in the said Lottery so subscribed for, or such Part thereof as is herein before directed to be paid by way of Deposit, such Cashier or Cashiers, or such other Officers as shall be employed by the Governor and Company of the Bank of *England* for that Purpose, or such other Receiver or Receivers, shall give Receipts in Writing signed by himself or themselves, to every such Contributor, for all such Sums; which Receipts shall intitle the several Bearers thereof to the Tickets, for or in respect of which the respective Sums mentioned in such Receipts shall have been paid or advanced.

Receipts to be given for the Sums paid, &c.

and the Bearers intitled to Tickets in respect thereof.

IV. Provided also, That such Cashier or Cashiers, or other Officers of the Governor and Company of the Bank of *England*, from and after the Time to be prefixed for the Delivery of Tickets as aforesaid, until the Books containing such Tickets shall be re-delivered, and also from the Time Books shall be opened for taking in Subscriptions to the said Lottery, until the Time herein before limited for Payment of the Residue of such Sums as shall be advanced by way of Deposit, shall for the Performance of the Service hereby required from them, give their constant Attendance at the Bank of *England*, from nine of the Clock in the Forenoon to three of the Clock in the Afternoon, and no longer, each Day (excepting *Sundays*, and Days of Fasting or Thanksgiving, appointed by particular Acts of Parliament, or by the King's Proclamation).

Cashier to attend at the Bank from 9 to 3 o'Clock, to receive Subscriptions.

V. Provided always, That such Cashier or Cashiers, and such other Receiver or Receivers, shall give Security to the good Liking of any three or more of the Commissioners of the Treasury now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, for duly answering and paying into the Receipt of his Majesty's Exchequer for the publick Use, all such Monies which shall be so contributed and paid to him or them, and for accounting duly for the same, and for Performance of the Trust hereby in him or them reposed, and shall, from Time to Time, with all convenient Speed, so pay all such Monies, and account for the same in his Majesty's Exchequer, according to the due Course thereof.

Cashier to give Security;

and to pay the Monies into the Exchequer.

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, from Time to Time to issue and apply all such Sums of Money as shall so be paid into the Receipt of his Majesty's Exchequer by the said Cashier or Cashiers, or such other Receiver or Receivers, to such Services as shall then have been voted by the Commons of *Great Britain* in this Session of Parliament.

Treasury to apply the Monies to the Services voted by the Commons.

VII. And be it further enacted by the Authority aforesaid, That such Persons as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall nominate and appoint, shall be Managers or Directors for preparing and delivering out Tickets, and to oversee the Drawing of Lots, and to order, do and perform such other Matters and Things as are herein after in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers and Directors shall meet together from Time to Time, at some publick Office or Place for the Execution of the Powers and Trusts in them reposed by this Act, and that the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns; and upon the innermost of the said three Columns, there shall be printed sixty-six thousand six hundred and sixty-seven Tickets, to be numbered one, two, three and so onwards, in an arithmetical Progression, where the common Excess is to be one, until they rise to and for the Number of sixty-six thousand six hundred and sixty-seven Tickets, being the fifteenth Part of one million and five Tickets, by this Act intended to be made forth, and to be distributed into fifteen Ranks or Classes to be successively marked with the fifteen first Letters of the Alphabet, and each Ticket in the said several Casses to be marked with the Letters of the Alphabet, denoting the Class whereunto such Ticket shall belong; and upon the middle Column of the said Books shall be printed the same Number of Tickets of the same Breadth and Form, and alphabetically marked and numbered in like Manner; and in the extream Column of the said Books shall be printed a third Rank or Series of Tickets, to be in like Manner alphabetically marked and numbered; all which Tickets in the said three Columns shall severally be of an oblong Figure; and in the said Books shall be joined with oblique Lines, Flourishes or Devices, in such Manner as the said Managers or Directors, or the major Part of them, shall think most safe and convenient; and that on every Ticket of the third or extream Column of the said Books shall be written or printed, besides the Number of such Ticket and the present Year of our Lord, Words to this Effect:

Managers and Directors of the Lottery to be appointed by the Treasury.

Books to be prepared with three Columns, in each of which 66,667 Tickets to be printed.

Tickets to be of an oblong Form, and joined with oblique Lines, &c.

Tickets in the third Column to have the Words following printed on them.

"This Ticket entitles the Bearer to such Prize as may belong thereunto."

And every such Ticket shall be signed by one of the said Managers or Directors.

Tickets to be signed.

VIII. And

Books to be prepared for 14 Claſſes, with 2 Columns, on each of which 66,667 Tickets to be printed.

VIII. And be it further enacted by the Authority aforeſaid, That the ſaid Managers or Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them, ſhall cauſe other Books to be prepared, in which every Leaf ſhall be divided or diſtinguiſhed into two Columns, and upon the innermoſt of the ſaid two Columns there ſhall be printed fourteen other Claſſes of Tickets, each Claſs containing ſixty-ſix thouſand ſix hundred and ſixty-ſeven Tickets, to be numbered, and alphabetically marked as aforeſaid, and upon the outermoſt Column of the ſaid Books there ſhall be printed another Rank or Series of Tickets, of the ſame Number with thoſe in the ſaid innermoſt Columns, which Tickets ſhall ſeverally be of an oblong Figure, and the ſaid Books ſhall be joined with oblique Lines, Flouriſhes and other Devices, in ſuch Manner as the ſaid Managers or Directors, or the major Part of them then preſent, ſhall think moſt ſafe and convenient; and that every Ticket in the outermoſt Columns in the ſaid Books, ſhall have written or printed thereupon (beſides the Number of ſuch Ticket) the ſame Words as are before in this Act directed to be written or printed upon the other ſixty-ſix thouſand ſix hundred and ſixty-ſeven Tickets, firſt herein mentioned and directed to be prepared, and ſhall alſo be ſigned as aforeſaid.

Chances of the Tickets in the 14 Claſſes to be determined by drawing the Tickets in the Books with 3 Columns.

IX. And whereas it is intended that the Chance of every Ticket, in the ſaid fourteen Claſſes reſpectively herein before deſcribed, whether the ſame ſhall happen to be a Prize or a Blank, ſhall be determined by the Drawing of the Tickets in the firſt Claſs in the aforeſaid Books with three Columns; It is hereby further enacted by the Authority aforeſaid, That the Chance of every Ticket in the ſaid fourteen Claſſes, in the ſaid Books reſpectively containing two Columns, whether the ſame ſhall happen to be a Prize or a Blank, ſhall be determined by the Drawing of the Tickets in the other Books containing three Columns, ſo that in every Caſe where any numbered Ticket in the ſaid Books containing three Columns, ſhall upon the Drawing thereof be intitled to a Prize or Benefit in principal Money, the Ticket of the like Number in the ſaid fourteen ſeveral Claſſes reſpectively, in the Books containing two Columns, ſhall be intitled to a Prize or Benefit of like Value in principal Money; and in every Caſe where any numbered Ticket in the Books containing three Columns ſhall not be a Prize, the Ticket of the like Number in the fourteen Claſſes reſpectively, in the Books containing two Columns, ſhall likewiſe be deemed an unfortunate Ticket.

Managers to examine the Books with the Tickets, and deliver them to the Caſhier, and take a Receipt for the ſame.

Caſhier to give a Ticket for every Sum of 1 l. 1 s. paid in,

and permit the Adventurer to write his Name on the correſponding Ticket.

X. And it is hereby further enacted, That the ſaid Managers or Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them then preſent, ſhall carefully examine all the ſaid Books, with the Tickets therein, and that the ſame be contrived, numbered and made, according to the true Intent and Meaning of this Act, and ſhall deliver or cauſe to be delivered the ſame Books, and every or any of them, as they ſhall be examined, to the Caſhier or Caſhiers, or ſuch other Receiver or Receivers, taking from ſuch Caſhier or Caſhiers, or other Receiver or Receivers, an Acknowledgment in Writing under his or their Hands, importing his or their Receipt of ſuch Book or Books, and ſo many Tickets therein as ſhall be delivered to him or them; and ſuch Caſhier or Caſhiers, or other Receiver or Receivers, is and are hereby directed and required, upon his and their receiving every or any entire Sum of one Guinea, in full Payment of a Ticket from any Perſon or Perſons contributing or adventuring as aforeſaid, to cut out of the ſaid Book or Books ſo to be put into his or their Cuſtody, through the ſame oblique Lines, Flouriſhes or Devices, indentwiſe, one of the Tickets in the ſaid extreme Columns, and he or they ſhall permit the Contributor or Adventurer, if it be deſired, to write his or her Name or Mark on the correſponding Ticket in the ſame Book, and at the ſame Time the ſaid Caſhier or Caſhiers, or ſuch other Receiver or Receivers, ſhall deliver to the ſaid Contributor or Adventurer the Ticket ſo cut off, which he or ſhe is to keep and uſe for the better aſcertaining and ſecuring of the Intereſt which he or ſhe, his or her Executors, Adminiſtrators or Aſſigns, ſhall or may have for the Monies ſo by him or her contributed or adventured.

Caſhier to redeliver the Books to the Managers, by 1 Auguſt,

and account for the Sums received.

Tickets undiſpoſed of to be returned into the Exchequer.

XI. And be it further enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers, or ſuch other Receiver or Receivers, on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and fifty-ſeven, ſhall redeliver to the ſaid Managers or Directors, at their ſaid Office or Place of Meeting, ſuch of the ſaid Books as ſhall have been delivered to him or them reſpectively, and therein ſuch of the Tickets which the ſaid Caſhier or Caſhiers, or other Receiver or Receivers, ſhall not have cut out and diſpoſed of to the Contributors or Adventurers for the Monies as aforeſaid, and ſhall then and there alſo deliver to the ſaid Managers or Directors, a true and juſt Account in Writing under his or their Hand or Hands, of all Sums of Money received by him or them reſpectively, for the Tickets diſpoſed of purſuant to this Act, and how the ſame, or how much thereof, ſhall have been actually paid by him or them into the Receipt of the Exchequer, for the Purpoſes in this Act expreſſed; and that the ſaid Managers or Directors, or the major Part of them, which ſhall be preſent at a Meeting as aforeſaid, ſhall forthwith cauſe all the ſaid Tickets in the ſaid outermoſt Column contained, which ſhall not have been diſpoſed of to Contributors as aforeſaid (if any ſuch be) to be delivered into the Receipt of his Majeſty's Exchequer, there to be retained and kept as Caſh to be iſſued and diſpoſed of for the Purpoſes of this Act, in ſuch Manner as the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being ſhall direct.

Tickets of the middle Column to be rolled up, and tied; and cut off indentwiſe into a Box marked with the Letter (A)

XII. And be it further enacted, That the ſaid Managers or Directors, or the major Part of them which ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe ſixty-ſix thouſand ſix hundred and ſixty-ſeven Tickets, to be taken from the middle Column, in the Books made out with three Columns as aforeſaid, and to be carefully rolled up, or made faſt with Thread or Silk; and the ſaid Managers or Directors, or the major Part of them as aforeſaid, ſhall in their Preſence, and in the Preſence of ſuch Contributors or Adventurers as will be there, cauſe all the ſaid ſixty-ſix thouſand ſix hundred and ſixty-ſeven Tickets,

which are to be so rolled up or made fast as aforesaid, to be cut off indenturewise through the said oblique Lines, Flourishes or Devices, into a Box to be prepared for that Purpose, and to be marked with the Letter (A) which is presently to be put up into another strong Box, to be locked up with seven different Locks and Keys, to be kept by as many of the said Managers or Directors, and sealed with their Seals, or the Seals of some of them, until the said Tickets are to be drawn, as is herein after mentioned; and that the Tickets in the first or innermost Columns in the said Books, corresponding to the said sixty-six thousand six hundred and sixty-seven Tickets, so cut off indenturewise as aforesaid, shall remain still in the Books, for discovering any Mistake or Fraud, if any such should happen to be committed contrary to the true Meaning of this Act.

Box to be locked up and sealed.

XIII. And be it further enacted by the Authority aforesaid, That the said Managers or Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, shall also cause to be prepared other Books, in which every Leaf shall be divided or distinguished into two Columns, and upon the innermost of those two Columns there shall be printed sixty-six thousand six hundred and sixty-seven Tickets, and upon the outermost of the said two Columns, there shall be printed sixty-six thousand six hundred and sixty-seven Tickets, all which shall be of equal Length and Breadth as near as may be; which two Columns of the said Books shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off indentwise; and that seven hundred and fifty-six Tickets, Part of the sixty-six thousand six hundred and sixty-seven Tickets to be contained in the outermost of the said two Columns, shall be and be called the Fortunate Tickets, to which extraordinary Benefits shall belong, as is herein after mentioned; and the said Managers or Directors, or the major Part of them, or such of them as shall be present at a Meeting as aforesaid, shall cause the said fortunate Tickets to be written upon, or otherwise expressed, as well in Figures, as in Words at length, in Manner following; that is to say, upon one of them ten thousand Pounds principal Money; upon one of them five thousand Pounds principal Money; upon one of them three thousand Pounds principal Money; upon one of them one thousand Pounds principal Money; upon two of them severally five hundred Pounds principal Money; upon ten of them severally one hundred Pounds principal Money; upon one hundred of them severally fifty Pounds principal Money; upon two hundred of them severally twenty Pounds principal Money; upon four hundred and forty of them severally ten Pounds principal Money; which principal Sums so to be written, or otherwise expressed upon the said fortunate Tickets, together with three hundred Pounds principal Money to be allowed to the Owner of the first drawn Ticket, besides the Benefit that may happen to belong thereunto, and three hundred Pounds three Shillings and six Pence, to the Owner of the last drawn Ticket, with the Benefit that may happen to belong thereto, will amount in the Whole to the principal Sum of thirty-five thousand Pounds three Shillings and six Pence; which principal Sum is the fifteenth Part of the Moiety of the principal Sum of one million fifty thousand and five Pounds and five Shillings; which Moiety is to be distributed into Prizes and Benefits in the Manner herein mentioned, to the Adventurers in the said Lottery; and the said Managers or Directors, or the major Part of them, who shall be present at a Meeting as aforesaid, shall cause all the said sixty-six thousand six hundred and sixty-seven Tickets, contained in the outermost Columns of the last mentioned Books, to be in the Presence of the said Managers or Directors, or the major Part of them which shall be present at a Meeting as aforesaid, and in the Presence of such Contributors or Adventurers as will then be there, carefully rolled up and fastened with Thread or Silk, and carefully cut out indentwise through the said Flourish or Device, into another Box to be prepared for this Purpose, and to be marked with the Letter (B), which Box shall be presently put into another strong Box, and locked up with seven different Locks and Keys, to be kept by as many of the said Managers or Directors, and sealed up with their Seals, or the Seals of some of them, until those Tickets shall also be drawn, in the Manner and Form herein after mentioned; and that the whole Business of rolling up and cutting off, and putting into the said Boxes the said Tickets, and locking up and sealing the said Boxes, shall be performed by the said Managers or Directors, or such of them as aforesaid, within six Days at the least before the Drawing of the said Lottery shall begin; and to the End every Person concerned may be well assured that the Counterpart of the same Number with his or her Ticket is put into the Box marked with the Letter (A) from whence the same may be drawn, and that other Matters are done as hereby directed, some publick Notification in Print shall be given of the precise Time or Times of cutting the said Tickets into the said Boxes, to the End that such Adventurers as shall be minded to see the same done, may be present at the doing thereof.

Books to be prepared with 2 Columns, on each of which 66,667 Tickets to be printed.

The Number and Value of the fortunate Tickets. 756 Prizes.

Fortunate Tickets:
1 of 10,000 l.
1 of 5,000 l.
1 of 3,000 l.
1 of 1,000 l.
2 of 500 l.
10 of 100 l.
100 of 50 l.
200 of 20 l.
440 of 10 l.
with 300 l. to the first drawn Ticket, and 300 l. 3 s. 6 d. to the last drawn.

Tickets of the Outermost Columns to be rolled up and tied,

and cut out indentwise into a Box marked with the Letter (B)

Box to be locked up and sealed.

Publick Notice to be given of Times of cutting the Tickets into Boxes.

XIV. And be it further enacted by the Authority aforesaid, That on or before the fifth Day of *September* one thousand seven hundred and fifty-seven, the said Managers or Directors shall cause the said several Boxes, with all the Tickets therein, to be brought into the *Guildhall* of the City of *London*, by nine of the Clock of the Forenoon of the same Day, and placed on a Table there for that Purpose, and shall then and there severally attend this Service, and cause the two Boxes containing the said Tickets, to be severally taken out of the other two Boxes in which they shall have been locked up, and the Tickets or Lots in the respective innermost Boxes, being in the Presence of the said Managers or Directors, or such of them as shall be then present, and of such Adventurers as will be there for the Satisfaction of themselves, well shaken and mingled in each Box distinctly, and some one indifferent and fit Person, to be appointed and directed by the Managers or Directors aforesaid, or the major Part of them, or such of them as shall be then present, shall take out and draw one Ticket from the Box where the said numbered Tickets shall be as aforesaid put, and one other indifferent and fit Person, to be appointed and directed in like Manner, shall presently take out a Ticket or Lot from the Box where the said seven hundred and fifty-six Fortunate, and sixty-five thousand nine hundred and eleven Blank Tickets shall be promiscuously put as aforesaid, and immediately both the Tickets so drawn shall be opened, and the Number, as well of

The Lottery to begin drawing 5 September.

Method to be observed in drawing, &c.

of the Fortunate as the Blank Ticket, ſhall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots, ſhall appear to be a Blank, then the numbered Ticket ſo drawn with the ſaid Blank at the ſame Time drawn, ſhall be both put upon one File; and if the Ticket ſo drawn or taken from the Box containing the fortunate and Blank Lots, ſhall appear to be one of the Fortunate Tickets, then the principal Sum written upon ſuch Fortunate Ticket, whatever it be, ſhall be entered by a Clerk, which the ſaid Managers or Directors, or the Major Part of them as aforeſaid, ſhall employ and overſee for this Purpoſe, into a Book to be kept for entering the Numbers coming up with the ſaid Fortunate Tickets, and the principal Sums whereunto they ſhall be intitled reſpectively, and two of the ſaid Managers ſhall ſet their Names as Witueſſes to ſuch Entries; and the ſaid fortunate and numbered Tickets ſo drawn together, ſhall be put upon another File; and ſo the ſaid Drawing of the Tickets ſhall continue by taking one Ticket at a Time out of each Box, and with opening, naming aloud, and filing the ſame, and by entering the fortunate Lots, in ſuch Method as is before mentioned, until the whole Number of ſeven hundred and fifty-ſix Fortunate Tickets, and one more for the laſt as aforeſaid, ſhall be completely drawn; and if the ſame cannot be performed in one Day's Time, the ſaid Managers or Directors ſhall cauſe the Boxes to be locked up and ſealed in Manner as aforeſaid, and adjourn till the next Day; and ſo, from Day to Day, and every Day (except *Sundays*, and Days of Faſting or Thankſgiving appointed by particular Acts of Parliament, or by the King's Proclamation) and then open the ſame, and proceed as above, till the ſaid whole Number of ſeven hundred and fifty-ſix fortunate Tickets, and one more, ſhall be completely drawn as aforeſaid; and afterwards the ſaid numbered Tickets ſo drawn with the Fortunate Tickets drawn againſt the ſame, ſhall be and remain in a ſtrong Box locked up as aforeſaid, and under the Cuſtody of the ſaid Managers or Directors, until they ſhall take them out to examine, adjuſt and ſettle the Property thereof.

After each Day's Drawing the Boxes to be locked up and ſealed.

Numbers of the fortunate Tickets, and the Sums, to be printed.

XV. And, to the End the Fortunate may know, whether abſent or preſent, to what Degree they have been ſo, Be it enacted, That as ſoon as the drawing is over, the ſaid Managers or Directors ſhall, as ſoon as conveniently may be, cauſe to be printed and publiſhed the Number of the Tickets drawn againſt each Fortunate Ticket, and the principal Sum written on the ſame; and if any Contention or Diſpute ſhall ariſe in the adjuſting the Property of the ſaid fortunate Tickets, the major Part of the ſaid Managers or Directors agreeing therein, ſhall determine to whom it doth or ought to belong.

Diſputes relating thereto, to be adjuſted by the Managers.

Penalty of forging Tickets or Certificates.

XVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall forge or counterfeit any Receipt or Receipts, Ticket or Tickets, Certificate or Certificates, to be made forth in purſuance of this Act, or alter any the Numbers thereof, or utter, vend, barter, or diſpoſe of, or offer to diſpoſe of, any falſe, altered, forged or counterfeited Receipt or Receipts, Ticket or Tickets, Certificate or Certificates, or bring any forged or counterfeit Receipt, Ticket or Certificate, or any Receipt, Ticket or Certificate, the Number whereof is altered (knowing the ſame to be ſuch) to the ſaid Managers or Directors, or any of them, or to the ſaid Governor and Company of the Bank of *England*, or their Caſhier or Caſhiers, or other Officers for the Time being, or to any ſuch Receiver or Receivers, or to any other Perſon or Perſons whatſoever, with a fraudulent Intention; then every ſuch Perſon being thereof convicted in due Form of Law, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy; and the ſaid Managers or Directors, or any two or more of them, are hereby authorized and required to cauſe any Perſon or Perſons bringing or uttering ſuch forged or counterfeit Receipt, Ticket or Tickets, Certificate or Certificates as aforeſaid, to be apprehehended, and to commit him, her or them to his Majeſty's Gaol of *Newgate*, or the Common Gaol of the County or Place where ſuch Perſon or Perſons ſhall be ſo apprehended, to be proceeded againſt for the ſaid Felony according to Law.

Felony.

Managers to be ſworn.

XVII. Provided always, and it is hereby enacted by the Authority aforeſaid, That every Perſon who ſhall be appointed as aforeſaid to be a Manager or Director for putting this Act in Execution, before his acting in ſuch Commiſſion, ſhall take the Oath following; that is to ſay,

The Oath.

'I *A. B.* do ſwear, That I will faithfully execute the Truſt repoſed in me; and that I will not uſe any indirect Art or Means, or permit or direct any Perſon to uſe any indirect Art or Means, to obtain a Prize or fortunate Lot, for myſelf or any other Perſon whatſoever; and that I will do the utmoſt of my Endeavours to prevent any undue or ſiniſter Practice to be done by any Perſon whatſoever; and that I will, to the beſt of my Judgment, declare to whom any Prize, Lot or Ticket of Right does belong, according to the true Intent and Meaning of an Act of Parliament made in the thirtieth Year of his Majeſty's Reign in that Behalf.

So help me God.

Which ſaid Oath ſhall and may be adminiſtered by any two or more of the other Managers or Directors.

Adventurer not paying the whole Conſideration-money by the Times limited, ſhall loſe the advanced Money.

XVIII. Provided alſo, That in caſe a Moiety of the Sum payable in reſpect of any Number of Tickets, ſhall have been advanced and paid down to ſuch Caſhier or Caſhiers, or ſuch other Receiver or Receivers, and the Remaining Part of the Sum ſo to be paid in full for ſuch Tickets as aforeſaid, ſhall not be paid on or before the Time of Payment as aforeſaid; then and in every ſuch Caſe, the Moiety of the Price of ſuch Tickets ſo paid down as aforeſaid, ſhall be forfeited to his Majeſty for the Uſe of the Publick, and in ſuch Caſe no Tickets ſhall be delivered out by ſuch Caſhier or Caſhiers, or ſuch other Receiver or Receivers, but the Tickets which ſhould have been delivered, if the full Money for the ſame had been paid, ſhall be returned and delivered to the ſaid Managers or Directors by ſuch Caſhier or

Caſhiers,

Cashiers, or such other Receiver or Receivers, together with the other Tickets (if any) in the outermost Column of the Book or Books, first herein mentioned and directed to be prepared, which shall not have been disposed of to Contributors as aforesaid; and such Tickets, upon which Defaults of Payments shall have been made as aforesaid, shall be delivered into the Receipt of his Majesty's Exchequer, with other the said undisposed Tickets (if any) there to be retained and kept as Cash, and to be issued and disposed of for the Purposes, and in the Manner herein before directed and appointed with Respect to the said undisposed Tickets; and no Person shall, in that Case, have or receive, or be intitled to have or receive, any Benefit or Advantage for or in respect of the Money which which shall have been paid towards the Purchase of such Tickets; any Thing herein contained to the contrary notwithstanding.

Tickets not disposed of shall be delivered into the Exchequer.

XIX. Provided also, and it is hereby enacted by the Authority aforesaid, That out of the Monies to arise by the said Contributions to the Lottery as aforesaid, or out of any other Aids or Supplies granted or to be granted to his Majesty in this Session of Parliament, it shall and may be lawful to and for any three or more of the Commissioners of the Treasury now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being to reward the said Managers or Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Persons that shall and may be any Ways employed in this Service, for their Labour and Pains, and also to discharge all such incident Expences as shall necessarily attend the Execution of this Act, in such Manner as any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall from Time to Time think fit and reasonable in that Behalf; any Thing in this Act contained to the contrary notwithstanding.

Managers, &c. to be paid by the Commissioners of the Treasury out of the Lottery Money.

XX. And it is further enacted by the Authority aforesaid, That no Person or Persons in *Great Britain* or *Ireland* shall sell the Chance or Chances of any Ticket or Tickets in the said Lottery, or any Share or Shares in any Ticket or Tickets in the said Lottery for a Day, or Part of a Day, or for a longer Time, less than the whole Time of drawing the Lottery then to come; or shall receive any Money whatsoever, on Consideration of the Repayment of any Sum or Sums of Money in case any Ticket or Tickets in the said Lottery shall prove fortunate; or shall lay any Wager relating to the drawing of any Ticket or Tickets in the said Lottery, either as to the Time of such Ticket or Tickets being drawn, or whether such Ticket or Tickets be drawn fortunate or unfortunate; and all and every Person and Persons who shall offend in any of the aforesaid Matters, shall forfeit and pay treble the Sum and Sums of Money which shall have been received by such Person and Persons, contrary to the true Intent and Meaning of this Act, to be recovered by Action of Debt, Bill, Plaint or Information in any of his Majesty's Courts of Record at *Westminster* or *Dublin* respectively, in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance shall be allowed; one Moiety thereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and every such Sale, Wager or Contract, and every agreement relating thereto, shall be and is hereby declared to be null and void.

Penalty of selling Chances or Shares of Tickets, for a less Time than the drawing of the Lottery;

or of laying Wagers relative to the Chance of Tickets;

where to be sued for.

Application thereof.

XXI. And be it further enacted by the Authority aforesaid, That if any Person or Persons in *Great Britain* or *Ireland* shall keep any Office or Offices, or shall print or publish any Scheme or Proposal for receiving any Sum or Sums of Money in Consideration of an Interest to be granted for the same in any Ticket or Number of Tickets in the said Lottery, whereof such Person or Persons shall not then be actually possessed, or in Consideration of any Sum or Sums of Money to be repaid, in Case any Ticket or Number of Tickets in the said Lottery which shall not be in the actual Possession of such Person or Persons shall prove fortunate; all and every such Person and Persons shall forfeit and pay the Sum of five hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster* or *Dublin* respectively; in which no Essoin, Protection, or Wager of Law, or more than one Imparlance, shall be allowed; one Moiety thereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and also shall suffer three Months Imprisonment without Bail or Mainprize.

Persons selling Shares in Tickets of which they are not possessed, &c.

to forfeit 500 l.

Application thereof.

XXII. And be it further enacted by the Authority aforesaid, That if any Offence against any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, shall be committed in *Ireland*, the Offender shall incur the like Penalty and Punishment, to be inflicted in like Manner, as if the Offence was committed in this Kingdom; and that such Penalties as by any of the said Acts are directed to be recovered in any of his Majesty's Courts of Record at *Westminster*, shall, in case of Offences committed against any of the said Acts in *Ireland*, be recovered in any of his Majesty's Courts of Record in *Dublin*.

Offences committed in Ireland against Acts made here, for preventing unlawful Lotteries, declared to be punishable, and may be sued for in Dublin.

XXIII. And to the End that the Payments upon the Tickets to which any Prize or Benefit shall belong, may be more easily ascertained, settled and adjusted, for the Persons who shall be and become intitled thereunto; Be it further enacted by the Authority aforesaid, That as soon as conveniently may be after the Drawing of the said Lottery shall be completed and ended, all such Tickets, the Proprietors whereof shall be intitled to any Prize or Benefit, shall be exchanged for Certificates to be signed by such of the said Managers or Directors, as shall be appointed for that Purpose, by any three or more of the Commissioners of the Treasury now or for the Time being, or the High Treasurer for the Time being.

After the Drawing of the Lottery, the Tickets to be exchanged for Certificates.

XXIV. And be it further enacted, That such of the said Managers or Directors as shall be so appointed to take in the said Tickets, and deliver out the said Certificates for and in Lieu thereof, shall give timely Notice by Advertisement to be printed and published in Manner as they shall think fit, of the Days and Times for taking in the said Tickets, and delivering out the said Certificates, for and in Lieu of the same; and every Person's Certificate shall be numbered in Course, according to their bringing

Managers to give Notice of the Time for taking in the Tickets, and delivering out the Certificates, &c.

Book to be kept for entering Persons Names, and the Numbers of their Tickets, &c.

their Tickets to the said Office or Offices so to be appointed for exchanging the same, to which Purpose such Officer or Officers shall enter or cause to be entered into a Book or Books to be by him or them kept for that Purpose, the Name of every Person who brings any Ticket or Tickets to be exchanged for such Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which shall be so brought by such Person or Persons, the Value in principal Money payable thereupon, and the Day of the Month, and the Year of our Lord, when the same was so brought, which Book and Books shall lie open in the Office to be appointed for taking in the said Tickets to be exchanged for such Certificates, for all Persons concerned to peruse; all which Certificates shall be signed by the Officer or Officers so to be appointed, or the major Part of them, and be directed to the Cashier or Cashiers of the Governor and Company of the Bank of *England* for the Time being.

Certificates to be signed, &c.

£250021. 12s. 6d. to be paid out of the Supplies into the Bank before 20 Jan. next, for Payment of the Prizes.

Cashier to make Payment thereof accordingly.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That out of the Monies to arise by the Contributions to the said Lottery, or out of any other Aid or Supplies granted or to be granted to his Majesty in this Session of Parliament, there shall and may be issued, at any Time before the twentieth Day of *January* one thousand seven hundred and fifty-eight, to the Governor and Company of the Bank of *England*, any Sum or Sums of Money not exceeding five hundred twenty-five thousand and two Pounds twelve Shillings and six Pence, being the Moiety of the whole Sum of one million fifty thousand and five Pounds and five Shillings, hereby directed to be raised by way of Lottery; and that out of such Sum or Sums so issued, the Cashier or Cashiers of the said Governor and Company, shall upon Demand, on or at any Time after the said twentieth Day of *January* one thousand seven hundred and fifty-eight, pay to the several Persons who shall be intitled to receive the Prizes or Benefits in such Certificates expressed, or the several Bearers of such Certificates, the several principal Sums contained in every such Certificate.

Treasury to pay the incident Charges attending the Execution of this Act.

and to make Allowance to the Bank, &c for their Trouble and Pains.

XXVI. Provided always, and be it further enacted by the Authority aforesaid, That out of the Monies arising from the Contributions towards raising the said Sum of one million fifty thousand and five Pounds and five Shillings, or out of any other Aids or Supplies to be granted to his Majesty in this Session of Parliament, the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances as they shall think just and reasonable for the Service, Pains and Labour of the several Officers of the Governor and Company of the Bank of *England*, in the Execution of the Trust hereby in them reposed; all which Allowances in Respect to the Service, Pains and Labour of any Officer and Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any Thing herein contained to the contrary notwithstanding.

20*l.* Penalty on Officer taking any Fee, &c. for receiving or paying Monies on this Act.

XXVII. And be it hereby enacted by the Authority aforesaid, That no Fee or Gratuity shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same; and that no Fee or Gratuity shall be demanded or taken for any other Thing to be done in Pursuance of this Act, upon Pain that the Officer or Person offending, by taking or demanding any such Fee or Gratuity, contrary to the true Intent and Meaning of this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered with full Costs of Suit in any of his Majesty's Courts of Record at *Westminster*.

Persons sued on this Act may plead the General Issue.

Treble Costs.

XXVIII. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued or prosecuted for any thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited; that such Defendant or Defendants shall have treble Costs to him or them awarded, against such Plaintiff or Plaintiffs.

CAP. VI.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

CAP. VII.

Former Provisions concerning Corn, 1 & 2 *P. & M. c.* 5. 15 *Car.* 2. *c.* 7. 22 *Car.* 2. *c.* 13. 1 *Jac.* 2. *c.* 19. 1 *W. & M. st.* 1. *c.* 12 & 24. 11 & 12 *W.* 3. *c.* 20. 12 & 13 *W.* 3. *c.* 10. 5 *Ann. c.* 29. 2 *Geo.* 2. *c.* 18. 5 *Geo.* 2. *c.* 12. 11 *Geo.* 2. *c.* 22. 24 *Geo.* 2. *c.* 56. 26 *Geo.* 2. *c.* 15. 30 *Geo.* 2. *c.* 1.

An Act to discontinue for a limited Time the Duties upon Corn and Flour imported; and also upon such Corn, Grain, Meal, Bread, Biscuit and Flour, as have been or shall be taken from the Enemy, and brought into this Kingdom.

'WHEREAS the discontinuing of the Duties for a limited Time upon Corn and Flour imported into this Kingdom, and also upon such Corn, Grain, Meal, Bread, Biscuit and Flour, as have been or shall be taken from the Enemy, and brought into this Kingdom, may be of Advantage to his Majesty's Subjects;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled,

sembled, and by the Authority of the same, That no Subsidy, Custom, Rate, Duty or other Imposition whatsoever, shall be demanded, collected, received or taken, upon any Corn or Flour which shall be imported into this Kingdom, at any Time or Times before the twenty-fourth Day of *August* next; nor shall any Subsidy, Custom, Rate, Duty or other Imposition whatsoever, be demanded, collected, received or taken, upon any Corn, Grain, Meal, Bread, Biscuit or Flour, which have been or shall be taken from the Enemy, and brought into this Kingdom, at any Time or Times before the said twenty-fourth Day of *August*; but that all such Corn and Flour, and also all such Corn, Grain, Meal, Bread, Biscuit and Flour, shall and may be imported, brought in and landed, Duty free, and may also be carried Coastwise, under such Regulations as Corn of the Growth of this Kingdom is now allowed to be carried Coastwise, at all Times before the said twenty-fourth Day of *August*; any former Law, Statute, Act or Acts of Parliament to the contrary in any wise notwithstanding.

The enumerated Commodities for a Time limited may be landed Duty free, and carried Coastwise.

II. Provided always, and be it further enacted by the Authority aforesaid, That a due Entry shall be made in such Manner and Form as were used and practised before the making of this Act, of all Corn, Grain, Meal, Bread, Biscuit and Flour, which shall be imported or brought into this Kingdom, before the said twenty-fourth Day of *August* at the Customhouse belonging to the Port into which the same shall be imported or brought in, or otherwise in Default of making such Entry, such Corn, Grain, Meal, Bread, Biscuit and Flour, shall be liable and subject to such and the same Duties, as were payable upon the Importation thereof before the making of this Act; any thing in this Act contained to the contrary notwithstanding.

Entry to be made thereof;

otherwise to be subject to Duty.

III. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in Pursuance of this Act, in that Part of *Great Britain* called *England*, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law; and if such Action or Suit be commenced or prosecuted in that Part of *Great Britain* called *Scotland*, the Court before whom such Action or Suit shall be brought, shall allow the Defender to plead this Act on his Defence; and if the Pursuer shall not insist on his Action, of if Judgment shall be given against such Pursuer, the Defender shall and may recover the full and real Expences he may have been put to by any such Action or Suit.

General Issue.

Treble Costs.

Suits in Scotland.

Continued by 31 *Geo.* 2. *c.* 1. *and farther by* 32 *Geo.* 2. *c.* 2. *and see* 32 *Geo.* 2. *c.* 8. *by which the Prohibition is taken off.*

CAP. VIII.

An Act for the speedy and effectual Recruiting of his Majesty's Land Forces and Marines.

'WHEREAS for recruiting his Majesty's Land Forces and Marines, it is necessary that a new 'Supply of Men be forthwith raised within the Kingdom of *Great Britain*, by common Consent 'and Grant in Parliament;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within and throughout the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Parishes, Towns and Places of *Great Britain*, a speedy and effectual Levy of able-bodied Men to serve his Majesty as Soldiers, shall be forthwith had, made, practised and put in Execution, according to the Rules and Directions of this present Act.

A Levy of able-bodied Men to be made throughout Great Britain.

II. And it is hereby further enacted, That the Justices of the Peace of every County, Shire, Stewartry, Riding, Liberty or Place, within *Great Britain*, and all and every the Persons who were named, or otherwise appointed to be Commissioners for putting in Execution an Act of Parliament made and passed at *Westminster*, in the twenty-eighth Year of the Reign of his present Majesty, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-five; and for the Relief of the Inhabitants of certain Places in the County of* Lincoln, *in respect of Arrears of the Land Tax*, or any subsequent Act or Acts of Parliament for that Purpose, within the several and respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places, therein particularly expressed, who are still living, and have duly qualified themselves according to the said Acts, or shall duly qualify themselves according to this present Act in that Behalf, shall be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and for the same Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places of *Great Britain*, for which they were so named or appointed respectively; and that all and every the other Persons who are named or otherwise appointed to be Commissioners for putting in Execution an Act passed in the present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-seven; and for discharging certain Arrears of Land Taxes incurred before the Time therein mentioned; and for the more effectual collecting of Arrears for the future*, within or for the said Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places, or any of them respectively, or such of the Persons last-mentioned, as shall also duly qualify themselves according to this Act in that Behalf, shall also be Commissioners for putting in Execution this present Act, and the Powers therein contained, within and

Justices of the Peace, Commissioners of the Land Tax, and Magistrates of Corporations to put this Act in Execution;

for the same respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places of *Great Britain*, for which they are so named or appointed respectively; and that all and every the Justices of the Peace, and Magistrates of Corporations and Burghs in any Part of *Great Brieain*, who are or shall be in any of his Majesty's Commissions of the Peace, or in the Magistracy of such Corporation or Burgh, at any Time during the Execution of this Act, who shall duly qualify themselves according to this present Act in that Behalf (although not specially named or appointed Commissioners by the said Act) shall be likewise Commissioners for putting in Execution this present Act, and all the Powers therein contained, within the Limits of their Commissions and Jurisdictions respectively: All which Commissioners by this Act intrusted with the Execution of the same, are hereby strictly enjoined and required to use their utmost Care and Diligence that his Majesty's Service, in making such Levies as aforesaid, be not disappointed or neglected.

and to take Care, that his Majesty's Service be not neglected.

III. And be it further enacted by the Authority aforesaid, That the High Sheriff of every County, or his Deputy, immediately upon receiving Notice for that Purpose from the Secretary at War, shall send Precepts to the respective Bailiffs, or others who are usually employed to summon Juries, although in Liberties out of the ordinary Jurisdiction of the said High Sheriff, directing them to summon the several Justices of the Peace, and Commissioners of the Land Tax, within their respective Divisions and Liberties, to attend at the usual Place of Meeting in every Division, upon a certain Day in the said Precepts named. within the Time limited by the Secretary at War (Notice of which Day shall be sent to the War Office and Admiralty, upon the issuing of the Precepts by the Sheriff) to qualify themselves for the Execution of this Act; and the said Commissioners shall then and there appoint the several Times and Places for the succeeding Meetings in each of their respective Sub-divisions during the Continuance of this Act; and the said Justices of the Peace, and Commissioners of the Land Tax, at such their first Meeting, or at some other Meeting to be held as soon as it can be conveniently, shall issue their Precepts to the High Constables, Headboroughs, or other proper Officers for the respective Hundreds, Lathes, Rapes, Wapentakes or other Sub-divisions, within the said Counties, Shires, Stewartries, Ridings or Divisions, as aforesaid; which Precept shall contain an Account of the Times and Places appointed for the succeeding Meetings, and shall be returnable on a Day therein to be named, within twenty Days, and not less than fourteen Days, from the Time of issuing thereof; and such High Constables, Headboroughs or other proper Officers, are hereby required forthwith to signify the Times and Places appointed for such Meetings, to the several Commissioners residing within their respective Districts; and the said Commissioners assembled at such first Meeting to qualify themselves as aforesaid, shall also give Notice of the Time and Place of all and every succeeding Meeting to be appointed as aforesaid, to the Military Officer whom they shall have learned, by Notice from the Secretary at War, to be directed to attend this Service.

High Sheriffs, &c. upon Notice from the Secretary at War, to issue Precepts for the Commissioners to meet, and qualify themselves.

Notice of the Day of Meeting to be sent to the War Office.

Commissioners to appoint the Times and Places of their succeeding Meetings, and issue Precepts for that Purpose to the High Constables, &c. and to give Notice thereof also to such Military Officers as shall attend this Service.

IV. Provided always, and it is hereby enacted, That all reasonable Charges or Expences incurred by any Sheriff or Deputy Sheriff in the Execution of this Act, shall be allowed in the Accounts of such Sheriff at the Receipt of his Majesty's Exchequer.

Sheriffs to be allowed by the Exchequer their Expences in the Execution of this Act.

V. And for the Encouragement of fit and able Persons voluntarily to enter into his Majesty's Service, Be it enacted, That every such Person who shall, on or before the first Day of *May* one thousand seven hundred and fifty-seven, voluntarily enter himself into his Majesty's Service, before the said Commissioners, at their first or any subsequent Meeting, shall by Warrant of any three or more of the said Commissioners, receive the Sum of three Pounds out of the Money of the Land Tax, arisen or to arise in the Years one thousand seven hundred and fifty-six and one thousand seven hundred and fifty-seven, or either of them, then being in the Hands of any Receiver General, or of any Collector thereof, within the County or Place for which the said Commissioners are appointed; and thereupon the Commissioners then present, or any three of them, shall forthwith cause such Volunteers to be delivered to the Officers appointed to receive them; and shall cause an Entry to be made in some Book to be kept by the said Commissioners, or such Clerk as they shall appoint, of the Names of such Volunteers, and of the Parishes or Places of their last Abode (if they can be known) and of the Time and Place when and where they did so enter themselves, and of the Sums paid to them, and by whom such Payments were made, and of the Names of the Officers or Persons who received such Volunteers, and for what Regiment or Company they were received; and shall cause true Copies or Duplicates of such Entries, attested by three or more of the said Commissioners then present, within forty Days after the Delivery of such Volunteers, to be transmitted into the Office of his Majesty's Secretary at War for the Time being, to be compared with the Muster-rolls.

Every Person voluntarily inlisting himself, intitled to 3l. Bounty-money,

Volunteers to be delivered to the Military Officers; and an Entry to be made of their Names, Places of Abode, Sums paid them, and the Officers receiving them. Duplicates thereof to be transmitted to the War Office.

VI. And it is hereby declared, That the Pay of every such Volunteer shall commence from the Time that he shall so enter himself into his Majesty's Service; and that every such Volunteer, after he shall have continued in the military Service of his Majesty, his Heirs and Successors, during the Space of three Years, if the War shall then be ended, or otherwise at the End of the War, shall be at Liberty (if he think fit) to demand his Discharge from the Colonel or Commanding Officer of the Regiment or Company to which he shall belong; and such Discharge shall be granted to him *gratis* in Writing under the Hand of such Colonel or Commanding Officer, who is hereby impowered and required to give the same accordingly; on Pain of suffering the Penalties usually inflicted for Disobedience to Orders; any Thing herein contained to the contrary notwithstanding.

Volunteers to receive Pay from the Time of their entering; and to be discharged at the End of three Years, or of the War, if they demand it.

VII. And

Warrants for Bounty-money to be paid without any Deduction.

VII. And it is hereby further enacted, That the Warrants by this Act directed to be issued by the said Commissioners for the Encouragement of Volunteers as aforesaid, shall be satisfied by such Receivers or Collectors as aforesaid, to whom such Warrants shall be directed, without any Abatement for Fees, Gratuities, Charges, Poundage, or any other Pretence whatsoever, and shall be allowed upon their Accounts; any Law or Statute to the contrary notwithstanding; and the said Receivers General, and their respective Deputies, and the said Collectors of the Land Tax Money, or any of them, upon the Summons of the said Commissioners, or any three or more of them, shall attend at the said Meetings for receiving Volunteers as aforesaid, and duly pay to the said Volunteers the Rewards prescribed by this Act, as they will answer at their Peril any Delay or Obstruction to his Majesty's Service which may happen by their Defaults.

Receivers General, and Collectors, to attend Meeting of Commissioners, to pay the Bounty.

40 s. of every Pound paid out of the Land Tax, to be repaid into the Exchequer by the Paymasters of the Forces.

VIII. Provided always, and it is hereby enacted, That it shall be lawful for the Lord High Treasurer, or Commissioners of the Treasury for the Time being, to cause forty Shillings of every Pound of the Money which shall be supplied out of the Land Tax Money for the Year one thousand seven hundred and fifty-six, and one thousand seven hundred and fifty-seven, or either of them, for Payment of the Encouragements aforesaid, to be repaid into his Majesty's Exchequer by the respective Paymasters of his Majesty's Forces, out of such Money as they shall receive for the said Forces, to make good the respective Credits on the said Land Taxes, and to be applied to the Satisfaction of such Principal and Interest (if any) as shall be remaining thereupon.

'Amended by a subsequent Act of this Session.' 30 *Geo.* 2. *c.* 13.

Three Commissioners impowered to levy such Men as are herein described;

and to call in the Assistance of Parish and Town Officers,

and to meet in their Sub-divisions, and issue General Search Warrants, &c. for bringing Persons within the Description of this Act before them at their second Meeting.

IX. And it is hereby further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Places or Stations, shall be, and are hereby authorized and impowered to raise and levy, and to cause to be raised and levied, at any Time or Times during the Continuance of this Act, within their several Limits and Jurisdictions, all able-bodied idle, and disorderly Persons, who cannot, upon Examination, prove themselves to exercise and industriously follow some lawful Trade or Employment, or to have some Substance sufficient for their Support and Maintenance, to serve his Majesty as Soldiers; and to require and command all and every the High Constables, Churchwardens, Overseers of the Poor, Petty Constables, Headboroughs and Tythingmen, and other Parish and Town Officers, or any of them, within their respective Limits and Jurisdictions, to be aiding and assisting to them the said Commissioners, or any three or more of them, in the Performance of this his Majesty's Service; and for that Purpose the said Commissioners, or any three of them, are to meet in their respective Sub-divisions, according to the Appointment of the Justices and Commissioners as aforesaid, and to issue out their Warrants, under their Hands and Seals, thereby requiring and commanding such Churchwardens, Overseers of the Poor, Petty Constable, Headboroughs, Tythingmen, or other Parish or Town Officers, or else requiring and commanding the said High Constables to issue their Precepts to such Churchwardens, Overseers, Petty Constables, Headboroughs, Tythingmen, and other Parish and Town Officers as aforesaid, every or any of them, to make or cause to be made a General Search within their respective Parishes, Townships, Constablewicks, or other Places, for all such Persons as they can find, who are or shall appear to them to be within the Description of this Act, and to bring all such Persons before the Commissioners, who have Power to execute this Act, in and for such County, Shire, Stewartry, Riding or Division, at such Time and Place as shall have been appointed by the Justices and Commissioners as aforesaid, for the second Meeting of the said Commissioners, in their respective Sub-divisions, which Time and Place shall be prefixed in the said Warrants and Precepts respectively; and afterwards the said Commissioners, within their respective Limits and Divisions, shall meet at such convenient Time or Times as they shall think fit, in order to issue their like Warrants or Precepts, for making General Searches for Persons within the said Description, and for bringing them before the Commissioners at any future Times and Places appointed by the Justices and Commissioners as aforesaid, during the Continuance of this Act.

If the second Meeting be too distant, Commissioners in their Sub-divisions may adjourn to a previous Day.

X. Provided always, That in case the second Meeting appointed to be held in any Sub-division, shall be at so great a Distance of Time, as may render it inconvenient to issue Warrants for bringing Persons before such Commissioners at the second Meeting, then the Commissioners of such Sub-division respectively may adjourn themselves to some convenient Day, previous to such second Meeting, in order to issue their Warrants as aforesaid.

After such second Meeting, the Parish and Town Officers may search for and secure such Persons as come within the Description of this Act, and convey them before Commissioners to be listed.

XI. Provided always, and it is hereby enacted, That it shall and may be lawful to and for the Churchwardens, Overseers of the Poor, Constables, Headboroughs, Tythingmen, and other Officers of any Parish or Township, or any of them, at any Time after the said second Meeting of the said Commissioners, without tarrying for any such Warrant or Precept as aforesaid, to search for, and apprehend all, or any such Persons as they, or any of them shall find, or shall appear to them, or any of them, to be within the Description of this Act, and to secure such Persons (in case they shall think it necessary) in the Gaol or House of Correction, or publick Prison where Debtors are not usually confined, of the County, Town or Place, where such Persons shall be apprehended, and the Keeper of such Gaol, House of Correction or Prison, shall receive such Persons without Fee or Reward, and the Parish Officers shall allow such Keeper six Pence by the Day for each Person, during the Time that they shall remain there, and shall convey them before the Commissioners, at their next Meeting for listing of Soldiers, to be examined, and (if judged within the Description of this Act) to be listed and delivered into his Majesty's Service, according to the true Intent and Meaning hereof.

Commissioners to examine the said Persons,

XII. And be it further enacted by the Authority aforesaid, That the Commissioners for executing this Act, who shall attend this Service at the Place or Places for listing Soldiers as aforesaid, shall strictly

examine

examine the Persons who shall be brought before them, by the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, or other Parish or Town Officers as aforesaid; and in case the said Commissioners, or the major Part of them then present, upon Examination of the Persons so brought before them, shall find that such Persons shall come within the Descriptions herein mentioned, and the said Commissioners, and the Officer or Officers who shall be appointed to receive the impressed Men, shall judge them to be such as are hereby intended to be entertained as Soldiers in his Majesty's Service, then and in such Case the said Commissioners shall cause such Persons to be delivered over by the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen or other Parish or Town Officers, to such Officers or Persons as shall be appointed to receive such Recruits as aforesaid, such Officers or Persons giving a Receipt under their Hands, acknowledging what Men are so delivered to him or them, which Receipt they are hereby required to give.

and if found proper for the Service,

to deliver them to the Military Officers;

Officers to give Receipts for them;

XIII. And be it further enacted, That the respective Officers who shall receive such new raised Men, shall pay to the Clerk appointed by the Commissioners, for the Use of the Officers of the Parish or Town so employed in the raising such Men, for their Pains and Services therein, twenty Shillings of lawful Money of *Great Britain*, for every Man so raised; and shall also pay for every such new raised Man, who shall have a Wife or Family, any Sum not exceeding forty Shillings, nor less than ten Shillings of lawful Money of *Great Britain*, to the said Clerk, to be by him paid over as is herein after directed, into the Hands of the Churchwardens or Overseers of the Poor, for the Benefit of such Parish or Township, in which such new raised Man shall have gained a Settlement, and whose Wife or Family may become chargeable to such Parish or Township respectively; which Sum shall be settled by the Commissioners present at the Meeting when such Person shall be inlisted, or any three or more of them, Regard being had to the Number of Children, or other particular Circumstances of such Person so inlisted, for both which Payments the Clerk shall give a Receipt, and the Sum of six Pence *per Diem*, for keeping every such new raised Man who shall be delivered as aforesaid, according to the Number of Days that the Officers of the said Parish or Town shall have kept him in Custody, pursuant to the Powers granted by this Act, until such Delivery; the said Allowances of twenty Shillings, and of six Pence *per Diem*, in case of Dispute, to be ascertained and distributed to or amongst the said Churchwardens, Overseers, Constables, Headboroughs, Tythingmen, and such other Parish and Town Officers, or any of them, according to the Judgment and Direction of the said Commissioners, or the major Part of them then present.

and to pay to the Parish and Town Officers 20s. for every such Man; and to the Churchwardens, a Sum not exceeding 40s. nor less than 10s. if such Man have a Wife or Family;

and 6d. per Diem to the Parish Officers, &c. for the Time they have kept him.

Disputes relating thereto to be settled by the Commissioners.

XIV. Provided always, and be it further enacted by the Authority aforesaid, That the said Commissioners, or any three or more of them, in their respective Divisions, are hereby authorized and impowered, by and out of the said Sum of twenty Shillings, herein before directed to be paid for the Use of the Officers of the Parish or Town so employed in the raising of such Men, to allot and order such Sum as they shall think fit, to the respective High Constables within their respective Limits and Jurisdictions, for their Pains and Service in the Execution of this Act, not exceeding the Sum of two Shillings.

Commissioners may allot, out of the Money allowed to the Parish Officers, 2s. to the Constables.

XV. Provided always, That no Person shall be inlisted by the said Commissioners by Virtue of this Act, who is not such an able-bodied Man as is fit to serve his Majesty, and is free from Ruptures and every other Distemper, or bodily Weakness or Infirmity, which may render him unfit to perform the Duty of a Soldier; and that no Man be inlisted for his Majesty's Service by Virtue of this Act, who shall appear in the Opinion of the Commissioners, or Officer or Officers appointed to receive the impressed Men, to be under the Age of seventeen Years, or above the Age of forty-five Years, or a known Papist, or or who shall be under the Size of five Feet four Inches without Shoes.

Able-bodied Men only to be inlisted;

and none under 17, nor above 45 Years of Age, nor Papists, nor who are under 5 Feet 4 Inches.

'XVI. And for the better preventing any Disputes which may arise about paying for the Subsistence 'of those Persons, who having been apprehended and detained by Virtue of this Act, may afterwards 'be discharged upon Examination before the Commissioners and Military Officers;' Be it further enacted by the Authority aforesaid, That if any Person being judged by the Commissioners not to be within the Description of this Act, shall be by them discharged, the Officers of the Parish or Town shall be intitled to no Consideration, for their Expences in keeping such Person; and if any Person being judged by the Commissioners to be within the Description of this Act, shall be rejected by the Military Officer, such Officer shall pay to the Officers of the Parish or Town six Pence *per Diem*, for the whole Time that they shall have kept every such Person, to be charged to the Account of his respective Regiment or Company; and every Officer who shall object to any Person delivered to him by the Commissioners, shall specify his Objection to such Person, whether it shall be to his Age or Size, or bodily Disability, and the Grounds of such Objection shall be forthwith (as far as may be) enquired into by the said Commissioners, and they shall proceed accordingly; and every Officer who shall refuse or discharge any Person delivered to him by the Commissioners as fit to serve his Majesty within the Description of this Act, shall without Delay transmit to his Majesty's Secretary at War, his Reason for such Refusal or Discharge, in Writing, attested by himself.

Persons discharged as not within the Description of the Act, Parish not to be allowed their Expences; if within the Description, and rejected by Officer, Officer to pay the Expences of keeping them.

Objections to be specified, and enquired into by Commissioners.

Reasons of Discharge to be transmitted to the Secretary at War.

All Inhabitants required to be assisting herein.

XVII. And it is hereby enacted and strictly enjoined by the Authority aforesaid, That the Inhabitants of every Parish and Township, where any Persons described as aforesaid do abide, or are to be found, at the Instance of any one or more of the Commissioners appointed for the Execution of this Act, or of any Churchwarden, Overseer of the Poor, or Constable of the same Parish or Township, shall (not having a lawful or reasonable Excuse to the contrary) be aiding and assisting in the Furtherance of his Majesty's Service by this Act described.

'XVIII. And

'XVIII. And to encourage such Inhabitants and others to assist in discovering and apprehending such 'Persons described as aforesaid;' It is hereby further enacted by the Authority aforesaid, That if any Person shall discover and give Information of any able-bodied Man fit to serve his Majesty within the Description of this Act, so that he shall be apprehended and inlisted before the Commissioners as aforesaid, such Person, for every Man so discovered and inlisted, shall receive from the Officer to whom such Man shall be delivered, the Sum of ten Shillings out of the twenty Shillings, which he is elsewhere directed to pay to the Officers of the Parish or Town, for every Man inlisted by Virtue of this Act, and the Remainder only of the said twenty Shillings shall in that Case be paid to such Officers.

10 s. Premium to such as shall discover any proper Person, so as he be inlisted. Sect. 13.

XIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, at their first General Meeting assembled, to appoint a Clerk to attend them, then and at each of their subsequent Meetings, and for the Commissioners of the several Sub-divisions, to appoint a Clerk to attend them at their respective Meetings in each Sub-division wherein Soldiers are to be listed as aforesaid; and such respective Clerks, as a Reward for their Labour and Pains in the Execution of this Act, shall be intitled to and shall receive for every Man who shall be listed in Pursuance of this Act, at the Meetings whereon they shall respectively attend, the Sum of two Shillings of lawful Money of *Great Britain*, to be paid by the respective Officer who shall receive such new raised Men respectively.

Clerks to be appointed by the Commissioners at their first General Meeting.

Clerks to be appointed for attending the Meeting of Commissioners in their Sub-divisions.

Clerks to be paid by the Officer 2 s. for every Man inlisted.

XX. And be it further enacted by the Authority aforesaid, That the said Commissioners, or such of them as shall be present at such Meeting for listing of Soldiers as aforesaid, shall cause the second and sixth Sections of the Articles of War against Mutiny and Desertion to be read to such new raised Men, in the Presence of the said Commissioners then there; and the said Commissioners, or the major Part of them present, shall forthwith cause an Entry or Memorial to be made, in a Book or Books to be kept by them or their Clerks for that Purpose, of the Names of such new raised Men, and of the Parishes or Places of their last Abode (if they can be known) and of the Time and Place when and were such Men were delivered to the said Officers or Persons appointed to receive them, and the Names of the Officers or Persons who received them, and for what Regiment or Company they were so received, and the Sums paid, and shall cause true Copies or Duplicates of such Entries, attested by the said Commissioners, or any three or more of them then present, within forty Days after the delivering such Men as aforesaid, to be transmitted into the Admiralty or Office of his Majesty's Secretary at War for the Time being, to be compared with the Muster-roll; and every Clerk for every Neglect or Default, in not transmitting the said Copies or Duplicates of such Entries, to the Admiralty or Office of the Secretary at War as aforesaid, shall forfeit the Sum of ten Pounds, one Moiety thereof to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall inform or sue for the same, in some of the Courts of Record at *Westminster*, or the Court of Sessions in *Scotland*; and it is hereby declared, that the Pay of every such new raised Man, so delivered to the Officers or Persons appointed to receive them as aforesaid, shall commence from the Time of his being taken and secured as aforesaid; and from and after such Delivery as aforesaid, and reading the said Articles of War, every Person so raised shall be deemed a listed Soldier to all Intents and Purposes, and shall be subject to the Discipline of War, and in Case of Desertion, shall be proceeded against as a Deserter by any Law now in Force, or by any Law to be made for Punishment of Deserters; and no Person so listed, shall be liable to be taken out of his Majesty's Service, by any Process other than for some criminal Matter.

The second and sixth Sections of the Articles of War to be read before Commissioners to new raised Men.

Names of the Men, Parish, Time of inlisting &c. to be entered in a Book.

Attested Copy thereof to be transmitted within 40 Days, to the Admiralty, or Office of Secretary at War, on Penalty of 10 l.

Application of the Penalty.

Commencement of Soldier's Pay.

After Articles of War read, Soldiers deemed to be listed, and subject to Martial Law.

No listed Person to be taken out of the Service, but for some criminal Matter.

XXI. Provided nevertheless, and be it enacted by the Authority aforesaid, That it shall be lawful for the Commissioners, who shall have been present at any such Meeting where any new raised Man shall have been delivered over as aforesaid, or for the major Part of them, upon the Demand of such Man, or of any other Person on his Behalf, signified to their Clerk within four Days after such Meeting, and by him notified to each of the said Commissioners, to appoint a further Meeting of the same Commissioners, to be holden within six Days after the making of such Demand; and if upon further and more certain Information, the said Commissioners, or the major Part of them at such further Meeting shall find that such new raised Man was not, at the Time of his being delivered over as aforesaid, within the Description of this Act, they are hereby required to certify the same under their Hands and Seals to his Majesty's Secretary at War, who on the Receipt of such Certificate shall cause the Man to be forthwith discharged, upon his paying to the Officer to whom he was delivered over, the Sum of six Pence for his Maintenance for each Day that he shall have been detained, under the Authority of this Act; and the Clerk appointed by the Commissioners shall repay to such Officer (without Fee or other Deduction) the several Sums before paid to him by the said Officer, and shall give back the Receipts taken as above directed, in exchange for a Copy of the Man's Discharge; and in case no such Discharge shall have been obtained as aforesaid, then the said Clerk shall, after the Expiration of fourteen Days, from the Time that such new raised Man was delivered over as aforesaid, pay over, without Fee or Deduction, to the Persons respectively intitled thereto, under the Directions of this Act, the several Sums deposited in his Hands for that Purpose.

Commissioners present at the delivering over any Recruit, may appoint a further Meeting;

and finding him not to be within the Description of the Act, are to certify the same to the Secretary at War,

and the Man to be discharged, upon Payment of his Subsistence-money.

Officer to be repaid, and Receipts to be returned.

If no Discharge be obtained, Clerk to pay over the Sums deposited to the proper Persons.

XXII. And

None to be inliſted 'till the Sums payable by the Officers are firſt paid.

XXII. Provided always, That nothing in this Act contained ſhall be conſtrued to extend to impower the ſaid Commiſſioners to inliſt any Perſon as a Soldier until the ſeveral Sums herein directed to be paid by the reſpective Officers appointed to receive ſuch new raiſed Men, ſhall be firſt paid to the Perſon or Perſons reſpectively authorized to receive the ſame.

Officers may ſecure impreſſed Men.

XXIII. And be it further enacted by the Authority aforeſaid, That the Officer or Officers, and other Perſon or Perſons appointed to attend the ſaid Commiſſioners, and to receive ſuch impreſſed Men, ſhall, in caſe he or they ſhall find it neceſſary, ſecure ſuch impreſſed Men in ſome ſecure Houſe or Place to be provided by the Juſtices of the Peace in their Petty or Special Seſſions for that Purpoſe; but in caſe no ſuch Houſe or Place ſhall be ſo provided, then in the Gaol of the County, Town or Place where ſuch Man ſhall be received into his Majeſty's Service, or in the Houſe of Correction, or other publick Priſon of ſuch County, Town or Place where Debtors are not uſually confined; and the Keeper of ſuch Gaol, Houſe of Correction or Priſon ſhall receive ſuch impreſſed Men until they can be removed, without Fee or Reward; and ſuch Keeper ſhall be allowed the uſual Subſiſtence for ſuch Men during the Time they ſhall remain there, from the Officer by whom they ſhall be delivered as aforeſaid; and the Conſtables, Headboroughs and other civil Officers, ſhall (if required) be aſſiſting to ſuch Officer in conveying ſuch Man or Men, to ſuch ſecure Place, Gaol or Houſe of Correction; and ſhall be allowed ſuch reaſonable Sum or Sums, as the major Part of the Commiſſioners then preſent ſhall appoint to be paid by the Officer or Officers who ſhall require ſuch Aſſiſtance.

Keeper to be allowed their Subſiſtence-money.

Civil Officers, if required, to be aiding in ſecuring them.

Commiſſioners may levy a Fine not exceeding 10 l. on Gaoler for Eſcape of Men,

and on Pariſh Officers for Neglect of Duty.

XXIV. And it is hereby further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any three or more of them, to impoſe upon any Gaoler or Keeper of a Houſe of Correction or Priſon, who ſhall ſuffer any Perſon committed to his Cuſtody in Purſuance of this Act to eſcape; or upon any High Conſtable, Churchwarden, Overſeer, Petty Conſtable, Headborough, Tythingman, or other Pariſh or Town Officer, for every wilful Neglect or Default in the Execution of any Warrant, Order or Precept, to them or any of them directed in purſuance of this Act, a Fine not exceeding ten Pounds; and to cauſe every ſuch Fine to be levied by Diſtreſs and Sale of the Offenders Goods, rendering the Overplus (if any be) to the Owners, and to pay the ſaid Fine to the Informer or Informers.

Perſons obſtructing the Execution of this Act to forfeit 10 l.

XXV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons whatſoever ſhall wilfully do any Act or Thing whereby the Execution of this Act, in the ſearching for, taking and ſecuring ſuch able-bodied Men as aforeſaid, ſhall be hindred or fruſtrated, every ſuch Perſon ſhall, for every ſuch Offence, forfeit any Sum not exceeding ten Pounds, to the Uſe of the Informer or Informers; and all and every ſuch Offences may be enquired of heard and finally determined by any two or more of his Majeſty's Juſtices of the Peace, dwelling in or near the Place where ſuch Offence ſhall be committed, who have hereby Power to cauſe the ſaid Penalty to be levied by Diſtreſs and Sale of the Offenders Goods and Chattels, rendering the Overplus (if any be) to the Owners; and if the Offenders have no Goods and Chattels ſufficient to anſwer the ſaid Penalty, then to commit him or her to the County Gaol or Houſe of Correction, there to remain for the Space of three Months without Bail or Mainprize.

For want of Diſtreſs, Offender to be committed.

Perſons who have a Vote in the Election of Members of Parliament, not liable to be liſted.

XXVI. Provided always, and it is hereby declared, That this Act ſhall not extend to the taking or levying any Perſon to ſerve as a Soldier, who ſhall make it appear to the Satisfaction of the Commiſſioners then preſent, that he hath any Vote in the Election of any Member or Members to ſerve in Parliament, in any County, City, Borough, Town, Port or Place within the Kingdom of *Great Britain*.

No Military Officer may be a Commiſſioner.

XXVII. And it is hereby enacted, That no Perſon who at the Time of the Execution of this Act, ſhall have any Military Office or Employment in *Great Britain* (other than in the Militia) ſhall execute any Power or Authority by this Act given to Commiſſioners as aforeſaid.

Limitation of Actions.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any Action, Plaint, Suit, or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons, for what he or they ſhall do in Purſuance or Execution of this Act, the ſame ſhall be commenced within ſix Months after the Offence committed, and ſuch Perſon or Perſons ſo ſued in any Court whatſoever, ſhall and may plead the General Iſſue Not guilty, and upon any Iſſue joined, may give this Act and the Special Matter in Evidence; and if the Plaintiff or Proſecutor ſhall become nonſuit, or forbear further Proſecution, or ſuffer a Diſcontinuance, or if a Verdict paſs againſt him, the Defendant ſhall recover treble Coſts; for which they ſhall have the like Remedy, as in any Caſe where Coſts by the Law are given to Defendants.

General Iſſue.

Treble Coſts.

No Soldier or Marine to be diſcharged without a Certificate from his Colonel, &c.

of which a Duplicate to be tranſmitted to the Secretary at War.

Officer breaking, this Order to be caſhiered.

XXIX. And for the better obviating ſuch Frauds and Abuſes as may be practiſed in diſcharging of Soldiers; It is hereby further enacted by the Authority aforeſaid, That no private Soldier who ſhall be duly liſted into his Majeſty's Service by virtue of this Act (during the Time ſuch Soldiers ſhall remain in *Great Britain*) ſhall be diſcharged from his Majeſty's Service, without the Conſent of the Colonel, or in his Abſence, the Field Officer commanding in Chief the Regiment, firſt had and obtained in Writing under their Hands and Seals for that Purpoſe, in which Writing the Cauſe of his Diſcharge ſhall be expreſſed, and a Duplicate or Copy of every ſuch Diſcharge, forthwith tranſmitted to the Secretary at War, to be by him kept and entered in a Book; or if a Marine, without the Conſent of the Lord High Admiral, or the Commiſſioners of the Admiralty for the Time being firſt had and obtained; and any Officer that ſhall preſume to diſcharge any Soldier inliſted purſuant to this Act, in any other Manner contrary to this Act, ſhall for ſuch Offence be caſhiered.

XXX. And

XXX. Provided always, and it is hereby enacted, That every Person who shall be impressed upon this Act, after he shall have continued in the Military Service of his Majesty, his Heirs and Successors, during the Space of five Years, if the War shall then be ended, or otherwise at the end of the War, shall be at Liberty if he think fit to demand his Discharge from the Colonel, or in his Absence, the Officer commanding the Regiment or Company to which he shall belong, and such Discharge shall be granted to him *gratis* in Writing under the Hand of such Colonel or Officer, who is hereby impowered and required to give the same accordingly; any thing herein contained to the contrary notwithstanding. Impressed Men after five Years Service, to be discharged, if they demand it.

XXXI. And be it further enacted, That the said several Clerks to the said Commissioners, provided the said Copies or Duplicates be duly transmitted into the Office of the Admiralty, or Secretary at War as aforesaid, shall have and receive by the Hands of the Paymasters of his Majesty's Land Forces and Marines, or one of them, such Rewards as the Lord High Treasurer, or Commissioners of the Treasury for the Time being, upon Consideration of the Numbers of Men listed in the several Counties, Cities, Boroughs, or other Places, and the Pains and Charges of the several Clerks in this Service, shall judge the said Clerks severally and respectively to deserve. Clerks to be rewarded for their Trouble in transmitting the Duplicates.

XXXII. Provided always, That his Majesty, when he shall be satisfied by the said Returns of the Commissioners, or otherwise, that a sufficient Number of Recruits in the whole shall be raised for his present Service, may be graciously pleased to suspend or stop the further Execution of this Act by Proclamation, or Order in Council, or other publick Notice in the *London Gazette*; any thing herein contained to the contrary notwithstanding. His Majesty, may suspend by Proclamation, &c. the Execution of this Act;

XXXIII. Provided also, That his Majesty, when he shall judge it expedient for his Service, may at any Time suspend or enforce the Execution of this Act, in any County or Place of *Great Britain*, by Notice from his Majesty's Secretary at War; any thing herein contained to the contrary notwithstanding. or may suspend or inforce the Act, in any County or Place.

XXXIV. Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner, Churchwarden, Overseer, Constable, Headborough, Tythingman, or other Parish or Town Officer, who shall be employed in the Execution of this Act, shall be liable for or by reason of such Execution, to any of the Penalties mentioned in an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, *For preventing Dangers which may happen from Popish Recusants*; or in one other Act made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for abrogating the Oaths of Allegiance and Supremacy, and appointing other Oaths*; or in one other Act made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line*; *and for extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and secret Abettors*. Persons employed in the Execution of this Act, exempted from the Penalties of Act 25 Car. 2. c. 2. 1 W & M. Sess. 1. c. 8. and 13 & 14 W. 3. c. 6.

XXXV. Provided always, and be it enacted, That no Person or Persons hereby appointed to be a Commissioner or Commissioners for any County, Riding, City, Borough, Cinque Port or Place, of *England*, *Wales*, or *Berwick* upon *Tweed* (except such as duly qualified themselves to be Justices of the Peace, or Commissioners for executing the said Act for the Land Tax made and passed in the twenty-eighth Year of his present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose) shall be capable, in *England*, *Wales*, or *Berwick* upon *Tweed*, of acting as a Commissioner or Commissioners in the Execution of this Act, or executing any the Powers of the Commissioners therein mentioned (unless it be the Power hereby given of administring Oaths) until such Time as he or they respectively shall have taken the Oaths appointed by an Act of Parliament made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; and also in the said Act, intituled, *An Act for the further Security of his Majesty's Person, and the Succession of the Crown in the Protestant Line*; *and for extinguishing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and Secret Abettors*; which Oaths it shall and may be lawful to and for any two or more of the said Commissioners to administer, and they are hereby required to administer the same to any other of the said Commishoners; and that no Person or Persons hereby appointed to be a Commissioner or Commissioners for any Part of *Scotland* (except such as duly qualified themselves, according to the Laws of *Scotland*, to be Commissioners there for executing the said Act for the Land Tax made and passed in the twenty-eighth Year of his present Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose) shall be capable of acting as a Commissioner or Commissioners in the Execution of this present Act in any Part of *Scotland*, until such Time as he or they respectively shall have duly qualified themselves according to the Laws of *Scotland* for that Purpose. Commissioners in England, not to act till they have taken the Oaths appointed. by 1 W. & M. Sess. 1. c. 8. and 13 W. 3. c. 6. nor Commissioners in Scotland, till they have qualified themselves as the Laws there direct.

XXXVI. Provided always, and be it enacted, That if any Person hereby appointed a Commissioner for any County, City, Town or Place, in *England*, *Wales*, or *Berwick* upon *Tweed* (except as before excepted) shall presume to act as a Commissioner in the Execution of this Act, before he shall have taken the said Oaths which by this Act he is required to take, and in the Manner hereby prescribed, he shall forfeit to his Majesty the Sum of two hundred Pounds, to be recovered by Action of Debt, or on the Case, Bill, Suit, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; and that if any Person hereby appointed a Commissioner for any Shire, Stewartry, Burgh, or Place in *Scotland* (except as before excepted) shall presume to act as a Commissioner in the Execution of this Act, before that he shall have qualified himself according to the Laws in *Scotland*, he shall forfeit to his Majesty the Sum of fifty Pounds, to be recovered in the Court of Exchequer in *Scotland*, in the same Manner as any other Penalties are there recoverable. Commissioners in England acting before they have taken the Oaths, forfeit 200 l. and Commissioners in Scotland, 50 l.

Commissioners for the County at large, &c. may act for any City, &c.

XXXVII. Provided also, That in case there shall not be a sufficient Number of Commissioners for any City, Borough, Town, Port or Place of *Great Britain* (for which by this Act Commissioners are specially appointed) capable of acting according to the respective Qualifications required by this Act, then and in every such Case, any the Commissioners appointed for the County, Shire or Stewartry at large, within which such City, Borough, Town or Place doth stand, or which is next adjoining thereto, may act as Commissioners in the Execution of this Act, within such City, Borough, Town, Port or Place; any thing herein contained to the contrary notwithstanding.

Qualification of Commissioners for Counties at large within England.

XXXVIII. Provided always, and be it enacted by the Authority aforesaid, That no Commissioner of the Land Tax, not being a Justice of the Peace, or a Magistrate of a Corporation or a Borough, shall be capable of acting as a Commissioner in the Execution of this Act, or of any of the Powers therein contained, in or for any County at large within *England*, the Dominion of *Wales* (the Counties of *Anglesey*, *Merioneth*, *Cardigan*, *Caermarthen*, *Glamorgan*, *Montgomery*, *Pembroke*, *Caernarvon* and *Monmouth* excepted) or in or for any of the Ridings in the County of *York*, unless such Person by himself, or his Tenants or Trustees was taxed, or did pay in the same County or Riding, for the Value of one hundred Pounds *per Annum* or more of his own Estate, by virtue of the said Act, for the Land Tax made and passed in *England* in the twenty-eighth Year of his Majesty's Reign, or any subsequent Act or Acts of Parliament for that Purpose, or unless such Person so appointed to be a Commissioner, shall at the Time of the Execution of this Act, by himself, his Tenants or Trustees, enjoy an Estate of Lands, Tenements, or Hereditaments, of the said yearly Value of one hundred Pounds or more within the said County or Riding respectively; any Thing herein contained to the contrary notwithstanding.

Persons disabled presuming to act, forfeit 50 l.

XXXIX. And it is hereby further enacted, That if any Person intended by this Act to be disabled for the Cause last mentioned, shall nevertheless presume to act as a Commissioner in the Execution of this Act, or any of the Powers therein contained, every such Person for such Offence shall forfeit the Sum of fifty Pounds, to any Person or Persons who will inform or sue for the same, to be recovered in any of his Majesty's Courts of Record at *Westminster*, or in the Exchequer of *Scotland* as aforesaid.

Commissioners may act for any City, being Inhabitants, or Inns of Court.

XL. Provided nevertheless, and it is hereby enacted, That no Person who is appointed to be a Commissioner for executing this Act in any Part of *Great Britain*, shall be disabled for the Cause last-mentioned from acting as a Commissioner, within and for any City, Borough, Cinque Port, or Corporate Town only, whereof he shall be an Inhabitant at the Time of the Execution of this Act, or from acting as a Commissioner within any of the Inns of Court or Inns of *Chancery*.

Mayors, Bailiffs, &c, to act as Commissioners specially appointed.

'XLI. And whereas some Doubts may arise whether Mayors, Bailiffs, and other chief Magistrates of 'Cities, Boroughs, Towns Corporate and Cinque Ports, for which Commissioners are specially appointed 'by virtue of this Act, can act as Commissioners for executing this Act in the said Cities, Boroughs, 'Towns Corporate and Cinque Ports;' Be it further enacted by the Authority aforesaid, That all Mayors, Bailiffs, and other chief Magistrates who are appointed Commissioners for executing this Act, shall be, and have Power to Act as Commissioners for executing this Act, within and for any City, Borough, Town Corporate or Cinque Port, wherein they inhabit at the Time of executing this Act, as well where Commissioners are specially appointed by this Act, as where they are not.

Civil Magistrate, upon Notice from the Secretary at War, to enforce this Act within his Jurisdiction.

'XLII. And whereas it may often be expedient for his Majesty's Service, that the Commissioners 'hereby appointed, shall execute this Act in Cities, Towns, or other Places, when it may not be con-'venient to enforce the Execution thereof through the County in which such City, Town or Place shall 'be respectively situate;' Be it therefore enacted by the Authority aforesaid, That the Mayor or other chief Magistrate of every City, Town or Place, shall (upon receiving Notice for that Purpose from the Secretary at War) immediately proceed to put this Act in Execution within their respective Jurisdictions, in the same Manner, to all Intents and Purposes, as if such Mayor, or other chief Magistrate, had received such Notice from the Sheriff of the County in which such City, Town or Place shall be respectively situate; any thing in this Act contained to the contrary notwithstanding.

Bailiffs Followers and Assistants, &c. not exempted by this Act.

XLIII. And it is hereby provided and enacted, That no Bailiff's Follower or Assistant, employed or belonging to any Sheriff, Bailiff or Liberties, Marshalsea Court, or any other Person or Persons that shall be so employed, by any one that shall have the Power of executing any Warrant or Process whatsoever, shall be deemed thereby to follow or exercise any Calling or Employment, or to have a sufficient Support and Maintenance within the Intent and Meaning of this Act.

Labourers, having proper Certificates, not liable to be impressed in Harvest Time.

'XLIV. And forasmuch as great Inconveniencies may happen by impressing Men, during the Time of 'Harvest;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *May* one thousand seven hundred and fifty-seven until the twenty-fifth Day of *October* following, no Harvest Labourer, or Person working at Hay Harvest or Corn Harvest Work within the Time aforesaid, within the Kingdom of *Great Britain*, shall be impressed by virtue of this Act, but shall be free and exempted from the same during the Time aforesaid, provided they have a Certificate under the Hands of the Minister and of one Churchwarden or Overseer of the Poor, or Elders of the Parish or Place where they live, allowed under the Hand and Seal of one Justice of the Peace of the same County, Shire, Stewartry, Riding, City or Place, which Certificate shall be given *gratis*.

Commissioners for executing this Act within the Castle of York.

'XLV. And for the more easy and better putting this Act in Execution;' Be it enacted by the Authority aforesaid, That any three or more Commissioners for putting this Act in Execution, in the several Ridings of the County of *York* (being Justices of the Peace) though not all of the same Riding, may, within the Castle of *York*, or Limits thereof, execute the Powers of this Act.

'XLVI. And whereas divers Soldiers who have deserted his Majesty's Service, have been harboured in 'a certain Place called *Threapwood*, lying within or near the Counties of *Chester* and *Flint*, or one of

'them,

'them, and adjoining to the Town of *Cuddington* in the said County of *Chester*;' Be it further enacted by the Authority aforesaid, That the Commissioners hereby appointed for the County of *Chester*, and the Officers of the said Town of *Cuddington*, shall execute this Act in the said Place called *Threapwood*, according to the true Intent and Meaning thereof. Commissioners for executing this Act in Threapwood.

XLVII. And be it further enacted by the Authority aforesaid, That if at any of the Meetings of the Commissioners by this Act appointed, in any of their Sub-divisions, they shall not be attended by some proper Officer appointed for the receiving of Recruits, either through Negligence or any unavoidable Accident, then and in that Case, it shall and may be lawful to and for the said Commissioners to adjourn themselves to some other convenient Day, and they are hereby authorized to give Directions for detaining in Custody, all such Persons as shall have been then brought before them by the Parish Officers to be inlisted, or such of them as they shall think duly qualified for his Majesty's Service; and the said Commissioners shall give Notice to any of the Officers attending on this Service, in the County or Place where such Sub-divisions shall lie, of the Day of such Adjournment; and the said Officer is hereby required, either to attend himself, or to appoint some other Officer to attend such Commissioners, and to receive such Persons as the said Commissioners shall inlist into his Majesty's Service; and the Officer so receiving the Recruits, shall pay to such Person as the Commissioners shall appoint, six Pence *per Diem*, for the Subsistence of every Recruit then inlisted, from the Day of the last Meeting of the Commissioners, to the said Day of Adjournment, the same to be charged to the Account of the several Regiments or Companies into which the said Recruits shall be inlisted, together with such Charges and Expences as shall appear to the said Commissioners to have been incurred on account of the detaining the said Persons, from the Day of the former Meeting of the said Commissioners, to the Day of such second Meeting, not exceeding three Pounds. Officer not attending to receive Recruits, Commissioners may adjourn, and order the Detention of the impressed Men. Notice of Adjournment to be given to any Officers attending this Service, &c. Officer to pay Subsistence Money for every Recruit; and incidental Charges.

XLVIII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in Force until the End of the next Session of Parliament. Continuance of this Act.

XLIX. And be it further enacted by the Authority aforesaid, That the several Entries which the Commissioners of the Land Tax are by this Act required to make, of the Names and Descriptions of all Volunteers, and also of all impressed Men, together with the other Particulars herein before directed, be made according to the Form hereunto annexed. Form for making Entries pursuant to the Act.

Recruit's Name.	Parish.	Height.		Age.	Description of the Recruits.	For what Corps pressed.	For what Corps entered voluntarily.	Sum paid	By whom paid.	Officer who received or refused the Recruit, and on what Day.	On what Grounds refused.
		Feet.	Inches.								

CAP. IX.

An Act to prohibit for a limited Time the Exportation of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon and other Victual (except Fish and Roots and Rice, to be exported to any Part of *Europe* Southward of *Cape Finisterre*) from his Majesty's Colonies and Plantations in *America*, unless to *Great Britain* or *Ireland*, or to some of the said Colonies and Plantations; and to permit the Importation of Corn and Flour into *Great Britain* and *Ireland* in Neutral Ships; and to allow the Exportation of Wheat, Barley, Oats, Meal and Flour, from *Great Britain* to the Isle of *Man*, for the Use of the Inhabitants there.

For former Laws concerning Plantations, refer to 12 *Car.* 2. *c.* 18. 15 *Car.* 2. *c.* 7. 22 & 23 *Car.* 2. *c.* 26. 25 *Car.* 2. *c.* 7. 7 & 8 *W.* 3. *c.* 22. 11 *W.* 3. *c.* 12. 3 & 4 *Ann. c.* 5 & 10. 6 *Ann. c.* 30 & 37.

8 *Ann. c.* 13. 9 *Ann. c.* 17 & 27. 10 *Ann. c.* 22 & 26. 4 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 12 & 15. 13 *Geo.* 1. *c.* 5. 3 *Geo.* 2. *c.* 12 & 28. 4 *Geo.* 2. *c.* 15. 5 *Geo.* 2. *c.* 7 & 9. 6 *Geo.* 2. *c.* 13. 8 *Geo.* 2. *c.* 19. 12 *Geo.* 2. *c.* 30.

'WHEREAS the Exportation of any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon or any other Sort of Victual, from any of his Majesty's Colonies or

Plantations in *America*, may at this Time be greatly prejudicial to his Majesty's Subjects;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person or Persons whatsoever, at any Time or Times during the Continuance of the present War with *France*, shall, directly or indirectly, export, transport, carry, convey or cause or procure to be exported, transported, carried or conveyed out of or from any of the *British* Colonies or Plantations in *America*, or load or lay on board, or cause or procure to be laden or laid on board, any Ship or other Vessel or Boat, in order to be exported or carried out of the said Colonies or Plantations, any Sort of Corn, Grain, Meal, Malt, Flour, Bread, Biscuit, Starch, Beef, Pork, Bacon or other Sort of Victual, whether the said Commodities shall or shall not be the Produce or Manufacture of, or made in the respective Colonies or Plantations from whence the same shall be designed to be exported, under the Penalties and Forfeitures herein after mentioned; that is to say, That all the said Commodities that shall be so exported, shipped or laid on board, or loaded to be exported, shipped or carried out contrary to this Act, shall be forfeited, and that every Offender or Offenders therein shall forfeit the Sum of twenty Shillings of lawful Money of *Great Britain*, for every Bushel of Corn, Grain, Meal, Malt or Flour, and twelve Pence of the like Money, for every Pound Weight of Bread, Biscuit, Starch, Beef, Pork, Bacon or other Victual, and so in Proportion for any greater or less Quantity, which shall be so exported, shipped or put on board to be exported, and also the Ship, Boat or Vessel, upon which any of the said Commodities shall be exported, shipped or laden to be exported, and all her Guns, Tackle, Apparel and Furniture, shall be forfeited; and one Moiety of all such Penalties and Forfeitures shall be to the King's Majesty, his Heirs and Successors, and the other Moiety to him or them that will sue for the same; which said Penalties and Forfeitures shall be recovered in the High Court of Admiralty, or any other chief Court of Civil or Criminal Jurisdiction, in such respective Colonies or Plantations; and that the Master or Mariners of any such Ship, Boat or Vessel, wherein any such Offence shall be committed, knowing such Offence, and wittingly and willingly aiding and assisting thereunto, and being thereof duly convicted in any such Courts as aforesaid, shall be imprisoned for the Space of three Months without Bail or Mainprize.

Enumerated Commodities prohibited to be exported from the British Plantations, &c. during the War with France.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons, being an Officer or Officers of the Customs, or being lawfully authorized in this Behalf by the Lord High Treasurer of *Great Britain*, or the Commissioners of the Treasury for the Time being, or any three or more of them, to take or seize all such of the said Commodities not allowed to be exported by this Act, or by his Majesty's Royal Proclamation, or such Order of Council in pursuance of this Act, as he or they shall happen to find, know or discover, to be laid on board any Ship or other Vessel or Boat at Sea, or in any Port, or in any navigable River or Water, to the Intent or Purpose to be exported, transported or conveyed out of any of the said Colonies or Plantations, contrary to the true Intent of this Act; and also the Ship, Vessel or Boat in which the same shall be found, and to bring the said Goods to the King's Warehouse or Warehouses, belonging to the Custom-house next to the Place where such Seizures shall be made, or to some other safe Place (where there are no such Warehouses) in order to be proceeded against according to Law, and in case of Recovery, to be divided according to the Directions of this Act.

Officers impowered to seize the Vessels and Commodities;

and lodge the same in the King's Warehouses.

III. Provided always, and be it further enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend to prohibit the Exportation or carrying out of such or so much of the said Commodities as shall be necessary to be carried in any Ship or Ships, or other Vessel or Vessels in their respective Voyages, for the Sustenance, Diet and Support of the Commanders, Masters, Mariners, Passengers or others, in the same Ships or Vessels only, or for the victualling or providing any of his Majesty's Ships of War, or other Ships or Vessels in his Majesty's Service, or for his Majesty's Forces, Forts or Garrisons; any thing herein contained to the contrary notwithstanding.

Necessary Provisions for Ships on their Voyage; and for the King's Ships; Forces, Forts, or Garrisons excepted.

IV. Provided also, and be it further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to prohibit the Exportation of any of the said Commodities from the said Colonies or Plantations to *Great Britain* or *Ireland*, or from any of the said Colonies or Plantations, to any other of the said Colonies or Plantations, or from any Port or Place in any one of the said Colonies or Plantations, to any other Port or Place in such Colony or Plantation respectively; so as the Exporter do before the shipping or laying on board the same, declare the Kingdom, Island, Plantation or Colony, and the Port or Place for which the said Commodities are respectively designed, and take out a Cocquet or Cocquets, expressing the Particulars of such Commodities, and do likewise become bound with two Sureties of known Residence in the said Colonies or Plantations, and of Ability to answer the Penalty mentioned in the Bonds, in treble the Value of such Commodities, to the Chief Officer or Officers of his Majesty's Customs, or the Naval Officer, or some other Principal Officer belonging to the Port or Place where the same shall be shipped or put on board, or to such Person or Persons as shall be appointed for that Purpose, by the Lord High Treasurer of *Great Britain*, or the Commissioners of the Treasury for the Time being, or any three or more of them (who are hereby impowered to take such Security in his Majesty's Name, and to his Majesty's Use) that such Commodities shall not be landed or sold in any Parts whatsoever, other than the Kingdom, Island, Plantation, Colony, Port or Place respectively, for which the same shall be so declared, and that a Certificate under the Hand and Seal, or Hands and Seals of the Collector, Comptroller, or other Chief Officer of the Customs, or if no such, of the Naval Officer or some other Principal Officer of the Port or Place where the same shall be landed, or such Person or Persons as shall be appointed for that Purpose by the Lord High Treasurer of *Great Britain*, or the Commissioners of the Treasury for the Time being, or any three or more of them, shall within

The said Commodities may be carried from the said Colonies or Plantations to Great Britain or Ireland, &c.

taking out a Cocquet for the same, and giving Security.

within the respective Times herein after-mentioned (the Danger of the Seas excepted) be returned to the Officer or Officers, or Person or Persons, to whom such Security shall have been given as aforesaid, that the said Commodities, expressing the Particulars thereof, have been landed at the Port or Place for which the same shall have been so declared; and for the taking of such Security, and giving such Cocquets and Certificates (which the respective Officers and Persons aforesaid are hereby on Demand required to give) no Fee or Reward shall be demanded or received; and if any such Officer or Person shall make any false Certificate of any such Commodities being so landed, such Officer or Person shall forfeit the Sum of two hundred Pounds, and lose his Employment, and be incapable of serving his Majesty, his Heirs or Successors, in any Office relating to the Customs; and if any Person shall counterfeit, raise or falsify any Cocquet or Certificate, or knowingly publish any such counterfeit, rased or false Cocquet or Certificate, he shall forfeit the Sum of two hundred Pounds, and such Cocquet or Certificate shall be void and of none Effect; which said Penalties for Offences committed in *America*, shall be recovered in the same Courts, and in the same Manner, as the other Penalties inflicted by this Act are recoverable; and for Offences which shall be committed in that Part of *Great Britain* called *England*, such Penalties shall be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or before the Justices of Assize, or at the great Sessions in *Wales*, or by Information at any General Quarter-Sessions of the Peace for the County, City, Riding, Division or Place, where the Offence shall be committed; and in such Suit no Essoin, Protection, Privilege, or Wager of Law shall be allowed; and for Offences which shall be committed in that Part of *Great Britain* called *Scotland*, by Action or summary Bill or Information in the Courts of Sessions or Exchequer in *Scotland*; and for Offences which shall be committed in *Ireland*, in his Majesty's Courts of Record in *Dublin*, or at the General Quarter-Sessions of the Peace for the County, City or Place, where the Offence shall be committed; and for Offences which shall be committed in any other of the Dominions belonging to the Crown of *Great Britain* in *Europe*, in the High Court of Admiralty, or any other Chief Court of Civil or Criminal Jurisdiction in such Dominions respectively; and such Penalties, when recovered, shall be divided in equal Moieties between his Majesty and the Informer; and upon all Actions, Suits and Informations, that shall be brought, commenced or entered in the said Colonies and Plantations upon this Act, the Offences may be laid or alledged to have been committed in any Colony, Province, County or Precinct, within the said Plantations, at the Pleasure of the Prosecutor or Informer.

Penalty on Officer making a false Certificate; and on Persons counterfeiting, &c. Certificates. Penalties where to be recovered.

V. Provided also, That in case the Officer or Officers, or Person or Persons, to whom any Certificate shall be returned, shall have Cause to suspect that such Certificate is false and counterfeit, the Bonds shall not be cancelled or the Security vacated, until such Officer or Officers, or Person or Persons, shall have been informed from the Person or Persons in whose Name such Certificate shall appear to have been granted, that the Matter and Contents of such Certificate are just and true.

Officer suspecting Certificate to be false, not to vacate the Bonds.

VI. Provided also, That nothing in this Act contained shall extend or be construed to extend to prohibit the transporting, carrying, or conveying any of the Commodities herein before mentioned, by Land, or across Rivers, by Common Ferries, or up or down the said Rivers, or across Harbours where Clearances have not usually been taken, from any one of the said Plantations or Colonies to any other Plantations or Colonies, or to any Part of the same Plantation or Colony, or to subject the Persons transporting, carrying or conveying, or causing to be transported, carried or conveyed, any of the said Commodities in Manner aforesaid, to any of the Restrictions or Regulations herein before prescribed, with respect to such Commodities exported by Sea, from one Colony to another.

Commodities may be carried by Land, or across Rivers, &c. from one Plantation to another.

VII. Provided nevertheless, That the said Bond or Bonds (if not prosecuted within three Years) shall be void.

Bonds to be sued within 3 Years.

VIII. Provided always, and it is hereby declared, That nothing in this Act contained shall extend to any of the Commodities aforesaid, which shall be cleared out of any Custom-house in any of the Colonies or Plantations before the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven; any Thing herein contained to the contrary notwithstanding.

Commodities cleared before 25 March 1757, may be exported.

IX. Provided always, and be it enacted by the Authority aforesaid, That in case his Majesty at any Time or Times during the Continuance of this Act, shall in his Royal Discretion judge it to be expedient to permit the Exportation of Corn, and other the Commodities aforesaid, or any of them, from the said Colonies and Plantations, that then it shall and may be lawful to and for his Majesty by his Royal Proclamation or Proclamations to be issued, by and with the Advice of his Privy Council, or by his Majesty's Order in Council, from Time to Time, to permit and suffer all and singular his Majesty's Subjects (but not any particular Person or Persons) to export or carry out of all or any of the said Colonies or Plantations in any Ship or Ships, Vessel or Vessels, duly navigated, owned, and qualified according to Law to trade there, all or any of the Commodities aforesaid to all or any other Place or Places, and upon or without giving Security for the Landing thereof in such Place or Places, and returning Certificates of such Landing, as to his Majesty shall seem meet, and as in such Proclamation or Proclamations, or such Orders of Council, shall be expressed and declared; any Thing to the contrary notwithstanding.

His Majesty by Proclamation, or Order in Council, may at any Time permit the Exportation of Corn, &c. from the Colonies or Plantations, &c.

X. And be it further enacted by the Authority aforesaid, That all Certificates of the Landing and Discharging of the said Commodities to be exported, shall be returned within the respective Times following; that is to say, Where the Bonds are taken in respect of any of the said Commodities to be exported to *Great Britain* or *Ireland* within eighteen Calendar Months after the Date of the said Bonds; and in respect of any of the said Commodities to be exported from any of the said Colonies or Plantations to any other of the said Colonies or Plantations, or from any Port or Place in any one of the said Colonies

Times limited of returning the Certificates from the Ports where the Corn, &c. has been landed.

Colonies or Plantations, to any other Port or Place in such Colony or Plantation respectively, within twelve Calendar Months after the Date of such Bonds respectively.

Prohibition not to extend to exporting of Rice.

XI. Provided always, and be it further enacted by the Authority aforesaid, That this Act shall not extend to prohibit the Exportation of any Rice from the said Colonies or Plantations directly to any Part of *Europe* Southward of *Cape Finisterre*, but that Rice shall and may be shipped and exported directly to any Part of *Europe* Southward of the said Cape, in such Manner as the same might have been exported if this Act had not been made; any Thing herein contained to the contrary notwithstanding.

Fish or Roots may be exported, or carried Coastwise.

XII. Provided also, and be it further enacted by the Authority aforesaid, That this Act shall not extend to any Fish or Roots which shall be exported or carried Coastwise, but that Fish and Roots of all Sorts shall and may be exported and carried Coastwise, in such Manner as the same might have been exported or carried Coastwise, if this Act had not been made; any Thing herein contained to the contrary notwithstanding.

Act of this Session.

'XIII. And whereas by an Act passed this present Session of Parliament, intituled, *An Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit and Starch*, it was enacted, That no Person, at any Time before the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, should export, or carry out of or from the Kingdoms of *Great Britain* or *Ireland*, any Sort of Corn, Meal, Malt, Flour, Bread, Biscuit or Starch, under the Penalties and Forfeitures therein mentioned; but with several Provisions and Savings in the said Act contained: And whereas the Inhabitants of the Isle of *Man* have, for several Years last past, been supplied with considerable Quantities of Corn, Meal and Flour, from *Great Britain* and *Ireland*; and they are now in great Want thereof, no Provision or Saving having been made in the said Act for supplying them therewith;' Be it therefore enacted by the Authority aforesaid, That the said recited Act, or any Thing therein contained, shall not extend to any Wheat, Barley, Oats, Meal or Flour, to be transported out of or from the Ports of *Southampton* or *Exeter* only, unto the said Isle of *Man*, for the only Use of the Inhabitants of that Island, so as the Exporter, before the Lading of such Wheat, Barley, Oats, Meal or Flour, or laying the same on Board, do become bound, with other sufficient Security (which the Customer or Comptroller of either of the said Ports respectively hath hereby Power to take in his Majesty's Name, and to his Majesty's Use, and for which Security no Fee or Reward shall be given or taken) that such Wheat, Barley, Oates, Meal or Flour, shall be landed in the said Isle of *Man* (the Danger of the Seas only excepted) for the Use of the Inhabitants there, and shall not be landed or sold in any other Parts whatsoever, and to return the like Certificates of the Landing the same there, as are by the said Act required on the Exportation of the said Commodities to the *British* Colonies in *America*, and within the Time for that Purpose therein mentioned; and so as the whole Quantity of Wheat, Barley, Oats, Meal or Flour, which at any Time or Times after the passing this Act, and before the said twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, shall be shipped at both the said Ports for the said Isle of *Man* as aforesaid, shall not exceed in the Whole two thousand five hundred Quarters; one Moiety whereof to be exported at the said Port of *Southampton*, and the other Moiety thereof to be exported at the said Port of *Exeter*; any Thing in the said recited Act to the contrary notwithstanding.

Wheat, &c. may be exported from Southampton and Exeter unto the Isle of Man,

not more than 2,500 Quarters.

One Moiety to be shipped at each of the said Ports.

Act of this Session.

'XIV. And whereas by an Act made in this present Session of Parliament (intituled, *An Act to discontinue, for a limited Time, the Duties upon Corn and Flour imported, and also upon such Corn, Grain, Meal, Bread, Biscuit and Flour, as have been, or shall be, taken from the Enemy, and brought into this Kingdom*) Corn and Flour is allowed to be imported into this Kingdom Duty free, for and during such Time as in the said Act is mentioned: And whereas it is necessary that such Importation should be allowed to be made in Ships belonging to any State in Amity with his Majesty, as well as in Ships belonging to *Great Britain*, and from any Port or Place whatsoever;' Be it therefore enacted by the Authority aforesaid, That it shall be lawful, during the Time, and under the Regulations mentioned in the said Act, for any Person or Persons whatsoever to import and bring into this Kingdom, in any Ship or Vessel belonging to *Great Britain*, or to any Kingdom or State in Amity with his Majesty, his Heirs and Successors, from any Port or Place whatsoever, Corn and Flour Duty free; any Act or Acts of Parliament to the contrary notwithstanding.

Corn and Flour may be imported Duty free, from any Kingdom, &c. in Amity, into Great Britain,

'XV. And whereas if the Importation of Corn and Flour into *Ireland* was permitted, for a limited Time to be made in Ships belonging to any State in Amity with his Majesty, the same may be of Advantage to his Majesty's Subjects;' Be it therefore enacted by the Authority aforesaid, That it shall be lawful at any Time or Times before the twenty-fourth Day of *August* next, for any Person or Persons whatsoever to import and bring into the Kingdom of *Ireland*, in any Ship or Vessel belonging to any Kingdom or State in Amity with his Majesty, his Heirs or Successors, Corn and Flour from any Port or Place whatsoever; any Act or Acts of Parliament to the contrary notwithstanding.

or Ireland.

XVI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance, and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law.

General Issue.

Treble Costs.

CAP.

CAP. X.

An Act to prohibit for a limited Time the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour.

24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11.

'WHEREAS it is expedient that the Distillation or Extraction of Low Wines or Spirits from 'Wheat, Barley, Malt, and all other Sorts of Grain, should be prohibited for a limited Time;' Be it therefore enacted by the King's most excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the eleventh Day of *March* one thousand seven hundred and fifty-seven, no Low Wines or Spirits whatsoever shall be made, extracted, or distilled, within this Kingdom, from any Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour, for and during the Space of two Calendar Months.

Wheat and all Sorts of Grain, Meal and Flour, prohibited to be made use of in Distillation for two Months; continued by cap. 15. till 11 Dec. 1757.

II. And be it further enacted by the Authority aforesaid, That if during the Time before limited, any Distiller, or Maker of Low Wines or Spirits, or any other Person or Persons whatsoever, shall make, extract or distill, or cause or procure to be made, extracted or distilled, any Low Wines or Spirits, from any Wheat, Barley, Malt, or other Grain, or from any Meal or Flour; or shall use or mix, or cause or procure to be used or mixed, any Wheat, Barley, Malt, or other Grain, or any Meal or Flour, in any Worts or Wash, in order for the making, extracting or distilling Low Wines or Spirits; or shall put or lay, or cause or procure to be put or laid, in any Tun, Wash-batch, Cask, Copper, Still, or other Vessel or Utensil, any Wheat, Barley, Malt or other Grain, or any Meal or Flour, for the Purpose of preparing any Worts or Wash, or for making, extracting or distilling Low Wines or Spirits, whether such Tun, Washbatch, Cask, Copper, Still, or other Vessel or Utensil, hath or hath not been duly entered at the Excise Office; that then and in each and every of the said Cases, such Distiller or Maker of Low Wines or Spirits, or other Person or Persons acting contrary to the Directions of this Act, or the Person or Persons in whose Custody or Possession any such Tun, Washbatch, Cask, Copper, Still, or other Vessel or Utensil, which shall be made use of, contrary to the Intention of this Act, shall be found, shall respectively for every such Offence, forfeit and pay the Sum of two hundred Pounds; and all such Wheat, Barley, Malt, and other Grain, and such Meal and Flour, and such Worts and Wash, Low Wines and Spirits, shall be also forfeited.

On Penalty of 200 l. and Forfeiture of such Grain, &c. with the Wines and Spirits, &c.

III. And be it further enacted by the Authority aforesaid, That if any Wheat, Wheat Meal, or Wheat Flour, shall within the Time herein before limited, be found in any Workhouse, Stillhouse, Storehouse, Warehouse, or any other Place, wherein Low Wines or Spirits, or Worts or Wash, shall be made, extracted, distilled or prepared, or where any Low Wines or Spirits, or Worts or Wash, shall have been made, extracted, distilled or prepared, since the first Day of *January* one thousand seven hundred and fifty-seven, all such Wheat, Meal and Flour shall be forfeited, and the Person or Persons in whose Possession such Workhouse, Stillhouse, Storehouse, Warehouse, or Place shall be, shall for every such Offence respectively, also forfeit and pay the Sum of one hundred Pounds.

All Wheat, &c. found within the Time limited, in any Work house, &c. belonging to a Distiller forfeited, and 100 l.

IV. And be it further enacted by the Authority aforesaid, That during the Time herein before limited, it shall be lawful for any Person or Persons, who shall be authorised for that Purpose by the Commissioners of Excise for the Time being, or any two or more of them, within the Limits of the chief Office of Excise in *London*, or by one or more Justice or Justices of the Peace in any other Part of *Great Britain*, at any Time or Times, with any Officer of Excise, to enter into any Workhouse, Stillhouse, Storehouse, Warehouse, or any other Place wherein any Low Wines or Spirits, or Worts or Wash shall be, or are suspected to be made, extracted, distilled or prepared, or wherein Low Wines or Spirits, or Worts or Wash shall have been made, extracted, distilled or prepared, since the first Day of *January* one thousand seven hundred and fifty-seven, and shall have free Admittance into the same, and may inspect all the Materials, Vessels and Utensils therein contained (giving thereby as little Interruption as may be to the Business which shall be carrying on); and in case any such Officer of Excise, shall have Reason to suspect that any Wheat, Barley, Malt or other Grain, Meal or Flour, is mixed in any Worts or Wash, or in any other Material or Preparation, for making, extracting or distilling Low Wines or Spirits, it shall be lawful for such Officer, at any Time or Times during the said Term, upon Payment of two Shillings and six Pence, to take a Sample not exceeding two Quarts, of any such Worts or Wash, Material or Preparation, which shall be found in any such House or other Place aforesaid; and in case any Distiller or Maker of Low Wines or Spirits, or the Owner or Occupier of any such House or Place, or any Workman or Servant to any such Distiller, Owner or Occupier belonging, shall refuse to admit such Person or Persons as shall be so authorised, or any Officer of Excise, into any such House or Place, or shall obstruct or hinder any such Officer or Person or Persons, in making such Inspection as aforesaid, or shall not allow any such Officer to take such Sample, after the said Sum of two Shillings and six Pence shall be paid or tendered for the same, such Distiller, Owner or Occupier, shall for every such Offence respectively, forfeit and pay the Sum of one hundred Pounds; and it shall be lawful for any such Officer of Excise, or other Person or Persons authorised as aforesaid, having a Warrant for that Purpose from any two or more of the Commissioners of Excise, or any Justice or Justices respectively as aforesaid, to seize, take and carry away, all such Wheat, Wheat Meal, and Wheat Flour, as shall be found in any such House or other Place, together with all the Sacks, Bags, and other Things in which the said Commodities shall be contained.

Officer, &c. may enter suspected Houses,

and inspect the Materials and Utensils therein;

and take Samples, paying for the same.

Distiller refusing Admittance, or obstructing Officer forfeits 100 l.

and the Officer may seize, and carry away the Wheat, &c. found.

Distiller, or other Person for him, having more than five Quarters of Wheat, &c. in his Custody,

forfeits the same, and 5l. for every Quarter.

V. And be it further enacted by the Authority aforesaid, That if any Distiller or Maker of Low Wines or Spirits for Sale or Exportation, shall after the eleventh Day of *March* one thousand seven hundred and fifty-seven, and before the eleventh Day of *May* one thousand seven hundred and fifty-seven, be possessed of, or have in his, her or their Custody or Possession, or in the Custody or Possession of any Person or Persons in Trust, or for the Use or Benefit of such Distiller or Maker of Low Wines or Spirits, more than five Quarters of Wheat, Wheat Meal, or Wheat Flour, at any one Time, in any one or more Place or Places (not being a Place or Places for preparing, making, extracting, distilling, or keeping Worts or Wash, Low Wines or Spirits); every such Distiller or Maker of Low Wines and Spirits, shall for every such Offence respectively, forfeit all such Wheat, Meal and Flour, exceeding the said Quantity of five Quarters, and also the Sum of five Pounds for every Quarter so forfeited.

Distillers not to forfeit for Wheat of their own Growth, if sold within 20 Days after being threshed; and not kept in Workhouse, &c.

VI. Provided always, That this Act shall not extend to inflict the said last-mentioned Penalty and Forfeiture upon any Distiller or Maker of Low Wines or Spirits, who shall be the actual Grower of Wheat, and shall be possessed of any Quantity of such Wheat grown by him or her in the Straw, or after the same is threshed out or separated from the Straw; provided such Wheat shall not be kept in his or her Possession, or in the Possession of any other Person or Persons in Trust for him or her, for a greater Space of Time than twenty Days after the same shall be threshed or separated from the Straw; and so as such Wheat be not kept in any Place used for making, extracting, or distilling Low Wines or Spirits, or for preparing or keeping Worts or Wash.

Distillers, being Millers, are also exempted from the said Penalty and Forfeiture.

VII. Provided also, That this Act shall not extend to inflict the said last mentioned Penalty and Forfeiture upon any Distiller or Maker of Low Wines or Spirits, who practises the Trade of a Miller, and who was possessed of, and worked any Mill or Mills for the grinding of Wheat, on or before the first Day of *January* one thousand seven hundred and fifty-seven, for or upon account of any Quantity of Wheat, Wheat Meal, or Wheat Flour, which shall, during the Time herein before limited, be found in any such Mill or Mills; any Thing herein contained to the contrary notwithstanding.

Officers, &c. may by Warrant, enter, or break open Storehouses suspected to have in them more than five Quarters of Wheat,

VIII. And be it further enacted by the Authority aforesaid, That in case any Officer or Officers of the Excise, or any other Person or Persons, shall at any Time or Times, have Cause to suspect that any Wheat, Wheat Meal, or Wheat Flour, exceeding the Quantity of five Quarters, shall be laid or kept in any such Storehouse, Warehouse, Grainary, or other Place or Places as aforesaid, belonging to any Distiller or Maker of Low Wines or Spirits, contary to the true Intent and Meaning of this Act; then and in every such Case, upon Oath made by such Officer or Officers, or other Person or Persons, before the Commissioners of Excise for the Time being respectively, or any two or more of them, or before one or more Justice or Justices of the Peace residing near the Place where such Officer or Officers, or other Person or Persons, shall suspect the same to be laid and kept, setting forth the Ground of his or their Suspicion, it shall and may be lawful to and for the said Commissioners, or Justice or Justices of the Peace respectively, before whom such Officer or Officers, or other Person or Persons, shall make Oath as aforesaid, (if he or they shall judge it reasonable) by Special Warrant under his or their respective Hands and Seals, to authorise and impower such Officer or Officers, or other Person or Persons authorised as aforesaid, by Day or by Night, (but if in the Night, then in the Presence of a Constable, or other lawful Officer of the Peace) to enter into all and every Storehouse, Warehouse, Grainary, or other Place or Places, where he or they shall so suspect that any Wheat, Wheat Meal, or Wheat Flour, exceeding the Quantity of five Quarters as aforesaid, shall be laid or kept, belonging to any such Distiller, or Maker of Low Wines or Spirits; and to seize, take and carry away, all such Wheat, Meal and Flour, as he or they shall so find (over and above the said Quantity of five Quarters, together with all the Sacks, Bags, or other Things, wherein the same shall be contained); and such Distiller or Maker of Low Wines or Spirits, or the Person or Persons in whose Custody or Possession such Wheat, Meal or Flour, belonging to such Distiller shall be found, shall for every such Offence respectively, forfeit and pay the said Penalty of five Pounds for every Quarter, exceeding the said Quantity of five Quarters; and the said Officer or Officers, and other Person or Persons, is or are hereby impowered by such Warrant, together with such other Person or Persons as he or they shall take to his or their Assistance, to enter such Storehouses, Warehouses, Grainaries, and other Place or Places, and break open the Doors thereof, in case they be not forthwith opened on Demand.

The Wheat so found, to be seized and carried away. and Distiller to forfeit 5l. for every supernumerary Quarter.

Penalties how to be recovered;

Court may mitigate the same;

Application thereof.

IX. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act imposed, shall be sued for and recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; or in the Court of *Exchequer* in *Scotland*; and that the Court before whom the same shall be recovered, may and are hereby authorized (if they shall think fit) to mitigate all or any of the pecuniary Penalties herein before inflicted, to any Sum not less than one fourth Part of the Sum herein respectively mentioned; and that one Moiety of all the Penalties and Forfeitures, when recovered, shall be to the Use of his Majesty, his Heirs and Successors; and the other Moiety to him or them who shall sue for the same, or give Information of, or discover the Offence.

Suits to be commenced within two Months after the Offence.

X. Provided always, That all Suits, Prosecutions or Informations, for Offences committed against this Act, shall be commenced and made within the Space of two Calendar Months after the Fact is committed, and not otherways; any Thing herein contained to the contrary notwithstanding.

Contracts for Delivery of Yeast suspended.

'XI. And whereas there have been Contracts made by the Distillers with several Persons for Yeast, to 'be delivered and received at future Times after the twenty-ninth Day of *September* one thousand seven 'hundred and sixty-six;' Be it therefore further enacted by the Authority aforesaid, That all Contracts or Bargains made by any Distiller or Distillers with any Person or Persons whatsoever, for any Yest to be delivered

delivered at any Time during the Continuance of this Act, shall be, and are hereby declared to be suspended.

XII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, such Action or Suit shall be commenced within the Space of four Calendar Months next after the Offence shall be committed, and if such Action or Suit shall be commenced or prosecuted in that Part of *Great Britain* called *England*, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer, against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law; and if such Action or Suit be commenced or prosecuted in that Part of *Great Britain* called *Scotland*, the Court before whom such Action or Suit shall be brought shall allow the Defender to plead this Act on his Defence; and if the Pursuer shall not insist on his Action, or if Judgment shall be given against such Pursuer, the Defender shall and may recover the full and real Expences he may have been put to by any such Action or Suit.

Limitation of Actions.

General Issue.

Treble Costs.

Continued by Cap. 15. *and by* 33 *Geo.* 2. *c.* 4. *See further* 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9.

CAP. XI.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

'WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Possessions of the Crown of *Great Britain*, that a Body of Marine Forces should be employed in his Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*: And whereas the said Marine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relating to the Government of his Majesty's Forces by Sea; yet nevertheless it being requisite, for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny, or stir up Sedition, or shall desert his Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, if any Person being entered or in Pay as an Officer of Marines, or who is or shall be listed or in Pay as a private Man in any Company of Marines in his Majesty's Service, and on the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven shall remain in such Service, or, during the Continuance of this Act, shall be voluntarily entered and in pay as a Marine Officer or private Man in his Majesty's Service, and being ordered or employed in such Service, at any Time during the Continuance of this Act, on Shore in any Place within the Realm of *Great Britain*, or in the Kingdom of *Ireland*, or in any of his Majesty's Dominions beyond the Seas respectively, shall begin, excite, cause or join in any Mutiny or Sedition, in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces in his Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall desert his Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment in his Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine; or shall be found sleeping upon his Post, or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of his Majesty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without his Majesty's Licence, or Licence of the Lord High Admiral of *Great Britain*, or of three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being; or shall strike, or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending, in any or either of the Matters before mentioned, on Shore in any Part of this Kingdom or *Ireland*, or any of his Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

After 25 March 1757, during the Continuance of this Act, every Marine Officer and private Man on Shore,

who shall mutiny or desert, &c.

or list in any other Regiment, &c.

or be found sleeping on or desert his Post, or hold illegal Correspondence with the Enemy,

or strike or disobey his superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

II. And be it further enacted by the Authority aforesaid, That it shall and may from Time to Time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in his Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court-martial, at any Place or Places on Shore in this Realm or in *Ireland*, or in any of his Majesty's Dominions beyond the Seas; in every of which Courts-martial all or any of the Offences aforesaid, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such Manner as by this Act is directed.

The Lord High Admiral, or Commissioners, may grant a Commission to hold General Courts-martial, &c.

Courts-martial may inflict corporal Punishment for Immoralities, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial, respectively, by their Sentence or Judgment, to inflict corporal Punishment, not extending to Life or Limb, on any Marine for Immorality, Misbehaviour or Neglect of Duty on Shore, in any Place or Places within this Realm or *Ireland*, or any of his Majesty's Dominions beyond the Seas, during the Continuance of this Act.

Lords, &c. of the Admiralty impowered to make Articles for Punishment of Mutiny and Desertion, &c. and to constitute Courts-martial.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour and Neglect of Duty, in any of his Majesty's Marine Forces while on Shore, in any Part of this Realm or *Ireland*, or any of his Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice; and to erect and constitute Courts-martial, with Power to try, hear, and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act.

None to be adjudged of Life or Limb, but for Crimes expressed to be so punishable by this Act.

V. Provided always, That no Person or Persons shall be adjudged to suffer any Punishment, extending to Life or Limb, by the said Rules and Articles, within the Kingdom of *Great Britain* or *Ireland*, except for such Crime or Crimes as is or are expressed to be so punishable by this Act.

General Court-martial not to consist of less than 13, and the President to be a Field Officer, or next Officer not under a Captain.

VI. And it is hereby further enacted and declared, That no General Court-martial, which shall have Power to sit by virtue of this Act, shall consist of a less Number than thirteen, whereof none to be under the Degree of a Commission Officer of Marines; and the President of such Court-martial shall not be under the Degree of a Field Officer of Marines, unless where such Field Officer cannot be had; in which Case the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

May administer an Oath to Witnesses.

Officers to be sworn.

VII. Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the holy Evangelists, before the Court, and Judge Advocate, or his Deputy (who are hereby authorized to administer the same) in these Words; that is to say,

The Oath.

'YOU shall well and truly try and determine according to the Evidence which shall be given in 'the Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner 'to be tried:'

So help you God.

The Oath.

'I *A. B.* do swear, That I will duly administer Justice according to an Act of Parliament now in Force 'for the Regulation of his Majesty's Marine Forces while on Shore, and according to the Rules and 'Articles made in Pursuance of the said Act of Parliament for the Punishment of Mutiny and Desertion, 'and other Crimes therein respectively mentioned, without Partiality, Favour or Affection; and if any 'Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles) 'according to my Conscience, the best of my Understanding, and the Custom of War in the like 'Cases. And I further swear, That I will not divulge the Sentence of the Court until it shall be ap- 'proved by the Lord High Admiral, or three or more of the Commissioners for executing the Office of 'Lord High Admiral of *Great Britain*; neither will I upon any Account at any Time whatsoever dis- 'close or discover the Vote or Opinion of any particular Member of the Court-martial, unless required 'to give Evidence thereof, as a Witness, by a Court of Justice in a due Course of Law:'

So help me God.

The Judge Advocate to be sworn.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or the Person officiating as such, an Oath in the following Words:

The Oath.

'I *A. B.* do swear, That I will not upon any Account at any Time whatsoever disclose or discover the 'Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence 'thereof, as a Witness, by a Court of Justice in a due Course of Law:'

So help me God.

In Sentences of Death, nine Officers to concur, &c.

Hours of Trial.

And no Sentence of Death shall be given against any Offender by any such General Court-martial as aforesaid, unless nine Officers present shall concur therein; and if there be more Officers present than thirteen, then the Judgment shall pass by the Concurrence of two thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of eight of the Clock in the Morning, and three in the Afternoon, except in Cases which require an immediate Example.

VIII. Provided

VIII. Provided always, That the Party tried by any General Conrt-martial to be held as aforesaid, shall be intitled to a Copy of the Sentence and Proceedings of such Court-martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same) at any Time not sooner than three Months after such Sentence, whether such Sentence be approved or not; any thing in this Act to the contrary notwithstanding. The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court martial.

IX. And be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court-martial to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain*, to the End that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act. Original Proceedings, &c. of Courts-martial to be transmitted to the Secretary of the Admiralty, &c.

X. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or private Man, being acquitted or convicted of any Offence at any such Court-martial as aforesaid, shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once. None to be tried a second Time for the same Offence. Sentence not to be revised more than once.

XI. And be it further enacted, That if any Officer or private Man shall desert his Majesty's Service in any of his Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm or *Ireland*, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same; such Officer or private Man shall be tried for the same, as if the said Offence had been committed within this Realm. Deserters beyond Sea, &c. may be tried here or in Ireland.

XII. Provided always, That nothing in this Act contained shall extend or be construed to extend to exempt any Marine, either Officer or private Man whatsoever while on Shore, from being proceeded against by the ordinary Course of Law. This Act not to exempt any on Shore from ordinary Process.

XIII. Provided also and be it further enacted, That no Person or Persons being acquitted or convicted of any capital Crimes, Violences or Offences by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering. Persons acquitted by the Civil Magistrate may only be cashiered by a Court-martial.

XIV. Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer or private Man shall be accused of any capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Land; the commanding Officer or Officers of every Company or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial; and if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the County where the Fact is committed, by the Oath of two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace for the said County, and a Certificate thereof transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial. Persons accused of capital Crimes, &c. to be delivered to the Civil Magistrate, &c.

'XV. And whereas his Majesty hath been graciously pleased, in Compassion to the distressed Condi-'tion of several Widows of Officers of the Army, who have lost their Lives in the Service of the 'late War, or during the late Rebellion, by Orders made under his Royal Sign Manual, to direct his 'Commissary General of the Musters to allow upon the Muster-rolls of all the Regiments, Troops and 'Companies, a Number of fictitious Names therein mentioned, instead of private Men, in order to raise 'and settle a Fund for the Maintenance of such Widows of Officers, as are or shall be intitled to his 'Royal Bounty; therefore, for the more effectually fulfilling his Majesty's said gracious Intentions with 'Respect to the allowing of fictitious Names upon the Muster-rolls of the said Marine Forces while on 'Shore, for the Purposes aforesaid;' Be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the Time being authorized to pay the said Marine Forces, to pay over the full Pay of such fictitious private Men as shall be allowed on the Muster-rolls of the said Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by his Majesty, according to such Orders and Instructions as his Majesty shall be pleased to make under his Sign Manual, for the Purpose aforesaid; and that no Allowance of any such fictitious Name upon any Muster-roll of the said Marine Forces while on Shore as aforesaid, shall be construed to be a false Muster; any thing in this or any former Act contained to the contrary notwithstanding. Fictitious Names allowed by his Majesty's Order upon the Muster-rolls, for the Maintenance of Officers Widows, not to be construed a false Muster. Paymaster to pay the full Pay of such Men to the Receiver.

Constables, &c. to quarter Officers and Men in Inns, Alehouses, &c.

'XVI. And whereas there is and may be occasion for the marching and quartering of the said Marine 'Forces in several Parts of this Kingdom;' Be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer, (in pursuance of an Order or Orders in Writing, in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being) it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns and Villages, and other Places within *England*, *Wales*, and the Town of *Berwick* upon *Tweed*; and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables, and other Civil Magistrates as aforesaid, are hereby required to quarter and billet the Marines, both Officers and private Men, in his Majesty's Service, in Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses, or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin, by Retail to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandizes, than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tipling in his or their Houses) and in no other, and in no private Houses whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tythingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or private Man in any such private House, without the Consent of the Occupier; in such Case such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter private Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall, for every such Offence (being thereof convicted before any two or more of the next Justices of the Peace of the County, by the Oath of two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tythingman or Headborough, Chief Officer or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear in Proportion to his Neighbours; and shall complain thereof to one or more Justice or Justices of the Peace of the Division, City or Liberty, where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to two or more Justices of the Peace of such Division, City or Liberty; such Justice or Justices respectively shall have, and is or are hereby declared to have Power to relieve such Person, by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons, as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

But in no Distillers Houses, or Shopkeepers, or in any private Houses.

Penalty on Officers quartering private Men contrary to this Act, &c.

Persons aggrieved by being quartered on, may complain to any Justices, and be relieved.

Officers and Marines to be furnished at the Rates herein set for their Provisions.

XVII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and small Beer by the Owners of the Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail to be drank in their own Houses, or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billetted by this Act; paying and allowing for the same the several Rates herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

What Innholders may allow Men quartered on them, instead of Meat.

XVIII. Provided always, That in case any Innholder or other Person on whom any Non-commission Officers or private Men shall be quartered by virtue of this Act (except on a March, or employed in recruiting, and likewise except the Recruits by them raised, for the Space of seven Days at most, for such Non-commission Officers and private Men, who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or private Men with Candles, Vinegar and Salt, and with either Small Beer or Cyder, not exceeding five Pints for each Man *per Diem*, *gratis*, and allow to such Non-commission Officers or private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the commanding Officer, and shall furnish and allow the same accordingly; then and in such case, the Non-commission Officers and private Men so quartered, shall provide there own Victuals; and the Officer to whom it belongs to receive, or who shall actually receive the Pay and Subsistence of such Non-commission Officers and private Men, shall pay the several Sums herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and private Men aforesaid, and not to the Innholder, or other Person, on whom such Non-commission Officers and private Men are quartered; any Thing herein contained to the contrary notwithstanding.

Penalty on taking Money to excuse any Person from quartering.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if any Marine Officer shall take or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or private Men, or any of them, in any House allowed by this Act; every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

'XX. And whereas it may be for the Benefit of the Service for the commanding Officer to have a 'Power to exchange the Billets or Quarters of Marines quartered in the same Town or Place;' Be it therefore

therefore enacted by the Authority aforesaid, That the commanding Officer of Marines in any Town or Place where such Marine Forces are quartered, shall and he is hereby declared to have Power, from Time to Time, to exchange any Marine or Marines quartered in such Town or Place, for any other Marine or Marines quartered in the same Town or Place; provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively where such Men shall be exchanged; and the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns and Villages, or other Places, where any of the said Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

Commanding Officer may exchange Marines in their Quarters.

Constables to billet the same accordingly.

XXI. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, no Paymaster or other Officer or Person whatsoever shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Marine, either Officer or private Man, in his Majesty's Service, or from their Agents, which shall grow due from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, other than the usual Deductions for Clothing, and twelve Pence in the Pound, to be disposed of as his Majesty shall think fit, and the one Day's Pay in the Year for the Use of the Royal Hospital at *Chelsea*, and such other necessary Deductions as shall from Time to Time be directed by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, by Order in Writing under his or their respective Hand or Hands.

No Paymaster, &c. to make Deductions out of Officers or private Men's Pay.

Exceptions.

'XXII. And that the Quarters both of the said Marine Officers and private Men, while on Shore as 'aforesaid, may during the Continuance of this Act, be duly paid and satisfied, and his Majesty's Duties 'of Excise better answered,' Be it enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, every Officer or other Person, to whom it belongs to receive, or that shall actually receive, the Pay or Subsistence-money for one or more particular Company or Companies of the said Marine Forces or otherwise, shall immediately, upon each Receipt of every particular Sum which shall from Time to Time be paid, returned, or come to his or their Hands, on Account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns or other Places where Officers or private Men are quartered by Virtue of this Act; and shall also appoint the said Inn-keepers and others, to repair to their Quarters, at such Times as they shall appoint for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or private Men, which shall be within four Days at the farthest after the Receipt of the same as aforesaid: And the said Inn-keepers and others, shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or private Men: Provided the said Accounts exceed not, for one Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw *per Diem*, six Pence; nor for one private Man's Diet and Small Beer, *per Diem*, four Pence: And if any Officer or Officers as aforesaid, shall not give Notice as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content and pay the same; upon Complaint and Oath made thereof by any two Witnesses, at the next Quarter-Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster, or Person for the Time being authorized to pay the said Marine Forces, is hereby required and authorized (upon Certificate of the said Justices, before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers; upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future; and in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Persons for the Time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered. And where it shall happen that the Subsistence-money due to any Marine Officer or private Man, shall by Occasion of any Accident, not be paid to such Officer or private Man, or such Officer or private Man shall neglect to pay the same, so that Quarters cannot be, or are not paid, as this Act directs; in every such Case it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts as this Act directs, with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate so by him signed to the Party to whom such Money is due, with the Name of such Company, to which he or they shall belong; to the End the said Certificate may be forthwith transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Monies shall be due, to the End the same may be applied to such Company, under Pain as is before in this Act directed for Non-payment of Quarters.

Officers to give Notice to Inn-keepers of Subsistence-money in their Hands.

Rates of Subsistence to be paid to Inn-keepers, &c. for Marines Quarters.

Officers not giving Notice of Subsistence-money, and paying Quarters,

Paymaster to satisfy the Inn-keepers out of the Company's next Pay.

and Officer to be cashiered.

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due, &c.

Paymaster to pay the Sum certified.

XXIII. And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and private Men of his Majesty's Marine Forces in *Scotland*, in such and the like Places and Houses, as Officers and private Men of the Land Forces might have been quartered in, by the Laws in Force in *Scotland* at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the

Officers, &c. to be quartered in Scotland as the Laws in Force at the Union direct.

the said Marine Officers and private Men quartered there, as by the said Laws in Force at the Time of the Union was provided with respect to the Officers and private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Justices to order Constables to provide Carriages for the Marine Forces on their March.

XXIV. And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for his Majesty's Marine Forces in their Marches, or for their Arms, Clothes or Accoutrements, in *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, all Justices of the Peace within their several Counties, Ridings, Divisions, Shires, Liberties and Precincts, being duly required thereunto by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, by an Order in Writing under his or their respective Hand or Hands, shall as often as such Order shall be brought and shewn unto one or more such Justices, by the Officer or Officers of the Company or Companies of Marines so ordered to march, issue out his or their Warrant or Warrants to the High Constables or Petty Constables of the Division, Riding, City, Liberty, Hundred or Precinct, from, through, near or to which such Company or Companies shall be ordered to march; requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burden: And in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division or Precinct, then the next Justice or Justices of the Peace of the County, Riding or Division, shall, upon such Order as aforesaid, being brought or shewn to one or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division or Precinct, for the Purposes aforesaid, to make up such Deficiency: And the aforesaid Officer or Officers, who by Virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned, of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men,

Rates for Carriages.

the Sum of one Shilling for every Mile any Waggon with five Horses shall travel; and the Sum of one Shilling for every Mile any Wain with six Oxen, or four Oxen with two Horses shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel; and so in Proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same: And such Constable or Petty Constable shall order and appoint such Person or Persons having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided,

Penalty on Officers forcing Waggons to travel more than one Day's Journey, &c.

shall force and constrain any Waggon, Wain, Cart or Carriage to travel more than one Day's Journey, or shall not discharge the same in due Time for their Return Home, or shall suffer any Marine or Servant (except such as are sick) or any Woman to ride in the Waggon, Wain, Cart or Carriage aforesaid, or shall force any Constable or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners, by themselves, Servants or private Men; every such Officer, for every such Offence, shall forfeit the Sum of five Pounds; Proof thereof being made upon Oath, before two of his Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the proper Paymaster of his Majesty's Marine Forces, who is hereby required to pay the aforesaid Sum of five Pounds accordingly, to the Order and Appointment under the Hands and Seals of such Justices of the Peace, and is also hereby impowered to deduct the same out of such Officer's Pay.

Penalty on Constables, &c. Neglect.

XXV. And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace, as shall be directed unto such Constable or Petty Constable for providing Carriages as aforesaid; or if any Person or Persons appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever, shall wilfully do any Act or Thing, whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated; every such Constable, or other Person or Persons so offending shall, for every such Offence, forfeit any Sum not exceeding forty Shillings, nor less than twenty Shillings, to the Use of the Poor of the Parish where any such Offence shall be committed: And all and every such Offence and Offences shall and may be enquired of, heard and fully determined, by two of his Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner.

'XXVI. And whereas the respective Sums of Money, by this Act appointed to be paid to the Constables by the Officers demanding such Carriages, may not, in many Cases, be sufficient to answer the 'Charge and Expence of providing the same, whereby the said Constables may be frequently at great 'Charges, over and above what is received by them of the said Officers, to the great Burthen of the 'Township of which they are respectively Constables, or else the Persons furnishing such Carriages may 'be grievously oppressed: To prevent which, and that such Overplus Charge may be borne by each 'County or Riding, at the general Charge of such County or Riding;' Be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him

Treasurers of the County to repay the Constable's extraordinary Charges.

paid, or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules and Directions as the said Justices of the Peace, in their Quarter-Sessions assembled, within their respective Jurisdictions, shall from time to time, during the Continuance of this Act, make, direct and appoint (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the Length and Condition of the Roads through which such Carriages are to travel.

'XXVII. And in case the said publick Stock of the County or Riding be not sufficient (over and 'above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages be-'fore mentioned;' It is hereby further enacted, That the said Justices of the Peace in the General Quarter-Sessions shall have Power, from time to time, to raise Monies upon the respective Counties or Ridings, in such Manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages.

The Money for these Purposes how to be raised.

XXVIII. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage, impressed by the Authority of this Act, shall be liable or obliged, by Virtue of this Act, to carry above twenty hundred Weight; any Thing in this Act contained to the contrary notwithstanding.

No Waggon, &c. to carry above 20 hundred Weight.

XXIX. And be it further enacted, That the Carriages for the Service of the Marine Forces, quartered or marching in *Scotland*, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in Force in *Scotland* at the Time of the Union with regard to the furnishing Carriages for Land Forces.

Carriages in Scotland how to be provided.

XXX. And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorised to quarter Marines in any Houses hereby appointed for that Purpose, shall at any Time, during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses, against the Consent of the Owners; the Party offending, if an Officer of the Marines, shall upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered; and if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party aggrieved twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace, to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same.

Marines Wives, &c. not to be quartered without Consent.

'XXXI. And for the better Preservation of the Game, in or near such Place where any Officers or 'Soldiers shall at any Time be quartered,' Be it enacted by the Authority aforesaid, That if from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, any Officer or Marine shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill or destroy, any Hare, Coney, Pheasant, Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fish, or his Majesty's Game, within the Kingdom of *Great Britain*; and upon Complaint thereof shall be, upon Oath of one or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby impowered and authorised to hear and determine the same; (that is to say) every Officer so offending shall, for every such Offence, forfeit the Sum of five Pounds, to be distributed among the Poor of the Place where the Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Marine under his Command, shall forfeit the Sum of twenty Shillings, to be paid and distributed in Manner aforesaid: And if upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within two Days pay the said respective Penalties; such Officer so refusing or neglecting shall forfeit, and is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void.

Penalty on Officers or Marines destroying the Game.

'XXXII. And whereas several Marines, who being duly entered, may afterwards desert, and be found 'wandering, or otherwise absenting themselves illegally from his Majesty's Service;' It is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough or Tythingman of the Town or Place, where any Person, who may be reasonably suspected to be such a Deserter, shall be found, to apprehend, or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace, living in or near such Town or Place, who is hereby impowered and required to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witness or Witnesses upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found, that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction, or other publick Prison in such Town or Place where such Deserter shall be apprehended; or to the *Savoy*, in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent, and transmit an Account thereof to the Secretary of the Admiralty for the Time being, to the End such Person may be proceeded against according to Law; and the Keeper of such Gaol, House of Correction or Prison, shall receive the full Subsistence of every such Deserter, during the Time he shall continue in his Custody, for the Maintenance of such Deserter; but shall not be intitled to any Fee or Reward on Account of the Imprisonment of any such Deserter; any Law, Usage or Custom to the contrary notwithstanding.

Constables may apprehend Deserters, and carry them before a Justice,

Justice to commit them,

and transmit an Account to the Secretary of the Admiralty.

Gaol keeper to receive the Subsistence of Deserters.

'XXXIII. And for the better Encouragement of any Person or Persons to secure or apprehend such 'Deserters;' Be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money, of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money, arisen or

Reward for taking up Deserters.

to

to arise in the Year one thousand seven hundred and fifty-seven, into the Hands of such Person or Persons who shall apprehend, or cause to be apprehended, any such Deserter from his Majesty's Service, the Sum of twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of twenty Shillings shall be satisfied by such Collector or Collectors, to whom such Warrant shall be directed, and allowed upon his or their Account.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

XXXIV. And be it further enacted, That if any Person shall harbour, conceal, or assist any Deserter from his Majesty's Marine Service, knowing him to be such; the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; or if any Person shall knowingy detain, buy or exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed; every such Person so offending, in each, any or either of the Cases aforesaid, shall forfeit for every such Offence the Sum of five Pounds; and upon Conviction by the Oath of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds and five Pounds shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; one Moiety of the said first mentioned Penalty of five Pounds to be paid to the Informer, by whose Means such Deserter shall be apprehended; and one Moiety of the said last mentioned Penalty of five Pounds to be paid to the Informer; and the residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Marine did or doth belong: And in case any such Offender, who shall be convicted as aforesaid, of harbouring or assisting any such Deserter or Deserters, or having knowingly received any Arms, Clothes, Caps, or other Furniture belonging to the King, or of having caused the colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels whereon Distress may be made, to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then and in such Case such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the common Gaol, there to remain without Bail or Mainprize for the Space of three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice or Justices.

This Act to extend to Deserters, &c. in Ireland.

XXXV. Provided always, That so much of this Act as relates to the Punishment of such who shall harbour, conceal or assist Deserters, or shall knowingly detain, buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, or cause the colour of such Clothes to be changed, shall extend to all Ends and Purposes whatsoever, to *Ireland*, and shall be put in Execution in that Kingdom, by all Justices of the Peace, and other Officers respectively, according to the Tenor and during the Continuance of this Act.

Continuance of this Act.

XXXVI. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in Force from the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-seven, until the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-eight.

No Volunteer liable to Process, unless for some criminal Matter,

'XXXVII. And to prevent as far as may be, any unjust or fraudulent Arrests that may be made upon 'Marines, whereby his Majesty and the Publick may be deprived of their Service;' It is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is entered or shall enter himself as a Volunteer in his Majesty's Service as a Marine, during the Continuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process or Execution whatsoever other than for some criminal Matter, unless for a real Debt, or other just Cause of Action; and unless before the taking out of such

or a real Debt of the Value of 10 l. of which Oath to be made before a Judge,

Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum, justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action, or Cause of Action, on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of ten Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath

and the Memorandum thereof marked on the Back of the Process;

shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for one or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Marine so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or

otherwise Prisoner to be discharged, with Costs,

them, that such Marine so arrested, was legally entered as a Marine in his Majesty's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable; For the Recovery whereof, he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

'XXXVIII. And to the End that honest Creditors, who aim only at the Recovery of their just Debts 'due to them from Persons entered as Marines into his Majesty's Service, may not be hindered from 'suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of an 'Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to themselves,

'may

'may be enabled to proceed in a more speedy and cheap Method;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence before such Entering, to file a common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so entered as aforesaid; this Act, or any Thing herein, or any former Law or Statute to the contrary notwithstanding. Plaintiff giving Notice, may file a common Appearance, and proceed to Judgment and Execution.

XXXIX. And be it further enacted by the Authority aforesaid, That if any High Constable, Constable, Bedel, or other Officer or Person whatsoever, who by Virtue or Colour of this Act shall quarter or billet, or be employed in quartering or billeting any Marine Officers or private Men, shall neglect or refuse, for the Space of two Hours, to quarter or billet such Officers or Marines when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; or shall receive, demand, contract or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse any Person or Persons whatsoever from quartering or receiving into his, her or their House or Houses any such Officer or Marine; or in case any Victualler, or any other Person liable by this Act to have any Officer or Marine billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Marine so quartered or billetted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before respectively directed to be furnished or allowed to Non-commission Officers and Marines so quartered or billetted on him or her as aforesaid, at the Rate herein before mentioned, and shall be thereof convicted before any one or more Justice or Justices of the Peace of the County, City or Liberty, within which such Offence shall be committed, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered to administer); every such High Constable, Constable, Bedel, or other Officer or Person so offending, shall forfeit for every such Offence the Sum of five Pounds, or any Sum of Money not exceeding five Pounds, nor less than forty Shillings (as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit) to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of one or more of them, to be directed to any other Constable within the County, City or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of five Pounds, or the said Sum not exceeding five Pounds, nor less than forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some one of them, for the Use of the Poor of such Parish. Penalty on Constables, &c. neglecting to quarter Marines. Penalty on taking Money to excuse any Person from quartering, and on Victuallers refusing to receive Marines.

'XL. And for the better preventing Abuses in quartering or billeting the Marines in pursuance of this 'Act;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one or more Justice or Justices of the Peace, within their respective Counties, Cities or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times, during the Continuance of this Act, to require and command any High Constable, Constable, Bedel or other Officer, who shall quarter or billet any Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and private Men who shall be quartered or billeted by them, and also the Names of the House-keepers or Persons, upon whom every such Officer or private Man shall be quartered or billeted, together with an Account of the Street or Place where every such House-keeper dwells, and the Signs (if any) belonging to their Houses; to the End it may appear to the said Justice or Justices where such Officers and private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them. Justices may order Constables to give an Account of the Number of Officers, and private Men, and where quartered.

XLI. Provided nevertheless, and it is hereby declared by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-seven, when and as often as any Person or Persons shall be inlisted as a Marine or Marines in his Majesty's Service, he and they shall, within four Days, but not sooner than twenty-four Hours, after such Inlisting respectively, be carried before the next Justice of the Peace of any County, Riding, City or Place, or chief Magistrate of any City or Town Corporate (not being an Officer of Marines) and before such Justice or chief Magistrate he or they shall be at Liberty to declare his or their Dissent to such Inlisting; and upon such Declaration, and returning the Inlisting-money, and also each Person so dissenting paying the Sum of twenty Shillings for the Charges expended or laid out upon him, such Person or Persons so inlisted shall be forthwith discharged and set at Liberty, in the Presence of such Justice or chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of twenty-four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or chief Magistrate; or if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or chief Magistrate shall, and he is hereby required forthwith to certify under his Hand, that such Person or Persons is or are duly inlisted; setting forth the Place of the Birth, Age, and Calling of him or them respectively (if known) and that the second and third Sections of the Articles of War for the better Government of his Majesty's Marine Forces while on Shore in *Great Britain* or *Ireland*, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the twelfth Section of the said Articles of War; and if any such Person or Persons, so to be certified as duly inlisted, shall refuse to take the said Oath of Fidelity Clause for Relief of Persons hastily listing themselves.

delity before the said Justice or chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain or confine such Person or Persons, until he or they shall take the Oath before required; and every Officer of Marines that shall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by two Witnesses, before a General Court-martial to be thereupon called, shall for such Offence, be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service.

Marine Forces being borne as Part of the Complement of any Ships of War, are liable to be governed by the Rules established by Act 22 Geo. 2. c. 33.

XLII. Provided always, and it is hereby declared, That all his Majesty's Marine Forces, as well Officers as private Men, shall from time to time, during their being respectively borne as Part of the Complement of any of his Majesty's Ships or Vessels, be subject or liable in like Manner, in all Respects, as any Officers or Seamen employed in his Majesty's Sea Service are subject and liable to be governed, and proceeded against, and punished for Offences committed by them, during the Time they shall be borne as Part of the Complement of such Ships or Vessels, according to the Purport, Tenor, Effect, and true Intent and Meaning of an Act of Parliament made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for amending, explaining, and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels, and Forces by Sea*; this present Act, or any Thing herein contained notwithstanding.

CAP. XII.

An Act to amend an Act made in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act to render more effectual an Act passed in the twelfth Year of the Reign of his late Majesty King* GEORGE, *to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages; and also an Act passed in the thirteenth Year of the Reign of his said late Majesty, for the better Regulation of the Woollen Manufacture; and for preventing Disputes among the Persons concerned therein; and for limiting a Time for prosecuting for the Forfeiture appointed by the aforesaid Act, in case of Payment of the Workmens Wages in any other Manner than in Money.*

29 Geo. 2. c. 33.
12 Geo. 1. c. 34.
13 Geo. 1. c. 23.

'WHEREAS by an Act made and passed in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act to render more effectual an Act passed in the twelfth Year of the Reign of his late Majesty King* GEORGE, *to prevent unlawful Combinations of Workmen employed in the Woollen Manufactures, and for better Payment of their Wages; and also an Act passed in the thirtieth Year of the Reign of his said late Majesty, for the better Regulation of the Woollen Manufacture, and for preventing Disputes among the Persons concerned therein; and for limiting a Time for prosecuting for the Forfeiture appointed by the aforesaid Act, in case of the Payment of the Workmens Wages in any other Manner than in Money*; It was amongst other Things enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, it should be lawful for the Justices of the Peace assembled at any of their General or Quarter Sessions held next after *Michaelmas* yearly, to make Rates for the Payment of Wages to Weavers, and others employed in the Woollen Manufactures, according to the Number of Yards that the Chains are laid upon the Warping Bars, and not otherwise; which Rates by the said Act were to continue for one Year from the making thereof: And whereas from the great Variety of the said Manufacture of Broad Cloth, as well in respect to Breadth and Colour, as to the Quantity and Quality of the Material of which the same is composed, it is found impracticable to form any general Rate of Wages that would be just, adequate, and suitable to the several Branches and Circumstances of the said Manufacture: And whereas great Mischiefs and Inconveniencies have arisen, and may arise, from the Exercise of the aforesaid Power and Authority given by the above recited Act to the Justices of the Peace, to make Rates for the Payment of Wages, as therein mentioned: For Remedy whereof, May it please your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said recited Act as enacts, That it shall and may be lawful for the Justices of the Peace assembled at any of their General or Quarter Sessions held next after *Michaelmas* yearly, to make Rates for the Payment of Wages to Weavers, and others employed in the Woollen Manufactures, according to the Number of Yards that the Chains are laid upon the Warping Bars, and not otherwise, shall be, and the same is hereby repealed.

Clause in the recited Act repealed.

Agreements entered into between Clothier and Weaver, to be binding,

II. And be it further enacted by the Authority aforesaid, That all or any Contracts or Agreements made, or hereafter to be made and entered into, between any Clothier or Maker of Mixed, Medley or White Broad Cloth, and the Weaver or Weavers employed by such Maker, in respect to any Wages to be paid to such Weaver or Weavers, shall, from and immediately after the first Day of *May* one thousand seven hundred and fifty-seven, be and are hereby declared to be good, valid and effectual, to all Intents and Purposes; any Rate made or to be made in pursuance of any Law, Statute or Usage to the contrary thereof in any wise notwithstanding.

III. And

III. And be it further enacted by the Authority aforesaid, That the aforesaid Contracts or Agreements shall extend only to the actual Prices or Rates of Workmanship or Wages to be paid, and not to the Payment thereof in any other Manner than in Money, contrary to the Intent and Meaning of the said recited Act of the twenty-ninth Year of his present Majesty's Reign. but to extend only to the Wages, which are to be paid in Money.

IV. And be it further enacted by the Authority aforesaid, That if any Clothier or Maker of any mixed, medley or white Broad Cloth, shall refuse or neglect to pay to the Weaver or Weavers employed by him or them his or their Wages or Price agreed on in Money, within two Days next after the Work shall be performed and delivered to such Employer, or some Person on his Behalf (the same being demanded of such Employer or Person employed on his Behalf; then and in every such Case, every such Clothier or Person so offending shall for every such Offence forfeit and pay the Sum of forty Shillings; to be recovered in such Manner and Form, and by such Ways and Means, and to be paid, applied and disposed of, as the several Penalties and Forfeitures incurred and made payable by the said recited Act made in the twenty-ninth Year of his present Majesty's Reign, are thereby directed and appointed to be recovered and applied. Clothier not paying the same within 2 Days after Delivery of the Work, to forfeit 40 s.

CAP. XIII.

An Act to rectify a Mistake in an Act passed in this Session of Parliament, intituled, *An Act for the speedy and effectual Recruiting of his Majesty's Land Forces and Marines.*

'WHEREAS by an Act made this present Session of Parliament, intituled, *An Act for the speedy and effectual Recruiting his Majesty's Land Forces and Marines*; It is enacted, That for the Encouragement of fit and able Persons voluntarily to enter into his Majesty's Service, every Person who should voluntarily enter himself into his Majesty's Service, in the Manner therein mentioned, should receive the Sum of three Pounds out of the Money of the Land Tax arisen, or to arise, in the Years one thousand seven hundred and fifty-six and one thousand seven hundred and fifty-seven: And whereas in the Provision made by the said Act for the Repayment of Part of the Sums so to be supplied out of such Land Taxes, for such Encouragement as aforesaid, the Word *Pound* is by Mistake inserted, instead of the Words *three Pounds*;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Lord High Treasurer, or Commissioners of the Treasury for the Time being, to cause forty Shillings of every three Pounds which shall be so supplied out of the said Land Tax Money for Payment of the Encouragements aforesaid, to be repaid into his Majesty's Exchequer by the respective Paymasters of his Majesty's Forces, out of such Money as they shall receive for the said Forces, to make good the respective Credits on the said Land Taxes, and to be applied to the Satisfaction of such Principal and Interest (if any) as shall be remaining thereupon; any Thing in the said Act contained to the contrary notwithstanding. Cap. 8. Forty Shillings of every three Pounds paid out of the Land Tax, to be repaid into the Exchequer by the Paymasters of the Forces.

CAP. XIV.

An Act for continuing an Act of this present Session of Parliament, intituled, *An Act to discontinue, for a limited Time, the Duties upon Corn and Flour imported; and also upon such Corn, Grain, Meal, Bread, Biscuit, and Flour, as have been, or shall be taken from the Enemy, and brought into this Kingdom.*

'WHEREAS an Act made in this present Session of Parliament, intituled, *An Act to discontinue, for a limited Time, the Duties upon Corn and Flour imported; and also upon such Corn, Grain, Meal, Bread, Biscuit, and Flour, as have been, or shall be taken from the Enemy, and brought into this Kingdom*, which will expire upon the twenty-fourth Day of *August* one thousand seven hundred and fifty-seven, hath been found useful and beneficial: And whereas it is found necessary that the said Act should be continued for a longer Time;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be, and the same is hereby further continued from the Expiration thereof, until the fifteenth Day of *November* next. Cap. 7. Recited Act continued to 15 November next.

CAP. XV.

An Act for continuing an Act of this present Session of Parliament, intituled, *An Act to prohibit, for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain; or from any Meal or Flour.*

'WHEREAS an Act made in this present Session of Parliament, intituled, *An Act to prohibit, for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain; or from any Meal or Flour*; which will expire upon the eleventh Day of *May* one thousand seven hundred and fifty-seven, hath been found useful and beneficial: And whereas it is found necessary that the said Act should be continued for a longer Time;' Be it therefore enacted by the King's most Cap. 10.

Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall be, and the same is hereby continued from the Expiration thereof until the eleventh Day of *December* next.

The recited Act continued to 11 December next.

His Majesty impowered by Proclamation or Order of Council, to suspend the Act and permit Distillation from Wheat, &c.

II. Provided always, and be it enacted by the Authority aforesaid, That in case his Majesty, at any Time or Times after the eleventh Day of *May* one thousand seven hundred and fifty-seven, and before the eleventh Day of *December* one thousand seven hundred and fifty seven, shall, in his Royal Discretion, judge it to be most for the Benefit and Advantage of this Kingdom, to permit the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain, or from any Meal or Flour, that then it shall and may be lawful to and for his Majesty by his Royal Proclamation or Proclamations to be issued, by and with the Advice of his Privy Council, or by his Majesty's Order in Council, to be published in the *London Gazette*, from time to time, to permit and suffer all and every Person and Persons, Natives and Foreigners (but not any particular Person or Persons) at any Time or Times after the said eleventh Day of *May* one thousand seven hundred and fifty-seven, and before the said eleventh Day of *December* one thousand seven hundred and fifty-seven, to make Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour; any thing herein contained to the contrary notwithstanding.

CAP. XVI.

An Act to extend the Liberty granted by an Act of the twenty-third Year of the Reign of his present Majesty, of importing Bar Iron from his Majesty's Colonies in *America*, into the Port of *London*, to the rest of the Ports of *Great Britain*; and for repealing certain Clauses in the said Act.

23 G. 2. c. 29.

'WHEREAS by an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act to encourage the Importation of Pig and Bar Iron from his Majesty's Colonies in* America; *and to prevent the Erection of any Mill or other Engine for slitting or rolling of Iron; or any Plateing Forge to work with a Tilt Hammer; or any Furnace for making Steel in any of the said Colonies*; It is enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty, no Subsidy, Custom, Imposition, Rate or Duty, whatsoever, should be payable upon Bar Iron made in, and imported from, his Majesty's Colonies in *America*, into the Port of *London*: And whereas the Admission of such Bar Iron into the rest of the Ports of *Great Britain*, Duty-free, will be Advantageous to the Iron Manufacture, as well as to the general Trade and Commerce of these Kingdoms;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousond seven hundred and fifty-seven, the several and respective Subsidies, Customs, Impositions, Rates and Duties, now payable on Bar Iron made in, and imported from, his Majesty's Colonies in *America*, into any Port of *Great Britain*, shall cease, determine, and be no longer paid; and that the said Act, and every Clause, Matter and Thing, therein contained, so far as relates to the Importation of Bar Iron from *America* (except that is altered or repealed by this Act) shall, and is hereby declared to extend to all the Ports in *Great Britain*, as fully as if the same were repeated and re-enacted in this present Act; any Law, Statute, or Usage to the contrary notwithstanding.

Bar Iron to be imported from America, Duty free.

Clauses in the recited Act relating to the Importation thereof, extended to all the Ports of Great Britain.

'II. And whereas by the said Act of the twenty-third Year of his present Majesty, it is enacted, That no Bar Iron whatsoever shall be permited to be carried Coastwise, unless mention be made in the Certificate to granted for that Purpose, of the Day on which the Subsidies, Customs, Impositions, Rates and Duties, payable upon the Importation thereof, were paid, and of the Name of the Person or Persons by whom the same were paid; Be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-seven, the said Clause shall be, and is hereby declared to be repealed.

Clause relating to Certificates for Duties paid, on being carried Coastwise repealed.

'III. And whereas by the said Act of the twenty-third Year of his present Majesty, it is enacted, That no Bar Iron, imported into the Port of *London* by virtue of the said Act, shall be carried or conveyed by Land, beyond ten Miles from any Part of the Port of *London*; Be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven, the said Clause shall be, and is hereby declared to be repealed.

Clause prohibiting the carrying thereof by Land 10 Miles from London repealed.

'IV. And whereas by the said Act of the twenty-third Year of his present Majesty, it is enacted, That all Bar Iron imported from any of his Majesty's Colonies in *America*, into the Port of *London*, shall be stamped with such Mark or Stamp as the Commissioners of the Customs shall direct, in three different Parts of each Bar, which Provision will be for the future unnecessary;' Be it enacted by the Authority aforesaid, That the said Act, so far as relates to the stamping or marking of *American* Bar Iron, in the Port of *London*, shall, from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven be, and is hereby declared to be repealed.

Clause requiring the Bars to be stamped, repealed.

CAP. XVII.

An Act for the Importation of fine organzined *Italian* Thrown Silk.

'WHEREAS by an Act made in the second Year of the Reign of their late Majesties King WILLIAM and Queen MARY, intituled, *An Act for the discouraging the Importation of Thrown Silk*; amongst other Things in the said Act contained, the bringing in of Thrown Silk of the Growth or Production of *Italy* is prohibited, unless imported in such Ships or Vessels, and navigated in such Manner, as in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the encouraging and encreasing of Shipping and Navigation*, is directed and allowed, and brought from some of the Ports of those Countries or Places, whereof the same is the Growth or Production, and which shall come directly by Sea, and not otherwise: And whereas there is at present very great and immediate Want of organzined Thrown Silk from *Italy*, for the Use and Purpose of Warp in the Silk Manufacture, without which the Manufacture cannot be carried on, and many thousands of Manufacturers must be unemployed;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for any Person or Persons to import or bring into this Kingdom, from any Port or Place, or in any Ship or Vessel whatsoever, until the first Day of *December* one thousand seven hundred and fifty-seven, organzined Thrown Silk, of the Growth or Production of *Italy*; any Thing contained in the said recited Acts, or any other Act, to the contrary thereof notwithstanding.

2 W. & M. Sess. 1. cap. 9. and 12 Car. 2. cap. 18.

Liberty given to import organzined Thrown Silk from Italy for a limited Time.

II. Provided always, That this Act, nor any thing herein contained, shall extend to give Liberty to import any *Italian* Thrown Silk, that shall be coarser than a Sort thereof, known and distinguished by the Name of *Third Bolonia*, nor any Sorts of Silks commonly called *Tram*, of the Growth of *Italy*, nor any other Thrown Silk of the Growth or Production of *Turkey*, *Persia*, *East India*, or *China*, under the Penalty of forfeiting all such Thrown Silks, as shall be brought over and imported contrary to the Purport, true Intent and Meaning of this Act; one Moiety whereof to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall seize, inform, or sue for the same; to be recovered by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, or Wager of Law shall be allowed.

Silks of a particular Sort prohibited to be imported under this Act, under Penalty of Forfeiture.

'III. And for the better and more effectual Execution of this Act, and to prevent the Importation of any Sort of Thrown Silk not organzined;' Be it further enacted and declared, That all such organzined Thrown Silk, as is allowed to be imported by this Act, whereso ever landed, shall be brought to his Majesty's Custom-house at *London*; to the Intent that no other Sort of Thrown Silk may be imported, than that allowed by this Act, under the Penalty of forfeiting all such Thrown Silk as shall be imported contrary to the Purport, true Intent and Meaning of this Act; one Moiety whereof shall be to the Use of his Majesty, his Heirs and Successors, and the other Moiety to such Person or Persons who shall seize, inform or sue for the same; to be recovered by Bill, Plaint or Information, in any of his Majesty's Courts of Record; wherein no Essoin, Protection or Wager of Law shall be allowed; any thing to the contrary hereof in any wise notwithstanding.

All organzined Thrown Silk wheresoever landed, to be brought up to the Custom-house at London, under Penalty of Forfeiture.

CAP. XVIII.

An Act for the Relief and Encouragement of the Captors of Prizes, with Respect to the Bringing and Landing Prize Goods in this Kingdom.

'WHEREAS the Duties granted by an Act passed in the seventh and eighth Years of the Reign of the late King WILLIAM the Third, upon *French* Wines and other Goods of the Growth, Product or Manufacture of *France*, as well as several other Duties upon various Goods imported into this Kingdom, are by Law not to be drawn back upon the Re-exportation thereof into foreign Parts: And whereas such Duties have been found in several Instances to be equal to the Value of the Goods which have been taken as Prize from the *French*, and thereby the Captors have so far lost the Benefit of their Prizes; which Discouragement hath often induced Captors to carry their Prizes directly to foreign Parts, to the Prejudice of this Kingdom;' Therefore be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That any Goods of the Growth, Product or Manufacture of *France*, or of any of the Dominions belonging to the Crown of *France*, that have been or shall hereafter be taken during the Continuance of the present War, and brought hither by any of his Majesty's Ships of War or Privateers, shall, and may, upon Condemnation thereof as lawful Prize, be landed in any Port within this Kingdom, and secured under the King's Locks in Warehouses provided at the sole Expence of the Captors, with the Privity and Approbation, and under the Care and Inspection of the Commissioners, or other principal Officers for collecting and managing the respective Duties of Customs and Excise, to which such Goods are liable; and upon Admission of any such Goods taken since his Majesty's Declaration of War against *France*, into such Warehouses, there shall be paid by the Captors, or their Agents, the following Duties only; which shall not be afterwards drawn back or repaid upon

7 & 8 W. 3. c. 20.

Prize Goods, after Condemnation, may be lodged in private Warehouses, under the King's Locks;

Duties are to be paid thereon, but no Drawback on Exportation.

What Duties are payable on Goods, if taken by the King's Ships; 12 C. 2. c. 4. 21 G. 2. c. 2. what if taken by Privateers. Customary Allowances and Discounts to be made. Duties on French Wine and Vinegar. 18 G. 2. c. 9.

upon the Exportation of the same Goods; that is to say, For all such Goods (except Wines and Vinegar, and such Goods as are herein after enumerated) of the Growth, Product or Manufacture of *France*, or any of the Dominions belonging to the Crown of *France*, taken as aforesaid by any of his Majesty's Ships of War, the Half of the old Subsidy granted by the Act of Tonnage and Poundage passed in the twelfth Year of the Reign of King CHARLES the Second; and the whole of the further Subsidy of Poundage granted by an Act passed in the twenty-first Year of the Reign of his present Majesty, being what is commonly called *The Subsidy one thousand seven hundred and forty-seven*; and for the like Goods if taken by any private Ship of War, the Half of the said old Subsidy, and no more; which Duties shall be collected, paid and applied in the same Manner, and to the same Purposes, whereunto they are by Law appropriated, subject nevertheless to the customary and legal Discounts and Abatements, and Allowances for Damage; and for every Ton of *French* Wine and *French* Vinegar taken as aforesaid, either by his Majesty's Ships of War or Privateers, the Sum of three Pounds; and so after the same Rate for any greater or lesser Quantity; to be paid into the Receipt of his Majesty's Exchequer, as Part of the Duties arising by an Act passed in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty several additional Duties upon all Wines imported into* Great Britain; *and for raising a certain Sum of Money by Annuities and a Lottery, in Manner therein mentioned, to be charged on the said additional Duties.*

Duty to be paid ad Valorem, upon the Goods here enumerated.

II. And be it further enacted by the Authority aforesaid, That the Half of the old Subsidy granted by the said Act of the twelfth of CHARLES the Second, and the whole of the further Subsidy of Poundage, granted by the said Act of the twenty-first Year of the Reign of his present Majesty, which is directed by this Act to be paid for such Prize Goods taken by his Majesty's Ships of War; and the Half of the old Subsidy granted by the said Act of the twelfth of CHARLES the Second, which is directed by this Act to be paid for such Prize Goods taken by private Ships of War, shall be payable *ad Valorem*, and no otherwise, upon the Oath of the Captors or their Agents, upon the following Goods; that is to say, Upon all Sorts of Woollen and Silk Manufactures, and Hats, Handkerchiefs, Checks, Knives and Nails, notwithstanding the same may have been rated in the Book of Rates of the twelfth Year of the Reign of CHARLES the Second, or the additional Book of Rates of the eleventh Year of the Reign of his late Majesty King GEORGE the First; and that the said Duties *ad Valorem* respectively on the Goods before enumerated, shall be levied and collected by the same Rules and Regulations, and under the same Penalties and Forfeitures, as are directed and prescribed in and by an Act of the eleventh Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for rating such unrated Goods and Merchandizes as are usually imported into this Kingdom, and pay Duty* ad Valorem, *upon the Oath of the Importer; and for ascertaining the Value of all Goods and Merchandizes not inserted in the former or present Book of Rates; and for repealing certain Duties upon Drugs and Rags; and for continuing the Duty upon Apples; and for ascertaining the Method of admeasuring Pictures imported.*

How the same are to be levied, &c. 11 G. 1. c. 7.

Military or Ship Stores exempted from Duty.

III. Provided always, That no Duties or Customs whatsoever shall be demanded or taken for any Prize Goods consisting of any Military or Ship Stores; any thing in this or any other Act contained to the contrary notwithstanding.

Prize Goods taken since the Declaration of War, may be exported, upon Payment of the Duties of this Act; and such as were taken before, may be exported without paying any Duty; the Exporter giving Security.

IV. And it is hereby further enacted by the Authority aforesaid, That any Prize Goods of the Growth, Product or Manufacture of *France*, or any of the Dominions belonging to the Crown of *France*, which shall be received into any Warehouse in Pursuance of this Act, or which are now remaining in any Warehouse in this Kingdom, where they have been secured, under the King's Locks, by the Permission of the Commissioners of the Customs, shall and may, upon Payment of the respective Duties before directed by this Act (if the same have been taken since the Declaration of War) be exported at any Time directly from thence, either by the Captors or their Agents, or by any other Person or Persons without paying any further Duty of Customs or Excise for the same; and if such Goods shall have been taken before the said Declaration of War, the same shall and may be exported in like Manner, without Payment of any Duty of Customs or Excise whatsoever; the Person or Persons exporting the same giving sufficient Security in double the Value of the Goods, before the Delivery thereof out of the Warehouse, that the same shall be really and truly exported, and not brought back again or relanded in any Part of *Great Britain*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*; which Security the Customer or Collector of the Port from whence the same are intended to be exported, is hereby required and authorized to take in his Majesty's Name, and to his Majesty's Use.

Goods taken out of the Warehouse for home Consumption, to pay the Duties payable on Importation.

V. Provided always, and it it hereby further enacted by the Authority aforesaid, That if any Goods shall be taken out of any Warehouse, wherein they are secured as aforesaid, to be consumed in this Kingdom, the Person or Persons so taking out the same, shall first pay up the Remainder of the Duties which would have been due and payable to his Majesty thereon, if the same had been regularly imported by way of Merchandize into this Kingdom; and such Goods shall, in all other Respects, be liable to the same Restrictions and Regulations to which they would have been subject, if this Act had not been made.

Damaged Wines, if given up to the King's Officers, not liable to the Duty of 3 l. per Ton. 12 G. 1. c. 28.

VI. Provided nevertheless, That nothing in this Act shall extend, or be construed to extend, to charge any wine with the before-mentioned Duty of three Pounds *per* Ton, which shall at the Time of landing the same be damaged, corrupt or unmerchantable, and which shall be given up by the Captors or their Agents, to the Officers of the Customs, to be publickly sold, in order to be distilled into Brandy, or to be made into Vinegar, in the Manner directed by an Act passed in the twelfth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the Improvement of his Majesty's Revenues of Customs, Excise and Inland Duties.*

VII. Pro-

VII. Provided also, That nothing in this Act contained shall extend, or be construed to extend to lessen or any ways alter the Duties which by Law are due and payable upon Goods that are the Growth, Product or Manufacture of any other Country or Place, except *France* and the Dominions belonging to the Crown of *France*, which may be taken as Prize and condemned in this Kingdom. The Duties payable on Goods of the Growth of other Countries, not altered by this Act.

Concerning Customs see further 30 *Geo.* 2. *c.* 29. 32 *Geo.* 2. *c.* 10.

CAP. XIX.

An Act for granting to his Majesty several Rates and Duties upon Indentures, Leases, Bonds and other Deeds; and upon News Papers, Advertisements and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to foreign Parts; and for applying, from a certain Time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of three Millions, by Annuities, to be charged on the said Rates, Duties and Sums of Money; and for making perpetual an Act made in the second Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Attornies and Solicitors*; and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices.

Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, towards raising by the most easy Means the necessary Supplies to defray your Majesty's publick Expences, have freely and voluntarily resolved to give and grant unto your Majesty the several Rates and Duties, and Sums of Money herein after-mentioned; and do most humbly beseech your Majesty that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *July* one thousand seven hundred and fifty-seven, there shall be raised, levied, collected and paid throughout the the Kingdom of *Great Britain*, unto and for the Use of his Majesty, his Heirs and Successors, *This Act is explained and amended by* 32 *Geo.* 2. *c.* 19. Additional Duties, *For former Stamp Duties refer to*

5 *W. & M. c.* 21. 6 & 7 *W.* 3. *c.* 12. 9 & 10 *W.* 3. *c.* 25. 1 *Ann. st.* 1. *c.* 13. 1 *Ann. st.* 2. *c.* 22. 4 & 5 *Ann. c.* 12. 5 *Ann. c.* 19. 8 *Ann. c.* 9. 9 *Ann. c.* 11 & 23. 10 *Ann. c.* 19 & 26. 12 *Ann. st.* 1. *c.* 2. 12 *Ann. st.* 2. *c.* 9. 5 *Geo.* 1. *c.* 19. *s.* 48. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 8. 12 *Geo.* 1. *c.* 33. 9 *Geo.* 2. *c.* 32. 16 *Geo.* 2. *c.* 26. 29 *Geo.* 2. *c.* 12 & 13.

For every Skin or Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which shall be ingrossed, written or printed in *Great Britain*, any Indenture, Lease, Bond or other Deed, for which a Stamp Duty of six Pence is payable, by Virtue of an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, over and above all other Rates and Duties by the said Act, or by any other Act of Parliament imposed, an additional Stamp Duty of one Shilling. on Indentures, Leases, Bonds and other Deeds. 12 Ann. c. 9.

For and upon every News Paper or Paper containing publick News, Intelligence or Occurrences printed in *Great Britain*, to be dispersed and made publick, whether the same be contained in half a Sheet, or any less Piece of Paper, or in any Paper larger than half a Sheet, and not exceeding one whole Sheet, over and above all other Rates and Duties by an Act made in the tenth Year of the Reign of her late Majesty Queen ANNE, or by any other Act of Parliament imposed, an additional Duty of one Half-penny. Upon News Papers. 10 Annæ, c. 19.

For every Advertisement to be contained in the *London Gazette*, or any other printed Paper in *Great Britain*, to be dispersed or made publick weekly or oftner, over and above all other Rates and Duties by an Act made in the tenth Year of the Reign of her late Majesty Queen ANNE, or by any other Act of Parliament imposed, an additional Duty of one Shilling; and Upon Advertisements in News Papers.

For every Advertisement contained in or published with any Paper or Pamphlet whatsoever, printed in *Great Britain*, to be dispersed or made publick yearly, monthly or at any other Interval of Time exceeding one Week, a Duty of two Shillings. Upon Advertisements in Pamphlets, or periodical Works, &c.

For every Almanack or Calendar for one particular Year, or for any Time less than a Year, printed on one Side only of any one Sheet or Piece of Paper, over and above the Duty charged thereon by an Act made in the ninth Year of the Reign of her late Majesty Queen ANNE, an additional Duty of one Penny. Upon Sheet Almanacks. 9 Annæ, c. 23.

For every other printed Almanack or Calendar for any one particular Year, over and above the Duty charged thereon by the said Act, an additional Duty of two Pence; and, Upon other Almanacks.

For every Almanack or Calendar made to serve for several Years, the said several additional Duties for every such Year; and, Upon Almanacks to serve for several Years.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which shall be ingrossed, written or printed any Licence for retailing of Wine, to be granted to any Person who shall not take out, either a Licence for retailing of Spirituous Liquors, or a Licence for retailing of Beer, Ale or other excisable Upon Licences for retailing Wine, where no other Licence is taken out.

exciſeable Liquors, over and above all other Rates and Duties payable by virtue of any former Act or Acts of Parliament, impoſing any Duties on ſtampt Vellum, Parchment and Paper, an additional Duty of five Pounds.

Upon Licences for retailing Wine, where a Licence for Beer only is taken out.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which ſhall be ingroſſed, written or printed any Licence for retailing of Wine, to be granted to any Perſon who ſhall take out a Licence for retailing Beer, Ale and other exciſeable Liquors, but ſhall not take out a Licence for retailing of Spirituous Liquors, over and above all other Rates and Duties payable by Virtue of any former Act or Acts of Parliament, impoſing any Duties on ſtampt Vellum, Parchment and Paper, an additional Duty of four Pounds; and,

Upon Licences for retailing Wine, where Licence for Spirituous Liquors is taken out.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, on which ſhall be ingroſſed, written or printed any Licence for retailing of Wine, to be granted to any Perſon who ſhall alſo take out a Licence for retailing of Spirituous Liquors, over and above all other Rates and Duties payable by Virtue of any former Act or Acts of Parliament, impoſing any Duties on ſtampt Vellum, Parchment and Paper, an additional Duty of forty Shillings.

Concerning Stamp Duties ſee further 32 *Geo.* 2. *c.* 35.

100 l. Penalty on retailing Wine unlicenſed.

II. And be it further enacted by the Authority aforeſaid, That from and after the fifth Day of *July* one thouſand ſeven hundred and fifty-ſeven, no Perſon whatſoever, unleſs he be authorized and enabled in the Manner herein after preſcribed, ſhall ſell or utter by Retail, that is, by the Pint, Quart, Pottle or Gallon, or by any other greater or leſs retail Meaſure, or in Bottles in any leſs Quantity than ſhall be equal to the Meaſure of the Caſk or Veſſel in which the ſame ſhall have been or may lawfully be imported, any Kind of Wine or Wines, or any Liquor called or reputed Wine, upon Pain to forfeit, for every ſuch Offence, the Sum of one hundred Pounds; the one Moiety of every ſuch Penalty to be to the Uſe of the King, his Heirs and Succeſſors, and the other Moiety to him or them who will inform for the ſame; the ſaid Penalty to be recovered in ſuch Manner as the Penalties for Offences committed againſt any Laws impoſing any Duties on ſtampt Vellum, Parchment or Paper are directed to be recovered.

Commiſſioners for Stamps to grant Wine Licences.

III. And be it further enacted by the Authority aforeſaid, That from and after the ſaid fifth Day of *July* one thouſand ſeven hundred and fifty-ſeven, any two or more of his Majeſty's Commiſſioners appointed for managing the Duties ariſing by ſtamps on Vellum, Parchment or Paper, and no other Perſon whatſoever, ſhall grant Licences under their Hands and Seals, to ſuch Perſons as they ſhall think fit, to ſell and utter by Retail in Manner aforeſaid, any Kind of Wine or Wines, or Liquor called or reputed Wine whatſoever, in any City, Town or other Place within *Great Britain* for the Space of one Year from the Date of ſuch Licences.

Licences granted by former Commiſſioners to be good for the Term they were granted for. 12 Car. 2. c. 25.

IV. Provided nevertheleſs, That if before the fifth Day of *July* one thouſand ſeven hundred and fifty-ſeven, the Agents or Commiſſioners authorized by Virtue of the ſaid Act made in the twelfth Year of the Reign of King CHARLES the Second, ſhall have granted a Licence to any Perſon to ſell Wine by Retail for the Space of one Year, or for any Term not then expired, the Perſon ſo licenſed ſhall be enabled to ſell Wine by Retail for the Space of one Year from the Date of ſuch Licence, or until the Expiration of the Term for which the Licence ſhall be ſo granted; any Thing in this Act before contained to the contrary notwithſtanding.

New Licences to be taken out every Year, and the Duty paid at the ſame Time.

V. And be it further enacted by the Authority aforeſaid, That every Perſon who ſhall take out ſuch Licence for retailing Wine as aforeſaid, to endure for the Space of one Year, ſhall take out a freſh Licence ten Days at leaſt before the Expiration of that Year for which he ſhall be ſo licenſed, if he or ſhe ſhall continue to ſell Wine by Retail, and in the ſame Manner ſhall renew ſuch Licence from Year to Year, paying down the reſpective Sums due for ſuch Licences; and ſo yearly and every Year, as long as he or ſhe ſhall continue to ſell or utter Wine by Retail, in Manner aforeſaid.

Licences to be granted to Perſons at a Diſtance, upon Application in their Behalf, and Payment of Duty.

VI. And be it further enacted by the Authority aforeſaid, That upon Application made by, or in Behalf of, any Perſon not reſiding in the weekly Bills of Mortality, for a Licence to retail Wine, the ſaid Commiſſioners for the Time being, ſhall deliver or cauſe to be delivered ſuch Licence, upon Payment of the Duty payable thereupon.

12 Car. 2. c. 25. in part repealed.

'VII. And whereas by Virtue of an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for the better ordering the ſelling of Wines by Retail; and for preventing Abuſes in the mingling, corrupting and viciating of Wines; and for ſettling and limiting the Prices of the ſame*; his Majeſty's Agents for granting Licences to ſell and utter Wine by Retail, are enabled to grant ſuch Licences to Perſons retailing Wines, on the Terms and for the yearly Rents in the ſaid Act mentioned: And whereas it was provided by the ſaid Act, that the Rents, Revenues and Sums of Money thence ariſing, except what ſhould be allowed for the Salaries or Wages of his Majeſty's ſaid Agents, and the Officers and Miniſters to be appointed for the better carrying on of the ſaid Service, which was not to exceed ſix Pence out of every Pound thereof, ſhould be duly and conſtantly paid and anſwered into the Receipt of his Majeſty's Exchequer, which Revenue is now veſted in his Majeſty, his Heirs and Succeſſors, and is Part of the Revenue eſtabliſhed for the better Support of his Majeſty's Houſhold, and of the Honour and Dignity of the Crown of *Great Britain:* And whereas his Majeſty for the Benefit of the Publick, has been graciouſly pleaſed to conſent to an Abolition of the ſaid Revenue, and to accept in Lieu thereof a yearly Income, equal to the Net Produce of the ſaid Revenue ariſing from Licences to retail Wine;' Be it further enacted by the Authority aforeſaid, That the ſaid Act made in the twelfth

twelfth Year of the Reign of King CHARLES the Second, except so much thereof as relates to the preventing Abuses in the mingling, corrupting and viciating of Wines, and to settling and limiting the Prices of the same, shall from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven be repealed, and the yearly Rents and Sums of Money thereby payable by Virtue of the said Act on Licences to retail Wine, shall cease and determine.

and the Commission for granting Licences by virtue thereof to cease.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven, the Commission whereby Agents and Commissioners are appointed by virtue of the said Act for granting Licences to retail Wine, shall cease and determine.

Privileges of the Universities reserved to them.

IX. Provided always, That this Act, or any Thing herein contained, shall not in any wise be prejudicial to the Privileges of the two Universities in that Part of *Great Britain* called *England*, or either of them, nor to the Chancellors or Scholars of the same, or their Successors, but that they may use and enjoy such Privileges as they have heretofore lawfully used and enjoyed; any Thing herein contained to the contrary notwithstanding.

Privileges of the Vintners Company of London reserved to them.

X. Provided also, That this Act, or any Thing therein contained, shall not extend to be prejudicial to the Master, Wardens, Freemen and Commonalty of the *Vintners* of the City of *London*, or to any other City or Town Corporate, but that they may use and enjoy such Liberties and Privileges as they have heretofore lawfully used and enjoyed.

Exemption from the Duty not to extend to Persons purchasing their Freedom in the said Company.

XI. Provided nevertheless, That no Person, who from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven, shall be admitted to the Freedom of the said Company of *Vintners* of the City of *London*, by Redemption only, shall be exempted from the Obligation of taking out a Licence for selling or uttering Wine by Retail, or from the Payment of the Duties hereby granted on Licences to retail Wine; but that the Freemen only of the said Company, who have been already admitted to their Freedom, or who from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven shall be admitted to their Freedom in Right of Patrimony or Apprenticeship, shall be intitled to such Exemption.

Power of the Corporation of St. Albans to grant Licences, reserved to them.

XII. Provided also, and be it enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not in any wise extend to debar or hinder the Mayor and Burgesses of the Borough of Saint *Albans* in the County of *Hertford*, or their Successors, from enjoying, using and exercising, all such Liberties, Powers and Authorities to them heretofore granted by several Letters Patents, under the Great Seal of *England*, by Queen ELIZABETH and King JAMES the First, for the erecting, appointing and licensing of three several Wine Taverns, within the Borough aforesaid, for and towards the Maintenance of the Free School there; but that the same Liberties, Powers and Authorities, shall be and are hereby established and confirmed, and shall remain and continue in and to the said Mayor and Burgesses, and their Successors, to and for the Charitable Use aforesaid, and according to the Tenor of the Letters Patents aforesaid, as though this Act had never been made; any Thing in this Act contained to the contrary in any wise notwithstanding.

7002*l.* 14*s.* 3*d.* to be paid annually, as an Equivalent to his Majesty, out of the Duties on Licences for Wines.

XIII. Provided always, and be it enacted by the Authority aforesaid, That from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven, there shall be paid to his Majesty, his Heirs and Successors, out of the Monies which shall arise from the new Duties on Licences to retail Wine, by four quarterly Payments, on the tenth Day of *October*, the fifth Day of *January*, the fifth Day of *April*, and the fifth Day of *July* yearly, in every Year, the Sum of seven thousand and two Pounds fourteen Shillings and three Pence, which appears to have been the neat annual Produce of the former Duties on Licences for retailing Wine, at a Medium of six Years, ending the fifth Day of *January* one thousand seven hundred and fifty-seven.

His Majesty impowered to grant Pensions to the late Commissioners, out of the Duties on Wine Licences.

Pensions not to exceed a certain Sum.

XIV. Provided nevertheless, and be it enacted by the Authority aforesaid, That out of the several Duties before mentioned, payable by virtue of this Act for Licences to retail Wine, his Majesty, his Heirs and Successors be, and he or they is and are hereby impowered to grant, by Warrant or Warrants under his or their Sign Manual, during Pleasure, to the several Agents or Commissioners for managing the Duties on Wine Licences granted by the said Act made in the twelfth Year of the Reign of King CHARLES the Second, and their Officers, or to such of the said Agents or Officers as his Majesty, his Heirs and Successors shall think proper Objects of his or their Royal Bounty, such yearly Allowances as his Majesty, his Heirs and Successors shall judge fit, so as no Allowance to any such Agent or Commissioner shall exceed five hundred Pounds by the Year, and so as no such Allowance to be made to any other such Officer, shall exceed the present annual Amount of the Salaries and Wages due and payable to such Officers respectively.

'XV. And whereas the Duties on Licences for retailing Wine, granted by this Act, are subjected to 'the Payment of the yearly Sum of seven thousand and two Pounds fourteen Shillings and three Pence, 'as an Equivalent for a Revenue vested in his Majesty, his Heirs and Successors, by virtue of an Act of 'the Parliament of *England*, made before the Union of the two Kingdoms of *England* and *Scotland*: And 'whereas his Majesty is by this Act impowered to grant, during Pleasure, out of the Produce of the 'Duties for retailing Wine hereby granted, to the Agents and Officers employed in the Collection of the 'Revenue hereby repealed, certain yearly Allowances, which may amount to the Sum of three thou'sand three hundred and ten Pounds: And whereas that Part of *Great Britain* called *Scotland* was not 'subject to the Payment of any Part of the Revenue arising from Wine Licences so vested in his Ma'jesty, his Heirs and Successors, as aforesaid, it having been agreed by the fourteenth Article of the 'Treaty of Union, that the Kingdom of *Scotland* should not be charged with any other Duties laid on 'by the Parliament of *England* before the Union, except those consented to by the said Treaty, and

'ought not to be subject to any Part of the Duties granted by this present Act, applicable as an Equi-'valent to the said former Revenue, or in Consequence thereof, but to such a Proportion only of the 'Duties granted by this present Act as is applicable to the publick Service;' Be it provided and enacted by the Authority aforesaid, That in all Cases where a Duty of five Pounds is herein before directed to be paid on a Licence for retailing Wine, a Duty of three Pounds six Shillings and eight Pence, and no more, shall be paid for a Licence to retail Wine in that Part of *Great Britain* called *Scotland*; and that in all Cases where a Duty of four Pounds is herein before directed to be paid for such Licence, a Duty of two Pounds thirteen Shillings and four Pence, and no more, shall be paid for a Licence to retail Wine in that Part of *Great Britain* called *Scotland*; and that in all Cases where a Duty of two Pounds is herein before directed to be paid for every such Licence, a Duty of one Pound six Shillings and eight Pence, and no more, shall be paid for a Licence to retail Wine in that Part of *Great Britain* called *Scotland*; any Thing in this Act contained to the contrary thereof in any wise notwithstanding.

Proportional Duties payable in Scotland, for Licences to retail Wine. *Concerning Wine see further* 32 *Geo.* 2. *c.* 19.

XVI. Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners for managing the Duties on stamped Vellum, Parchment and Paper, to collect and recover, or cause to be collected or recovered, for the Use of his Majesty, his Heirs and Successors, all such Arrears of Rent for Licences to retail Wine, or of Forfeitures for retailing Wine without Licence, which shall have been incurred at any Time before the said fifth Day of *July* one thousand seven hundred and fifty-seven; for which Purpose, as well as for the better enabling them to execute the Trusts hereby in them reposed, all the Books, Registers, Papers, Instruments, or other Writings belonging to the said Agents appointed by virtue of the said Act made in the twelfth Year of the Reign of King CHARLES the Second, for granting Licences to retail Wine, shall, as soon as conveniently may be, be transferred to the Custody of the said Commissioners for managing the Duties on stamped Vellum, Parchment and Paper.

Commissioners for the Stamps impowered to levy the Duties, due on Wine Licences before 5 July 1757.

XVII. And be it further enacted by the Authority aforesaid, That for the better and more effectual levying, collecting, and paying all the said additional and new Duties herein before granted, the same shall be under the Government, Care and Management of the Commissioners for the Time being appointed to manage the Duties charged on stamped Vellum, Parchment and Paper; who, or the major Part of them, are hereby required and empowered to employ the necessary Officers under them for that Purpose; and to cause such new Stamps to be provided to denote the said several Duties, as shall be requisite in that Behalf, and to do all other Things necessary to be done for putting this Act in Execution with relation to the said several Rates and Duties herein before granted, in the like, and in as full and ample Manner, as they, or the major Part of them, are authorized to put in Execution any former Law concerning stamped Vellum, Parchment or Paper.

The new Duties put also under their Management.

XVIII. Provided always, and be it further enacted by the Authority aforesaid, That to prevent the Multiplication of Stamps upon such Pieces of Vellum or Parchment, or Sheets or Pieces of Paper, on which several Duties are by several Acts of Parliament imposed, it shall and may be lawful for the said Commissioners, instead of the distinct Stamps directed to be provided to denote the several Duties on the Vellum, Parchment or Paper, charged therewith, to cause one new Stamp to be provided to denote the said several Duties on every Piece of Vellum or Parchment, or Sheet or Piece of Paper, charged with the said several Duties.

One new Stamp to be provided to denote the several Duties on Vellum, Paper, &c.

XIX. And be it further enacted by the Authority aforesaid, That all Vellum, Parchment and Paper, upon which any Indenture, Lease, Bond or other Deed, by this Act charged with a Duty of one Shilling, shall from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven be ingrossed, written or printed, shall be brought to the Head Office for stamping or marking Vellum, Parchment and Paper; and the said Commissioners by themselves, or by their Officers employed under them, shall forthwith, upon Demand to them made by any Person or Persons, from time to time, stamp or mark any Quantities or Parcels of Vellum, Parchment or Paper, to be used for the Purpose of ingrossing, writing or printing such Indentures, Leases, Bonds and other Deeds, he or they paying to the Receiver General of the Stamp Duties for the Time being, or his Deputy or Clerk, the several Duties payable for the same by virtue of this Act; which Stamp or Mark to be put thereupon in pursuance of this Act, shall be a sufficient Discharge for the Duty hereby payable for the Vellum, Parchment or Paper, so stamped or marked.

Indentures, Leases, Bonds, &c. charged with a Duty of 1 s. to be brought to the Office to be stampt.

XX. And be it further enacted by the Authority aforesaid, That the said Commissioners for the Time being, shall take Care that the several Parts of the Kingdom of *Great Britain* shall from time to time be sufficiently furnished with Vellum, Parchment and Paper, stamped and marked as by this Act is directed, to the End that the Subjects of his Majesty, his Heirs and Successors, may have it in their Election, either to buy the same of the Officers and Persons to be employed by the said Commissioners at the usual and most common Rates above the said Duties, or to bring their own Vellum, Parchment or Paper, to be stamped and marked as aforesaid.

Commissioners to take Care that all Parts be sufficiently furnished with Stamps.

XXI. And be it further enacted by the Authority aforesaid, That the Price of such stamped Vellum, Parchment or Paper, shall be yearly set, and such Price marked, and such Allowance made on present Payment of the said Duties, for any Quantity of the said Vellum, Parchment or Paper so to be sold, in such Manner as by any former Law relating to stamped Vellum, Parchment or Paper is directed.

Prices of Stamps to be set yearly, and marked; and the usual Allowance made for prompt Payment.

XXII. And be it further enacted by the Authority aforesaid, That such Stamps as the said Commissioners are hereby directed and authorized to provide and use, shall and may be altered and renewed, in such Manner as any other Stamps on Vellum, Parchment or Paper, are by any former Law relating to stamped Vellum, Parchment or Paper, directed to be altered and renewed; and that all Persons who shall have

Stamps may be altered and renewed.

have in their Custody or Possession, any Vellum, Parchment or Paper, marked with the Stamp or Mark which shall be so altered or renewed, or on which, being already stamped with a Stamp denoting any former Duty, a new Stamp is hereby directed to be impressed, shall have the like Remedy and Allowance as by any former Law relating to stamped Vellum, Parchment or Paper, is in like Cases directed.

Duties to be paid to the Receiver General of the Stamps; and paid by him into the Exchequer.

XXIII. And be it further enacted by the Authority aforesaid, That the several Duties herein before granted, shall be paid from time to time into the Hands of the Receiver General for the Time being, of the Duties on stamped Vellum, Parchment and Paper; who shall keep a separate and distinct Account of the several Rates and Duties, and pay the same (the necessary Charges of raising, paying and accounting for the same, being deducted) into the Receipt of the Exchequer, for the Purposes herein after expressed, at such Time, and in such Manner, as any former Duties on stamped Vellum, Parchment or Paper, are directed to be paid; and that in the Office of the Auditor of the said Receipt shall be provided and kept a Book or Books, in which all the Monies arising from the said several Rates and Duties, and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs or Successors, upon any Account whatsoever; and the said Money so paid into the said Receipt of Exchequer as aforesaid, subject to the Payment herein before directed to be made thereon, shall be Part of the Fund established by this Act for the several Purposes in this Act mentioned.

These Duties to be Part of a Fund.

Commissioners and other Officers to obey the Orders of the Treasury. No Fee to be taken by them.

XXIV. And be it further enacted by the Authority aforesaid, That the said Commissioners, and all other Officers who shall be employed in the Collection or Management of the said several Duties herein before granted, shall in the Execution of their Offices, observe and perform such Rules and Orders, as they respectively shall from time to time receive from the Commissioners of the Treasury, or the Treasurer of the Exchequer for the Time being; and that no Fee or Reward shall be taken or demanded by any such Commissioners or Officers from any of his Majesty's Subjects, for any Matter or Thing to be done in pursuance of this Act; and in case any Officer employed in the Execution of this Act, in relation to the said Duties, shall refuse or neglect to do or perform any Matter or Thing by this Act required to be done or performed by him, whereby any of his Majesty's Subjects shall or may sustain any Damage whatsoever, such Officer so offending shall be liable by any Action to be founded on this Statute, to answer to the Party grieved all such Damage, with treble Costs of Suit.

Officers to answer all Damages occasioned by Neglect of Duty.

Commissioners and Officers liable to Penalties, &c. for Breach of Trust, or Misapplication of Monies.

XXV. And be it further enacted by the Authority aforesaid, That the said Commissioners, and their Officers, shall be subject to such Penalties and Forfeitures for any Breach of the Trust in them reposed, or for diverting or misapplying the Money received in pursuance of this Act, as by any former Law relating to stamped Vellum, Parchment or Paper are inflicted; and that all Powers, Provisions, Articles, Clauses, Distribution of Penalties and Forfeitures, and all other Matters and Things prescribed or appointed by any former Act or Acts of Parliament relating to the Duties on Vellum, Parchment and Paper, on which any Indenture, Lease, Bond, or other Deed, shall be ingrossed, written or printed, or to the Rates and Duties on News Papers and Advertisements, and Almanacks, and not hereby altered, shall be in full Force and Effect, with relation to the additional Duties hereby imposed, and shall be applied and put in Execution for the raising, levying, collecting and securing the said additional and new Rates and Duties hereby imposed, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purposes, as if the same had severally and respectively been hereby enacted, with relation to the said additional and new Rates and Duties hereby imposed.

Powers, &c. of former Acts relating to Stamps extended to this Act.

16 Geo. 2. c. 26. Hawkers of unstamped Almanacks, their Punishment.

'XXVI. And for preventing a Diminution of the Revenue arising from the Duties payable on Almanacks, by subjecting the Venders of unstamped Almanacks to the same Penalties, as by an Act made in the sixteenth Year of his present Majesty's Reign are inflicted on the Venders of unstamped News Papers;' Be it enacted by the Authority aforesaid, That every Person who, from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven, shall sell, utter or expose to Sale any Almanack, liable to any Duty by this or any former Act imposed, such Almanack not being stamped or marked as by this or any former Act is directed, every Person so offending shall, for every such Offence, be liable to the same Punishment as is inflicted on any Hawker of unstamped News Papers by the said Act made in the sixteenth Year of the Reign of his present Majesty; and every Justice of the Peace shall have the like Power to convict such Offender, as by the said Act is granted, with relation to the Conviction of Offenders against the said Act; and every Person who shall apprehend such Offender, shall be intitled to the like Reward, as by the said Act is granted for the Apprehension of Offenders against the said Act.

Penalty of counterfeiting or forging the Seals or Stamps, &c. Death.

XXVII. And be it further enacted by the Authority aforesaid, That if any Person, from and after the said fifth Day of *July* one thousand seven hundred and fifty-seven, shall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp or Mark, to resemble any Seal, Stamp or Mark, directed or allowed to be used by this or any other Act of Parliament for the Purpose of denoting the Duties by this or any other Act of Parliament granted, or shall counterfeit or resemble the Impression of the same, with an Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties; or shall utter, vend or sell any Vellum, Parchment or Paper liable to any Stamp-duty, with such counterfeit Stamp or Mark, knowing the same to be counterfeit; or shall privately and fraudulently use any Seal, Stamp or Mark, directed or allowed to be used by this or any other Act of Parliament relating to the Stamp-duties, with Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties; every Person so offending, and being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

For former Duties refer to 9 & 10 *W.* 3. *c.* 13. 10 & 11 *W.* 3. *c.* 21. 8 *Ann. c.* 4. 9 *Ann. c.* 6 & 22. 12 *Ann. St.* 2. *c.* 9. 5 *Geo.* 1. *c.* 9. 6 *Geo.* 1. *c.* 4. 22 *Geo.* 2. *c.* 37.

'XXVIII. And whereas the Duties upon Coals exported to foreign Parts in *British* Veſſels, are leſs than the Duties payable on Coals carried Coaſtwiſe, to be uſed in this Kingdom, whereby Foreigners may be ſupplied therewith at a leſs Expence than the Subjects of this Realm, to the great Prejudice of the Trade and Manufactures of this Kingdom; and an additional Duty on Coals ſo exported, will be a proper Aid to be granted to his Majeſty, for the Purpoſes of this Act;' Be it enacted by the Authority aforeſaid, That from and after the ſaid fifth Day of *July* one thouſand ſeven hundred fifty-ſeven there ſhall be raiſed, levied, collected and paid to his Majeſty, his Heirs and Succeſſors, for every Chaldron of Coals, *Newcaſtle* Meaſure, which ſhall be ſhipt for Exportation to any Part beyond the Seas, except to *Ireland*, the *Iſle of Man*, or his Majeſty's Plantations, an additional Duty of four Shillings, and after the ſame Rate for any greater or leſs Quantity, over and above the preſent Duties now payable for the ſame; which ſaid additional Duty hereby granted, ſhall be raiſed, levied, collected and paid, in the ſame Manner, and under ſuch Penalties and Forfeitures, and by ſuch Rules, Ways and Methods, as the former Duties payable to his Majeſty upon the Exportation of Coals are raiſed, levied, collected and paid, as fully, and to all Intents and Purpoſes, as if the ſeveral Clauſes, Powers, Directions, Penalties and Forfeitures relating thereto, were particularly repeated, and again enacted in the Body of this preſent Act.

Additional Duty on Coals ſhipped for foreign Parts, not belonging to the Britiſh Dominions.

Concerning Coals ſee farther 31 *Geo.* 2. *c.* 15. 32 *Geo.* 2. *c.* 27. 33 *Geo.* 2. 15.

Book to be kept by the Auditor for entering the ſaid Duties ſeparately.

The ſaid Duties to be Part of a Fund.

XXIX. And be it further enacted by the Authority aforeſaid, That in the Office of the Auditor of the Receipt of the Exchequer, a Book or Books ſhall be provided and kept, in which all the Monies ariſing from the ſaid additional Duty, and paid into the ſaid Receipt, ſhall be entered ſeparate and apart from all other Monies paid or payable to his Majeſty, his Heirs and Succeſſors, upon any Account whatſoever; and the ſaid Money ſo ariſing from the ſaid additional Duty, and paid into the ſaid Receipt of Exchequer, ſhall be Part of the Fund eſtabliſhed for the ſeveral Purpoſes herein after mentioned.

Recital of Clauſes in two Acts of 16 Geo. 2. c. 8. and c. 12.

'XXX. And whereas by an Act made in the ſixteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for repealing certain Duties on Spirituous Liquors, and on Licences for retailing the ſame; and for laying other Duties on Spirituous Liquors, and on Licences to retail the ſaid Liquors*; the Sum of twenty Shillings yearly is directed to be paid by every Perſon retailing ſuch Liquors (except as is therein excepted) to be granted in the Manner mentioned in the ſaid Act: And whereas by an Act made in the ſame Seſſion of Parliament, intituled, *An Act for repealing the ſeveral Rates and Duties upon Victuallers and Retailers of Beer and Ale within the Cities of* London *and* Weſtminſter, *and the weekly Bills of Mortality; and for transferring the Exchequer Bills unſatisfied thereupon, to the Duties for Licences to ſell Spirituous Liquors and Strong Waters by Retail; and alſo for enabling his Majeſty to raiſe a Sum of Money for the Service of the Year one thouſand ſeven hundred and forty-three, to be further charged on the ſaid Duties for Licences*; It was amongſt other Thing's enacted, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-three, the ſeveral Rates and Duties impoſed by an Act made in the twelfth Year of the Reign of his late Majeſty King GEORGE the Firſt, upon all Victuallers and Retailers of Beer and Ale, within the Cities of *London* and *Weſtminſter*, and the weekly Bills of Mortality, ſhould ceaſe and determine, and be no longer paid; and it was thereby alſo enacted, That from and after the ſaid twenty-fourth Day of *June* the principal Sum of four hundred and eighty-one thouſand four hundred Pounds, in Exchequer Bills, Part of the Sum of five hundred thouſand Pounds, advanced by the Governor and Company of the Bank of *England*, at an Intereſt after the Rate of three Pounds *per Centum per Annum*, which Exchequer Bills had been made forth in purſuance of the ſaid Act made in the twelfth Year of the Reign of his ſaid late Majeſty, and then remained unſatisfied and undiſcharged, together with the Intereſt thereupon, and the Charges of circulating the ſame, ſhould be transferred from the ſaid Rates and Duties then charged with the ſame, and be charged, together with the Sum of five hundred eighteen thouſand ſix hundred Pounds directed to be raiſed by the afore recited Act made in the ſixteenth Year of his preſent Majeſty's Reign, upon the Duties granted by the ſaid other Act of Parliament made in the ſixteenth Year of his preſent Majeſty's Reign: And whereas by an Act made in the nineteenth Year of the Reign of his preſent Majeſty, intituled, *An Act for eſtabliſhing an Agreement with the Governor and Company of the Bank of* England, *for cancelling certain Exchequer Bills upon the Terms therein mentioned; and for obliging them to advance the Sum of one million upon the Credit of the Land Tax and Malt Duties, granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and forty-ſix*; reciting, that in purſuance of the ſaid recited Act made in the ſixteenth Year of his preſent Majeſty's Reign, the ſaid Sum of four hundred eighty-one thouſand four hundred Pounds, in Exchequer Bills, as alſo the ſaid further Sum of five hundred eighteen thouſand ſix hundred Pounds, amounting together to the principal Sum of one million, were charged upon the ſaid Duties ariſing from Licences as aforeſaid, at an Intereſt after the Rate of three Pounds *per Centum per Annum*; and that the ſaid Exchequer Bills, by paying off Part of the ſaid principal Sums, did then amount to no more than the principal Sum of nine hundred eighty-ſix thouſand eight hundred Pounds; and alſo reciting, that the ſaid Governor and Company of the Bank of *England* were willing and contented that the ſaid Sum of nine hundred eighty-ſix thouſand eight hundred Pounds, in Exchequer Bills, remaining unſatisfied on the ſaid Duties payable for Licences to ſell Spirituous Liquors by Retail, might be cancelled and diſcharged, and in lieu thereof to accept of an Annuity of thirty-nine thouſand four hundred and ſeventy-two Pounds, being the Intereſt on the ſaid Sum, at the Rate of four Pounds *per Centum per Annum*, to be charged on the ſame Securities; and further reciting, that the ſaid Governor and Company were alſo willing, upon

19 Geo. 2. c. 6.

'the

'the Terms by them proposed, to advance and pay into the Receipt of his Majesty's *Exchequer* for the 'Service of the Year one thousand seven hundred and forty-six, the Sum of one million, upon the Credit 'of the Rates and Duties and Assessments arising by the Malt and Land Tax, granted for the Service of 'the said Year, at four Pounds *per Centum per Annum*, for Exchequer Bills to be issued for that Purpose, 'it was thereby enacted, That all the said Exchequer Bills charged upon the said Duties, should be dis-'charged, cancelled and made void, and the Interest thereof, together with the Charges of circulating 'the same, should be fully cleared and paid off; and that in lieu of the said principal Sum of nine hun-'dred eighty-six thousand eight hundred Pounds, in Exchequer Bills, the said Governor and Company 'should be intitled to have and receive at his Majesty's Exchequer, one Annuity or yearly Sum of thirty-'nine thousand four hundred and seventy-two Pounds, being after the Rate of four Pounds *per Centum* 'per Annum, and upon the said principal Sum to be paid in the Manner mentioned in the said Act, till 'the Redemption thereof by Parliament, with such Provisions for making good the Deficiencies of the 'said Rates and Duties as are in the said Act contained: And whereas by another Act made in the twen- 20 Geo. 2. c. 39.
'tieth Year of the Reign of his present Majesty, intituled, *An Act for granting a Duty to his Majesty to be 'paid by Distillers, upon Licences taken out by them for retailing Spirituous Liquors*; the several Distillers with-'in the Cities of *London* and *Westminster*, Borough of *Southwark*, or weekly Bills of Mortality, are per-'mitted to take out yearly Licences for retailing Spirituous Liquors, upon Payment of five Pounds for 'every such Licence: And whereas by an Act made in the twenty-fourth Year of the Reign of his pre- and 24 Geo. 2. c. 40.
'sent Majesty, intituled, *An Act for granting to his present Majesty an additional Duty upon Spirituous Liquors, 'and upon Licences for retailing of the same*; *and for repealing the Act made in the twentieth Year of his present 'Majesty's Reign*, intituled, *An Act for granting a Duty to his Majesty to be paid by Distillers, upon Licences 'to be taken out by them for retailing Spirituous Liquors*; *and for the more effectual restraining the retailing of 'distilled Spirituous Liquors*; *and for allowing a Drawback upon the Exportation of* British *made Spirits*; *and 'that the Parish of Saint* Mary le Bon *in the County of* Middlesex *shall be under the Inspection of the Head 'Office of Excise*; It is enacted, That from and after the twenty-fourth Day of *June* one thousand seven 'hundred and fifty-one, the said Duty of five Pounds payable by every Distiller for a Licence to sell 'Spirituous Liquors by Retail, shall cease, determine, and be no longer paid; and that in lieu of the 'said Duty, an additional Duty of twenty Shillings *per Annum*, should be paid for every Licence to be 'taken out for retailing Spirituous Liquors: And whereas the said last mentioned Duty, not being 'by the last mentioned Act appropriated, is subject to the Disposition of Parliament: And whereas 'the said several Duties of twenty Shillings, and twenty Shillings, for yearly Licences, to retail Spi-'rituous Liquors, have not been paid into the Receipt of his Majesty's Exchequer, distinctly and 'apart from each other, but an Account thereof hath been kept as if the same were consolidated, 'and the Surplus of the said Duties so united, after reserving sufficient to pay the Annuity due to 'the Bank of *England* on the Credit of the first of the said Duties, which is now in Consequence of 'an Act made in the twenty-third Year of the Reign of his present Majesty for reducing the Rates 'of Interest of the several Annuities therein mentioned, reduced to the yearly Sum of thirty-four 'thousand five hundred and thirty-eight Pounds, and will in consequence of the said Act be from and 'after the fifth Day of *January* one thousand seven hundred and fifty-eight reduced to twenty-nine 'thousand six hundred and four Pounds, hath from time to time been disposed of by Parliament for the 'Publick Service: And whereas the Revenue arising from the said several Duties so united, will be more 'than sufficient to pay the said Annuity, and the Security of the Governor and Company of the Bank 'of *England*, for the Payment thereof will be enlarged by charging the said Annuity, as well on the said 'Duty granted by the Act made in the twenty-fourth Year of his present Majesty's Reign, as on 'the said former Duty granted by an Act made in the sixteenth Year of his present Majesty's 'Reign, and it will be for the Publick Service to grant the Surplus of the said Duties so united, 'for the Purposes of this Act, in addition to the several Rates and Duties hereby imposed;' Be it Surplus of the former Duties on Licences for retailing Spirituous Liquors, to be kept apart, and to go towards paying the Annuities granted by this Act.
further enacted by the Authority aforesaid, That from and after the tenth Day of *October* one thousand seven hundred and fifty-six, the Surplus or Remainder of the Monies arisen, or which shall from time to time arise, by the said several Rates and Duties on Licences for retailing Spirituous Liquors, after paying and reserving, from time to time, at the Receipt of his Majesty's Exchequer, Money sufficient to satisfy and pay the said Annuity due and payable to the Governor and Company of the Bank of *England* as aforesaid, shall at the said Receipt of Exchequer be kept distinctly and apart from all other Branches of the Publick Revenue; and the same shall be and is hereby declared to be, an additional Fund and Security for Payment of the several Annuities granted by this Act, in the Manner herein after mentioned, and for no other Use or Purpose whatsoever.

XXXI. And be it further enacted by the Authority aforesaid, That the several Annuities which by this Act shall be granted and made payable, with respect of the principal Sum of three millions, to be raised in Manner and Form as is hereafter directed, shall be charged and chargeable upon and payable out of the several additional and new Rates and Duties by this Act imposed on stampt Vellum, Parchment and Paper, whereon the said Indentures, Leases, Bonds, or other Deeds, shall be ingrossed, written or printed; and also upon and out of the said additional and new Duties on News Papers, Advertisements, Almanacks; and also upon and out of the said Duty on Licences for retailing Wine; and also upon and out of the Surplus of the Duties upon Licences for retailing Spirituous Liquors; and also upon and out of the said additional Duty on Coals exported to foreign Parts; and the said several additional and new Rates and Duties, and the said Surplus, are hereby appropriated for that Purpose accordingly. The additional Duties, and Surplus aforesaid, appropriated to the Payment of the Annuities granted by this Act.

'XXXII. And

'XXXII. And whereas ſeveral Perſons have ſubſcribed towards the ſaid Sum of three millions for the 'Purchaſe of Annuities, after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank 'of *England*, and redeemable by Parliament; and alſo of Annuities for Lives, payable for every one 'hundred Pounds contributed, after the Rate of one Pound two Shillings and ſix Pence *per Centum per* '*Annum*; and the ſaid Subſcribers or Contributors have, in purſuance of the Reſolutions of the Com-'mons of *Great Britain* in Parliament aſſembled, depoſited with and paid to the firſt or Chief Caſhier or 'Caſhiers of the Governor and Company of the Bank of *England*, fifteen Pounds for every one hun-'dred Pounds by them reſpectively ſubſcribed, and are deſirous to pay the remaining Principal Sums by 'them ſubſcribed as aforeſaid, at the Times and in the Manner herein after appointed in that Behalf;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all ſuch reſpective Contributors who have already depoſited with or paid to the ſaid Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, the Sum of fifteen Pounds for every one hundred Pounds by them ſubſcribed reſpectively, to advance and pay unto the ſaid Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, the remaining Sums by them ſubſcribed reſpectively towards the ſaid Sum of three millions, on or before the reſpective Days or Times, and in the Porportions in this Act hereafter limited in that Behalf; that is to ſay, The Sum of ten Pounds *per Centum*, being Part of the Sum ſo remaining, on or before the fourth Day of *June* one thouſand ſeven hundred and fifty-ſeven; the Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the ſeventh Day of *July* then next following; the Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the eighteenth Day of *Auguſt* then next following; the Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the twenty-firſt Day of *September* then next following; the Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the tenth Day of *November* then next following; and the remaining Sum of fifteen Pounds *per Centum*, on or before the twenty-ſecond Day of *December* then next following.

Contributors who have paid into the Bank 15 l. per Cent. towards purchaſing Annuities under this Act, are to pay the Remainder of their Subſcriptions, viz. 10 l. per Cent. by 4 June, 15 l. per Cent. by 7 July, 15 l. per Cent. by 18 Auguſt, 15 l. per Cent. by 21 Sept. 15 l. per Cent. by 10 Nov. and 15 l. per Cent. by 22 December.

Contributor intitled to 3 l. per Cent. transferrable Annuities, and an Annuity for Life of 1 l. 2 s. 6 d. per Cent.

XXXIII. And be it further enacted by the Authority aforeſaid, That every ſuch Contributor, for and in reſpect of every one hundred Pounds by him ſubſcribed, ſhall be intitled to an Annuity after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*, and redeemable by Parliament; and ſhall alſo be intitled for every one hundred Pounds ſo ſubſcribed, to an Annuity for Life, after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum*.

3 l. per Cent. Annuities to commence from 5 July 1757. and to be paid half-yearly.

Life Annuities to be paid half-yearly alſo.

XXXIV. And be it further enacted by the Authority aforeſaid, That the Annuities which ſhall become due and payable to the ſeveral Contributors, their Executors, Adminiſtrators and Aſſigns, after the Rate of three Pounds *per Centum per Annum*, ſhall commence and be computed from the ſaid fifth Day of *July* one thouſand ſeven hundred and fifty-ſeven, and ſhall be paid by half-yearly Payments, by even and equal Portions, on the fifth Day of *January* and the fifth Day of *July* in every Year; and that the Annuities for Lives which ſhall be due and payable, after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum*, ſhall be paid in like Manner, by half-yearly Payments, by even and equal Portions, on the fifth Day of *January* and the fifth Day of *July* in every Year; the firſt half-yearly Payment to be made on the fifth Day of *January* one thouſand ſeven hundred and fifty-eight, if ſuch Contributors reſpectively ſhall, on or before that Time, have appointed their Nominees; or upon ſuch of the ſaid half-yearly Days of Payment, as ſhall be next after the reſpective Appointments of their Nominees.

Receipts to be given to Contributors for Money paid in by them;

which may be aſſigned.

XXXV. And be it further enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, who ſhall have received, or ſhall receive any Part of the ſaid Contributions towards the ſaid Sum of three millions, ſhall give Receipts in Writing to every ſuch Contributor for all ſuch Sums; and that the Receipts to be ſo given ſhall be aſſignable by Indorſement thereupon made, at any Time before the fifth Day of *January* one thouſand ſeven hundred and fifty-eight, and no longer.

Caſhier of the Bank to give Security;

and pay the Monies in the Exchequer.

XXXVI. Provided always, That ſuch Caſhier or Caſhiers ſhall give Security to the good Liking of any three or more of the Commiſſioners of the Treaſury for the Time being, or the High Treaſurer for the Time being, for duly anſwering and paying into the Receipts of his Majeſty's Exchequer for the publick Uſe, all the Monies which they have already received, and ſhall hereafter receive, from Time to Time, of and for the ſaid Sum of three millions, and for accounting duly for the ſame, and for Performance of the Truſt hereby in them repoſed; and ſhall from Time to Time pay all ſuch Monies ſo received, and account for the ſame in the Exchequer, according to the due Courſe thereof.

Treaſury to apply the Money to the Services voted by the Commons.

XXXVII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, to iſſue and apply, from Time to Time, all ſuch Sums of Money as ſhall be ſo paid into the Receipt of his Majeſty's Exchequer by the ſaid Caſhier or Caſhiers, to ſuch Services as ſhall then have been voted by the Commons of *Great Britain*, in this preſent Seſſion of Parliament.

Contributors Names to be entered in Books at the Bank.

XXXVIII. And be it further enacted by the Authority aforeſaid, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books ſhall be provided and kept, in which the Names of the ſaid Contributors ſhall be fairly entered, which Book or Books the ſaid reſpective Contributors, their reſpective Executors, Adminiſtrators and Aſſigns, ſhall and may, from Time to Time, and at all ſeaſonable Times, reſort to and inſpect, without any Fee

or Charge; and that the said Accomptant General shall, on or before the fifth Day of *July* one thousand seven hundred and fifty-eight, transmit an attested Duplicate fairly written on Paper, of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever. Duplicate thereof to be transmitted to the Exchequer.

XXXIX. And be it further enacted by the Authority aforesaid, That such Contributors duly paying the whole Sum subscribed, at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators and Assigns, shall have, receive and enjoy, and be intitled by Virtue of this Act, to have, receive and enjoy, the said several Annuities by this Act granted in respect of the Sum so subscribed, out of the Monies by this Act appropriated for Payment thereof, and shall have good and sure Interests and Estates therein, according to the several Provisions in this Act contained, as well in respect of the said transferrable Annuities, after the Rate of three Pounds *per Centum per Annum*, as of the said Annuities for Lives, after the Rate of one Pound two Shillings and six Pence *per Centum per Annum*, and that the said several Annuities shall be free from all Taxes, Charges and Impositions whatsoever. Contributors duly paying their Subscriptions, to have sure Estates in the Annuities, and the same to be Tax free.

XL. And be it further enacted by the Authority aforesaid, That as soon as such respective Contributors, their respective Executors, Administrators and Assigns, shall have compleated the Payment of the Monies by them respectively subscribed towards the said Sum of three millions, for the Purchase of the said several Annuities, such Sums, for and in respect of such transferrable Annuities, after the Rate of three Pounds *per Centum per Annum*, in which they shall become interested, shall, from and after the fifth Day of *July* one thousand seven hundred and fifty-seven, be placed to their Credit, and made transferrable in the Books of the Bank of *England* to be kept for that Purpose. On compleating their Payments, Contributors to have their Annuities placed to their Credit, and the same to be transferrable.

XLI. Provided always, That in case any such Contributors who have already deposited with, or shall hereafter pay to the said Cashiers, any Sum or Sums of Money at the Times and in the Manner before mentioned, in Part of the Sums so by them respectively subscribed, or their respective Executors, Administrators and Assigns, shall not advance or pay to the said Cashier or Cashiers the Residue of the Sums so subscribed, at the Times and in the Manner before mentioned; then, and in every such Case, so much of the respective Sums so subscribed as shall have been actually paid in Part thereof to the said Cashier or Cashiers, shall be forfeited for the Benefit of the Publick; any Thing in this Act contained to the contrary thereof in any wise notwithstanding. Contributors not duly paying the Whole of their Subscriptions, forfeit what they shall have paid.

XLII. And be it further enacted by the Authority aforesaid, That the several Annuities which by this Act are granted and made payable in respect of the said Sum of three millions, shall be charged and chargeable upon, and payable out of the several Rates, Duties and Sums of Money, composing the Fund hereby established for the Payment thereof; and the said several Rates, Duties and Sums of Money, are hereby appropriated for that Purpose accordingly. The Duties and Sums granted by this Act to be a Fund for Payment of the Annuities.

XLIII. And be it further enacted by the Authority aforesaid, That the said Accomptant General for the Bank of *England* for the Time being shall, in a Book or Books to be provided and kept for that Purpose, give Credit to the said respective Contributors, and their respective Executors, Administrators and Assigns, for the principal Sums by them respectively subscribed and paid, and the Persons to whose Credit such principal Sums shall be so placed, their respective Executors, Administrators and Assigns, shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, or Body or Bodies Politick or Corporate whatsoever, in other Books to be provided and kept by the said Accomptant General for that Purpose; and every principal Sum so assigned and transferred, shall carry an Annuity after the Rate of three Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable according to the true Intent and Meaning of this Act, until Redemption thereof by Parliament, according to a Proviso herein after contained for that Purpose. Contributors to have Credit in proper Books, for the Sums paid in by them; the same to be transferred in other Books. Annuities deemed transferrable Stock.

'XLIV. And, for the more easy and sure Payment of the said transferrable Annuities after the Rate 'of three Pounds *per Centum per Annum*;' Be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall, from Time to Time, until the said Annuities, after the Rate of three Pounds *per Centum per Annum* shall be redeemed as aforesaid, appoint and employ one or more sufficient Person or Persons within their Office in the City of *London*, to be their Chief or first Cashier or Cashiers, and one other sufficient Person within the same Office, to be their Accomptant General; and that so much of the Monies from Time to Time arising into the said Receipt of the Exchequer, from the said Rates and Duties, and Sums of Money by this Act granted and appropriated, as shall be sufficient, from Time to Time, for Payment of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall, by Order of the Commissioners of the Treasury, or any three or more of them, or the Treasurer of the Exchequer for the Time being, without any further or other Warrant to be sued for, had and obtained, in that Behalf, from Time to Time, at the respective half-yearly Days of Payment in this Act appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said first or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by Way of Imprest, and upon Account, for Payment of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, at such Times, and in such Manner and Form, as are by the said Act prescribed in that Behalf; and that such Cashier or Cashiers, to whom the said Money shall from Time to Time be issued, shall, from Time to Time, without Delay, apply and pay the same accordingly, and render his or their Account thereof, according to the due Course of the Exchequer. A Chief Cashier and Accomptant General, to be employed at the Bank. Treasury to issue Money from Time to Time, to the said Cashier, for Payment of the Annuities.

XLV. And be it further enacted by the Authority aforesaid, That the said Accomptant General for the Time being shall from Time to Time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence or Delay; Accomptant General to inspect the Receipts and Payments.

Delay; and that all Persons who shall be intitled to any of the said Annuities after the Rate of three Pounds *per Centum per Annum*, and all Persons lawfully claiming under them, shall be possessed thereof as of a personal Estate, which shall not be descendible to Heirs, nor liable to any foreign Attachment by the Custom of *London* or otherwise; any Law, Statute or Custom, to the contrary notwithstanding.

Annuities to be deemed a Personal Estate.

XLVI. And be it further enacted by the Authority aforesaid, That all the Monies to be advanced or contributed by virtue of this Act, towards the said Sum of three millions, on which the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall be attending, shall be deemed one Capital and Joint Stock; and that all Persons and Corporations whatsoever, in Proportion to the Monies by them severally advanced, for the Purchase of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, or to which they shall become intitled by virtue of this Act, shall have and be deemed to have a proportional Interest and Share in the said Stock, and in the said Annuities attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, shall be assignable and transferrable as this Act directs, and not otherwise.

Sums contributed to be deemed a Joint Stock;

and may be assigned or transferred.

Annuities declared to be redeemable by Parliament.

XLVII. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time upon one Year's Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, and upon Repayment by Parliament of the said Sum of three millions, or any Part thereof, by Payments not less than five hundred thousand Pounds at one Time, in such Manner as shall be directed by any future Act or Acts of Parliament in that Behalf, and also upon full Payment of all Arrearages of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, then, and not till then, such or so much of the said Annuities as shall be attending on the principal Sums so paid off, shall cease and determine, and be understood to be redeemed; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act.

Books to be kept for entering Assignments or Transfers of Annuities.

XLVIII. And be it further enacted by the Authority aforesaid, That Books shall be constantly kept by the said Accomptant General for the Time being, wherein all Assignments or Transfers of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall at all seasonable Times be entered and registered; which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by their respective Attornies, thereunto lawfully authorized in Writing under their Hands and Seals, to be attested by two or more credible Witnesses; and that the several Persons to whom such Transfers shall be made, shall respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law.

Method of assigning and transferring the same.

Annuities may be devised by Will.

Entry to be made thereof.

XLIX. Provided always, That all Persons possessed of any Share in the said Joint Stock of Annuities, or Estate and Interest therein, may devise the same by Will in Writing, attested by two or more credible Witnesses; but that no Payment shall be made on any such Devise, till so much of the said Will as relates to any Share, Estate or Interest in the said Joint Stock of Annuities, be entered in the said Office; and that in Default of such Transfer or Devise, such Share, Estate or Interest in the said Joint Stock of Annuities, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on any of the said Transfers; any Law or Statute to the contrary notwithstanding.

Stamp Duties not chargeable on Transfers.

Treasury to defray all incidental Charges;

and to settle the Allowances to made to the Cashiers and Accomptant General,

L. Provided always, and be it enacted by the Authority aforesaid, That out of the Monies arising from the Contributions towards raising the said Sum of three millions, any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances as shall be thought proper for the Service, Pains and Labour, of the said Cashier or Cashiers, for receiving, paying and accounting for the said Contributions; and also shall have Power to make out of the Fund hereby established, or out of the Sinking Fund, such further Allowances as shall be judged reasonable for the Service, Pains and Labour of the said Cashier or Cashiers, for receiving, paying and accounting for the said Annuities, after the Rate of three Pounds *per Centum per Annum*, payable by virtue of this Act; and also for the Service, Pains and Labour of the said Accomptant General, for performing the Trust reposed in him by this Act; all which Allowances to be made as aforesaid, in respect to the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only.

to be at the Disposal of the Governor and Company of the Bank.

Bank to continue a Corporation till the Annuities are redeemed.

LI. Provided always, and be it enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation till all the said Annuities, after the Rate of three Pounds *per Centum per Annum*, by this Act granted, shall be redeemed by Parliament, according to the Proviso herein before contained in that Behalf; and that the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act.

'LII. And whereas in pursuance of a Resolution of the Commons of *Great Britain*, in Parliament assembled, divers Persons did subscribe the Sum of three hundred thirteen thousand one hundred Pounds, 'and no more, towards the Sum of two millions five hundred thousand Pounds, by the said Resolution 'directed to be raised in Manner therein mentioned, by Annuities for Lives, with the Benefit of Survivorship, or for Terms of Years certain: And whereas by a subsequent Resolution of the Commons of '*Great Britain*, in Parliament assembled, all Subscribers towards the said Sum of two millions five hundred thousand Pounds, pursuant to the said former Resolution, who, instead of the Annuities therein

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'mentioned, should choose to accept the Annuities proposed by the said subsequent Resolution, and who 'on or before the fourth Day of *May* one thousand seven hundred and fifty-seven should, in Books to 'be opened at the Bank of *England* for that Purpose, express their Consent, or not express their Dissent 'thereunto, were, upon their Compliance with the Terms in the subsequent Resolution last mentioned, 'for every one hundred Pounds so by them subscribed, intitled to the several Annuities by the said sub-'sequent Resolution proposed; in which Case the Sums so by them before advanced, were to be deemed 'Part of their Contribution, for the Purchase of the Annuities, by the subsequent Resolution proposed: 'And whereas several of the Persons so subscribing the Sum of three hundred thirteen thousand one 'hundred Pounds, towards the Sum of two millions five hundred thousand Pounds, directed to be raised 'on the Terms of the said first mentioned Resolution, induced by the Allowance of three Pounds *per* '*Centum*, stipulated by the said Resolution to be made to them for all previous Payments, may have ad-'vanced more than the Sum of fifteen Pounds *per Centum*, by the said last mentioned Resolution directed 'to be paid by way of Deposit for every one hundred Pounds subscribed;' Be it enacted by the Autho-rity aforesaid, That the first or chief Cashier or Cashiers of the Governor and Company of the Bank of *England*, shall restore to every such Subscriber who, before the fourth Day of *June* one thousand seven hundred and fifty-seven, shall have demanded Restitution thereof, so much Money as shall exceed the Amount of such Deposit, together with Interest for the same, after the Rate of three Pounds *per Centum per Annum*, from the Time of such previous Payments to the Time of such Demand; the said Interest to be paid by the said Cashier or Cashiers out of the Monies contributed by virtue of this Act.

Subscribers to the Sum of 2,500,000*l.* pursuant to a former Resolution of the Commons, accepting of the present Terms, to be repaid with Interest for so much of their Deposit Money as exceeds 15*l.* per Cent. of the Sums subscribed.

'LIII. And whereas several of the Persons who subscribed towards the said Sum of two millions five 'hundred thousand Pounds, on the Terms of the said first-mentioned Resolution, may have been pre-'vented, either by Absence or Ignorance of the said last mentioned Resolution, from complying with 'the Terms thereof;' Be it enacted by the Authority aforesaid, That all such Persons shall be at Li-berty, if they think fit, at any Time before the fourth Day of *June* one thousand seven hundred and fifty-seven, either to demand Restitution of the Deposit of ten Pounds *per Centum*, made by them on the Terms of the said first mentioned Resolution, which the said Cashier or Cashiers is and are hereby re-quired to return accordingly, or to subscribe the like Sums on the Terms of the Resolution last men-tioned; and that in the Stead of any Person or Persons so demanding and obtaining Restitution of the Sums by him, her or them subscribed, towards the said Sum of two millions five hundred thousand Pounds, directed to be raised in pursuance of the said first mentioned Resolution, any other Person or Per-sons shall, on or before the fourth Day of *June* one thousand seven hundred and fifty-seven, be admitted to subscribe towards completing the Sum directed to be raised in pursuance of the Resolution last men-tioned, he, she or they, paying at the Time of such Subscription the several Sums then payable accor-ding to the Terms of the said Resolution.

Time allowed to Subscribers to the former Scheme to withdraw or subscribe into this.

Others may subscribe in their Room.

'LIV. And whereas for the greater Encouragement of Persons to become Contributors to the said 'Sum of three millions, directed by this Act to be raised, it is intended that each Contributor shall for 'every one hundred Pounds contributed be also intitled to an Annuity for Life, after the Rate of one 'Pound two Shillings and six Pence *per Centum per Annum*;' Be it further enacted by the Authority aforesaid, That every Person who shall advance and pay unto the said Cashier or Cashiers of the Go-vernor and Company of the Bank of *England*, at or before the respective Days and Times, and in the respective Proportions herein before directed, the Principal Sum of one hundred Pounds, or divers intire Sums of one hundred Pounds, for the Purchase of the Annuities granted by this Act, shall, for or in respect of every Principal Sum of one hundred Pounds so to be advanced and paid, be intitled to have and receive at the Receipt of his Majesty's Exchequer during his or her Life, or the Life of some other Person, to be nominated by him or her, or by his or her Assigns, an Annuity of one Pound two Shillings and six Pence *per Centum per Annum*, over and above the Annuity of three Pounds *per Centum per Annum*, before by this Act made payable at the Bank of *England* to each Contributor of one hun-dred Pounds; which Annuity so payable at the Exchequer as aforesaid, shall be paid by Half-yearly Payments, on the fifth Day of *January* and the fifth Day of *July* in every Year; the first Payment thereof to be made on the fifth Day of *January* one thousand seven hundred and fifty-eight, if such Contributors respectively shall on or before that Time have appointed their Nominees in Manner herein after mentioned, or upon such of the said Half-yearly Days of Payment as shall be next after the respective Appointments of their Nominees; and that the said Cashier or Cashiers of the Go-vernor and Company of the Bank of *England*, shall as soon as he or they shall have received from any such Contributor forty Pounds *per Centum*, of the several Sums by them respectively subscribed, forthwith give to such Contributor or his or her Assigns, a Certificate by him or them signed, directed to the Auditor of the Receipt of his Majesty's Exchequer, to be printed or written upon Cheque Paper, and cut out Indentwise, through some Flourish or Device, to be contrived by the said Cashiers, contain-ing the Names and Additions of such Contributors, or his or her Assigns, together with the Annuity payable to him, her or them, in respect of the Sum so contributed; which Certificate shall be assignable by Indorsement thereon to be made and witnessed by two Persons at any Time or Times before the fifth Day of *January* one thousand seven hundred and fifty-eight; and that in order to prevent the Auditor of the said Receipt from being imposed upon by any counterfeit or forged Certificate, the said Cashiers shall transmit to the said Auditor the Counterpart of the Cheques of all the Certificates given by them to such Contributors as aforesaid; upon which Counterparts shall be expressed the Number of such Cer-tificate, the Contributors Name, and the Annuity contained therein.

Contributors to have an Annuity for Life of 1*l.* 2*s.* 6*d.* for every 100*l.* paid in, over and above the Annuity of 3*l.* per Cent. per Annum, to be paid Half yearly.

Cashier to give to Contributors, on Payment of 40*l.* per Cent. Certificates, which may be assigned.

Counterpart of the Cheques of Certificates to be transmitted to the Auditor of the Exchequer.

Cashier to transmit to the Auditor, a Book of the Contributors Names, and Sums paid.

LV. And be it further enacted by the Authority aforesaid, That the same Cashier or Cashiers shall, within seven Days after the said twenty-second Day of *December* one thousand seven hundred and fifty-seven transmit to the Auditor of the said Receipt of the Exchequer, a Book fairly written on Paper, signed by him or them, containing the Names of the several Contributors towards raising the said Sum of three millions, the principal Sums by them respectively paid, and the Annuities payable in respect thereof, at the Rate aforesaid, to the End that the said Auditor may be thereby satisfied that the full and entire Sum payable by each Contributor, hath been paid to such Cashier or Cashiers; which Books shall remain in the Office of the Auditor of the said Receipt for ever.

Contributors to bring their Certificates to be exchanged for Orders, and to name Nominees for the Life Annuities.

LVI. And be it further enacted by the Authority aforesaid, That every such Contributor, or such other Person as shall be possessed of any such Certificate by this Act directed to be given by any such Cashier, shall before the fifth Day of *January* one thousand seven hundred and fifty-eight deliver, or cause to be delivered, every Certificate so to him or her given, to be exchanged for Orders to be made out in the Manner herein after mentioned; and shall also at the same Time name to the said Auditor, his or her own, or some other Life, during which he or she, or his or her Assigns, shall be intitled to receive a Dividend or Share of the yearly Fund by this Act directed to be set apart, out of the said several Rates, Duties and Sums of Money by this Act granted to his Majesty; upon Pain of forfeiting not only the Half Year's Annuity which shall become due and payable to him or her, or his or her Assigns, on the fifth Day of *January* one thousand seven hundred and fifty-eight, in respect of every principal Sum of one hundred Pounds, to be advanced as aforesaid, but also all subsequent Half-yearly Payments, until he or she, or his or her Assigns, shall have produced to the Auditor of the Receipt such Certificate or Certificates, and shall have appointed a Nominee or Nominees as aforesaid.

Such a Number of Orders for Certificates to be made out as the Contributors shall desire;

LVII. And be it further enacted by the Authority aforesaid, That the Auditor of the said Receipt of Exchequer shall, as soon as conveniently may be after such Certificate or Certificates shall be delivered to him, cause such and so many Order or Orders for Payment of such Annuities, to be made out in the Exchequer for such Certificate or Certificates, as shall be desired by the said several and respective Contributors, or their Assigns; taking care that the Annuity or Annuities made payable by such Order or Orders, do not exceed in the Whole the Annuity or Annuities specified and expressed in such Certificate or Certificates, in exchange for which such Order or Orders shall be so made out as aforesaid; which Order or Orders shall be made out upon Vellum or Parchment, and shall contain the Names, Sirnames, Additions and Places of Abode, of the respective Contributors or their Assigns, and of their Nominees, and the reputed Ages and Parents of their Nominees, with other Descriptions, which shall best ascertain the Person of such Nominees; and also the Annuities payable during the Lives of such respective Nominees out of the yearly Fund herein after directed to be set apart for that Purpose; and all such Orders shall be signed by the Commissioners of the Treasury, or any three or more of them, or the High Treasurer for the Time being; and after signing thereof, the same shall be firm, good, valid and effectual in Law, according to the Purpose and true Meaning thereof, and of this Act, and shall not be determinable by or upon the Deaths or Removals of any Commissioner or Commissioners of the Treasury, or High Treasurer; nor shall they or any of them have Power to revoke, countermand, or make void, such Orders so signed as aforesaid.

the same to be signed by three Commissioners of the Treasury.

Books to be provided at the Exchequer for entering the Names of Contributors, Assigns and Nominees.

LVIII. And it is hereby enacted, That in the Offices of the Auditor of the said Receipt of the Exchequer, and Clerk of the Pells severally, there shall be provided and kept one or more Book or Books, in which shall be fairly entered the Names of all such Contributors, or their Assigns, and their Nominees, during whose Lives respectively the several Dividends of the said yearly Fund hereafter directed to be set apart shall be payable, at the Time when the same shall be nominated as aforesaid; which Books it shall be lawful for the respective Contributors, their Executors, Administrators or Assigns, from time to time, to have resort to, and to inspect without Fee or Reward.

The yearly Sum of 33,750 l. appropriated for Payment of Life Annuities.

LIX. And it is hereby further enacted by the Authority aforesaid, That out of the Monies arising by virtue of this Act, there shall yearly and every Year be separated and kept apart at the said Receipt of Exchequer, the Sum of thirty-three thousand seven hundred and fifty Pounds; which said Sum of thirty-three thousand seven hundred and fifty Pounds shall be, and is hereby declared to be a yearly Fund, for answering and paying the Annuities as aforesaid, and shall yearly and every Year be equally divided among the said Contributors, their Executors, Administrators or Assigns, during the Lives of their respective Nominees, in Proportion to the Principal Sums by them advanced, by two equal Half-yearly Payments; that is to say, On the fifth Day of *January* and fifth Day of *July* in every Year; the first Payment thereupon to be made on the fifth Day of *January* one thousand seven hundred and fifty-eight, if such Contributors respectively shall, on or before that Time, have appointed their Nominees, or upon such of the said Half-yearly Days of Payment, as shall be next after the respective Appointments of their Nominees.

Payment to be made Half-yearly.

Annuity to cease upon the Death of the Nominee.

LX. And be it further enacted by the Authority aforesaid, That upon the Death of every such Nominee, the Share of the said Fund which was payable during his or her Life, shall cease and determine.

Orders may be assigned toties quoties, during the Life of the respective Nominees.

LXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to any such Contributor, or his or her Executors, Administrators or Assigns, at any Time during the Life of his or her Nominee or Nominees, by proper Words of Assignment to be indorsed on his or her, or their Order, to be witnessed by two Persons, to assign or transfer his, her or their Right, Title, Interest, and Benefit of such Order or Orders, to any other Person or Persons; which being notified in the Office of the Auditor of the said Receipt of the Exchequer, the Officers there shall cause an Entry or Memorial thereof to be made in the Book of Registry for such Orders, without Fee or Charge; and after such Entry

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try made, such Assignment shall intitle such Assignee or Assignees, his, her or their Executors, Administrators or Assigns, to the Benefit thereof, and Payment thereon; and such Assignee or Assignees may, in like Manner assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who shall make such Assignment, to make void, release or discharge the same, or any Monies thereby due, or any Part thereof.

At demanding the Annuity, Certificate from the Minister and Churchwardens to be produced of the Life of the Nominee, if resident in England;

LXII. And for preventing all Frauds in receiving any Share of the yearly Fund hereby appointed to be set apart as aforesaid; Be it further enacted by the Authority aforesaid, That every Contributor, his or her Executors, Administrators, Assigns or Agents, upon Demand of any Half-yearly Payment of his or her respective Shares of the said yearly Fund (unless the Nominee appears in Person at the said Receipt) shall produce a Certificate of the Life of his, her or their respective Nominee, signed by the Minister and Churchwardens of the Parish where such Nominee shall be then living, upon the Day when the said Half-yearly Payments shall become due (if such Nominee shall be then residing in that Part of *Great Britain* called *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*) or otherwise, it shall and may be lawful to and for every such Contributor, or his or her Executors, Administrators or Assigns, at his or her Election, to make Oath of the Truth of his, her or their respective Nominee's Life upon the Day when the said Half-yearly Payment shall become due, before one or more Justices of the Peace of the respective County, Riding, City, Town or Place wherein such Person, at the Time of making such Oath shall reside; and in like Manner every such Contributor, his or their Executors, Administrators, Assigns or Agents, whose Nominee shall reside in any Town or Place, being Extraparochial, upon the Day where any of the said Half-yearly Payments shall become due, shall make a like Oath before any such Justice or Justices aforesaid, of the Life of such Nominee on that Day (which Oath the said Justice or Justices of the Peace are hereby impowered to administer) and such Justice or Justices shall make a Certificate thereof; for which Oath and Certificate no Fee or Reward shall be demanded or paid; and the said Certificate shall be filed in the Office of the Auditor of the said Receipt of the Exchequer.

or the same to be certified, on Oath, before a Justice;

and in Places Extraparochial.

The Certificates to be filed in the Auditor's Office.

Penalty of making a false Oath, or forging a Certificate;

LXIII. And be it further enacted by the Authority aforesaid, That if any Person shall be guilty of a false Oath, or shall forge any Certificate touching the Premisses, and be thereof lawfully convicted, such Person shall incur the Pains and Penalties inflicted upon Persons committing wilful Perjury and Forgery.

Nominee being resident in Scotland, or Ireland, Barons of the Exchequer there to grant Certificates;

LXIV. And be it further enacted by the Authority aforesaid, That in case any Nominee shall, at the Time of such Demand, be resident in that Part of *Great Britain* called *Scotland*, or in the Kingdom of *Ireland*, and any one or more of the Barons of the *Exchequer* there for the Time being shall certify, that upon Proof to him or them made (which Proof he and they is and are hereby authorised and required to take in a summary Way) it doth seem probable to him or them that the said Nominee is living (which Certificate is to be given on Examination made without Fee or Charge) the said Certificate being filed as aforesaid, shall be a sufficient Warrant for making the said Half-yearly Payment to the respective Contributors, their Executors, Administrators or Assigns; and in case any such Nominee shall, at the Time of such Demand, be resident in any Parts beyond the Seas, the Proprietors of all such Orders, or their Agents, shall produce Certificates of the Life of his, her or their respective Nominees, under the Hand of the *British* Minister residing at the Place where any such Nominee shall be living upon the Day when such Half-yearly Payment shall become due; which Certificates shall be given without Fee or Reward; and in case no *British* Minister shall reside at the Place where any such Nominee shall live, then the said Proprietors of such Orders, or such Agents, shall produce a Certificate of the Life of his, her or their respective Nominees, under the Hand and Seal of the chief Magistrate of any City, Town or Place, where any such Nominee shall be then living upon the Day when the said Half-yearly Payment shall become due as aforesaid; and every such Agent or Agents shall also annex to every such Certificate or Affidavit to be made by him or them, before one or more of the Barons of the *Exchequer*, that he or they do believe that such Certificate is true; which Certificate being filed as aforesaid, shall be a sufficient Warrant for making the said Half-yearly Payment to the respective Contributors, their Executors, Administrators or Assigns; and if any Person or Persons shall receive one or more Half-yearly Payments upon his, her or their Annuity or Annuities, for any Time beyond the Death of his, her or their Nominee or Nominees, when the same ought to cease, such Person or Persons knowing such Nominee or Nominees to be dead, shall forfeit treble the Value of the Monies so by him, her or them received, and also the Sum of five hundred Pounds; the Moiety whereof shall go to his Majesty, his Heirs and Successors, and the other Moiety to him or them who will sue for the same, by Action of Debt, Bill, Suit or Information, in which no Essoin, Protection, Privilege, Wager of Law, Injunction, or more than one Imparlance shall be allowed.

if resident in foreign Parts, the British Minister, if any,

or the chief Magistrates, to grant Certificates.

Agent to annex his Testimony to the Certificate.

Person receiving Annuity beyond the Life of the Nominee, forfeits treble the Sum, and 500l.

Death of Nominee to be certified to the Auditor of the Exchequer, and order to be delivered up,

on Penalty of 10l.

LXV. And be it further enacted by the Authority aforesaid, That every Contributor, his or her Executors, Administrators or Assigns, within one Month next after Notice of the Death of his, her or their respective Nominee or Nominees, shall certify such Death to the Auditor of the said Receipt of Exchequer for the Time being, and shall also within three Months after such Notice, deliver or cause to be delivered up to the said Auditor, his, her or their Order or Orders, by which he, she or they, was and were intitled during the Life of such Nominee to any Share of the said yearly Fund, in case such Order and Orders be in his, her or their Hands or Power; and in Default thereof, such Contributor, his or her Executors, Administrators and Assigns, shall forfeit the Sum of ten Pounds; to be recovered by Action of Debt as aforesaid, and to be had and received for the Use of any Person who shall sue for the same.

Annuities to be Tax free.

LXVI. And be it further enacted by the Authority aforesaid, That all the Annuities payable to such Contributors out of the said yearly Fund, shall be free from all Taxes, Charges and Impositions whatsoever.

Orders lost, burnt or destroyed, &c. may be renewed;

'LXVII. And whereas it may so happen that, in Process of Time, several of the standing Orders may 'be lost, burnt or destroyed, or may become defaced, obliterated, or incumbered with many Assignments 'thereon, and it may be necessary that new Orders should be made forth in lieu thereof;' Be it therefore enacted by the Authority aforesaid, That in all or any the said Cases, any three or more of the Commissioners of the Treasury now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall, and they are hereby impowered, from time to time, (upon Certificate under the Hand of the Lord Chief Baron, or any other of the Barons of the Coif of his Majesty's Court of Exchequer, that he or they are satisfied, by Proof upon Oath before him or them made, that any such Order or Orders have been lost, burnt or otherwise destroyed) to cause new Orders to be made forth at the Exchequer, to be made by him or them, in Lieu of such Orders so certified to be lost, burnt or destroyed; and the respective Officers in the said Exchequer are hereby directed to pay the Interest which shall from time to time become due on such new Orders, as if the original Order or Orders had been produced; and all such Payments shall be allowed in their respective Accounts; provided that the Person or Persons intitled to receive the Interest due upon any such Order or Orders do give Security to the King, to the good liking of the Person appointed to pay the same into the Exchequer for the Use of the Publick, so much Money as shall be paid thereupon, if the Order or Orders so certified to be lost, burnt or otherwise destroyed, be hereafter produced; and the said Commissioners of the Treasury, or the High Treasurer for the Time being, shall also have Power to cause new standing Orders to be made forth, for and in Lieu of such Orders as shall become defaced, obliterated or otherwise incumbered as aforesaid; which said Order or Orders shall be, at the same Time delivered up and cancelled, and the new Order or Orders to be made out in lieu thereof, shall be made payable, and delivered to the Person or Persons who shall appear to be the Proprietor or Proprietors of the said Order or Orders so to be delivered up and cancelled, at the Time of such Delivery as aforesaid; and the Auditor of the Receipt as aforesaid, shall always take Care that such Entries or Memorandums be made upon the said new Orders, as may denote their being made in Lieu of such defaced, obliterated, incumbered or otherwise defective Orders cancelled, and as may secure the Publick against any double Payments, for or by Reason of the making out or issuing of such new Orders in Manner aforesaid.

Proprietor giving Security.

New Orders may be issued in Lieu of such as become defaced, &c.

Entry thereof to be made on the new Orders.

Penalty of forging or counterfeiting Certificates, &c. or of fraudulently receiving Annuities.

'LXVIII. And for preventing all Frauds and Abuses in or about the said standing Orders, or any 'Assignments thereof, or the receiving the Annuities due or to grow due thereon;' Be it enacted by the Authority aforesaid, That if any Person or Persons whatsoever shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act and assist in the forging or counterfeiting any Certificate or Certificates to be given by such Cashier or Cashiers, or any Order or Orders to be made forth in lieu thereof, in pursuance of this present Act, or any Assignment or Assignments of such Order or Orders, or of the Annuities payable thereon, or of any Receipt or Discharge to the Exchequer, for the Annuities due or to grow due on any such Order or Orders, or of any Letter of Attorney, or other Authority or Instrument, to transfer, assign, alien or convey any such Order or Orders, or to receive the Annuities due or to grow due thereon, or any Part thereof; or shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly or wilfully act or assist in the forging or counterfeiting any the Name or Names of any of the Proprietors of any such Order or Orders, in or to any such pretended Assignment or Assignments, Receipt, Letter of Attorney, Certificate, Instrument or Authority; or shall falsely and deceitfully personate any true and real Proprietor or Proprietors of any of the said Orders, and thereby assign, or endeavour to assign, any of the said Orders, or receive or endeavour to receive the Money of such true and lawful Proprietor, as if such Offender were the true and lawful Owner thereof; then, and in every such Case, all and every such Person and Persons being thereof lawfully convicted in due Form of Law, shall be adjudged guilty of Felony, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

No Fee to be taken for receiving or paying the Contributions or Annuities,

or issuing Receipts, &c.

Penalty on Officer taking Fees, misapplying the publick Money, or otherwise neglecting his Duty.

LXIX. And be it further enacted, That no Fee, Reward or Gratuity whatsoever shall be demanded or taken of any of his Majesty's Subjects for receiving or paying the said Contribution Monies, or any of them, or for paying the said several Annuities, or any of them, or for any Transfer of any Sum great or small, to be made in pursuance of this Act; upon Pain that any Offender or Person offending by taking or demanding any such Fee, Reward or Gratuity, shall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Costs of Suit; and that all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done and performed by the Officer there, without demanding or receiving, directly or indirectly, any Fee, Reward or Gratuity for the same; and in case the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall misapply or divert any of the Monies to be paid into the Exchequer upon this Act, or shall pay or issue out of the same, otherwise than according to the Intent of this Act, or shall not keep such Books, Registers, or make Entries, and do and perform all other Things which by this Act they are directed and required to do and perform; every such Offender shall forfeit his Place, and be for ever after incapable of any Office or Place of Trust whatsoever, and shall answer and pay treble Costs of Suit, to any Contributor, or Person claiming under him, that will sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Restraint, or any more than one Imparlance shall be granted or allowed; and in the said Action, the Plaintiff upon Recovery shall have full Costs of Suit, one third of which Sum shall be paid into the said Receipt of Exchequer for the Benefit of his

his Majesty, his Heirs and Successors, and the other two Thirds shall be to and for the Use of the Prosecutor.

Officer unwittingly paying Money on false Certificates, not to incur any Penalty thereby.

LXX. Provided always, and be it enacted, That in case any Officer of the Exchequer shall make Payment of any Share or Shares of the said yearly Fund of thirty-three thousand seven hundred and fifty Pounds, by this Act directed to be set apart for the Purposes aforesaid, upon any such Certificate or Certificates as aforesaid, such Officer shall not incur any Penalty, Forfeiture or Disability, though the said Certificate be forged or false, or the said Nominee be dead, unless the said Officer did know, at the Time of such Payment, that the said Nominee was dead, or that the said Certificate was forged or false.

Deficiencies of the Duties to be made good out of the Sinking Fund.

LXXI. And it is hereby enacted by the Authority aforesaid, That if at any Time or Times it shall happen that the Produce of the said several Rates and Duties and Sums of Money hereby granted for Payment of the said several Annuities, shall not be sufficient to pay and discharge the several and respective Annuities, and other Charges directed to be paid thereout, at the End of any or either of the respective half-yearly Days of Payment, at which the same are hereby directed to be paid; then, and so often, and in every such Case, such Deficiency or Deficiencies shall and may be supplied out of any of the Monies which at any Time or Times shall be or remain in the Receipt of Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any former Act or Acts of Parliament in that Behalf) and such Monies of the said *Sinking Fund* shall and may be, from time to time, issued and applied accordingly; and if at any Time or Times before any Monies of the several Rates and Duties and Sums of Money hereby granted, shall be brought into the Exchequer as aforesaid, there shall happen to be a Want of Money for paying the several Annuities as aforesaid, which shall be actually incurred and grown due at any of the half-yearly Days of Payment before mentioned, that then and in every such Case the Money so wanted shall and may be supplied out of the Monies of the *Sinking Fund*, (except as before excepted) and be issued accordingly.

Occasional Want of Money for Payment of Annuities to be supplied out of the Sinking Fund.

Monies issued out of the Sinking Fund, to be replaced.

LXXII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be issued out of the *Sinking Fund* shall, from time to time, be replaced by and out of the first Supplies to be then after granted in Parliament.

Surplus of the Duties to be reserved for Disposition of Parliament.

LXXIII. Provided always, and be it enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Monies arising by the said several Rates and Duties, after the said several and respective Annuities, and all Arrears thereof, are satisfied, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall, from time to time, be reserved for the Disposition of Parliament, and shall not be issued but by Authority of Parliament, and as shall be directed by future Act or Acts of Parliament; any thing in any former or other Act or Acts of Parliament to the contrary notwithstanding.

Persons sued on this Act may plead the General Issue.

LXXIV. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

Treble Costs.

2 Geo. 2. c. 23. made perpetual.

LXXV. And be it further enacted by the Authority aforesaid, That an Act made in the second Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Attornies and Sollicitors*, which was to be in Force from the first Day of *June* one thousand seven hundred and twenty-nine for the Term of nine Years, and from thence to the End of the next Session of Parliament; and which by an Act made in the twelfth Year of his present Majesty's Reign, was explained and amended, and further continued until the twenty-fourth Day of *June* one thousand seven hundred and forty-eight, and from thence to the End of the next Session of Parliament; and which by an Act made in the * twenty-third Year of his present Majesty's Reign, was explained and amended, and further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven, and from thence to the End of the next Session of Parliament; by which the Payment of several Stamp Duties on the Admission of Attornies and Sollicitors is enforced and regulated, shall, from and after the Expiration thereof, be further continued and made perpetual.

12 *Geo.* 2. c. 13.

* *Qu. If not* 22d.

Time allowed to make and file Affidavits of Execution of Indentures, &c. omitted to be done within the Time limited by Law.

'LXXVI. And whereas divers Persons through Mistake, Absence, or some unavoidable Accident, to 'the Prejudice of Infants and others, have omitted to cause Affidavits to be made and filed in the proper 'Offices, of the actual Execution of several Contracts in Writing, to serve as Clerks to Attornies and 'Sollicitors, within the Times limited by Law for that Purpose, and many Persons may be in Danger 'of incurring certain Disabilities by such Omissions;' Be it therefore enacted by the Authority aforesaid, That all and every Person and Persons who have omitted to cause such Affidavit or Affidavits to be made and filed as aforesaid, and who shall, on or before the first Day of *Michaelmas* Term one thousand seven hundred and fifty-seven, cause one or more Affidavit or Affiavits to be made and filed in such Manner as is directed by the Laws in Being, shall be and are hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities, in or by any Act or Acts of Parliament mentioned, incurred or to be incurred for or by Reason of any Neglect or Omission, in causing such Affidavit or Affidavits to be made out and filed in such Manner as is required by the Laws in Being; and such Affidavit or Affidavits so to be made and filed as aforesaid, shall be as effectual to all Intents and Purposes,

Purposes, as if the same had been made and filed within the respective Times limited by the Laws in Being for that Purpose.

'LXXVII. And for the Relief of any Person or Persons, who, through Neglect or Inadvertency, hath 'or have omitted to pay the several Rates and Duties, or any Part thereof, upon Monies given, paid, 'contracted or agreed for, with or in Relation to any Clerk, Apprentice or Servant who hath been put 'or placed to or with any Master or Mistress to learn any Profession, Trade or Employment, and to have 'such Indentures or other Writings which contain the Covenants, Articles, Contracts or Agreements, 'relating to the Service of such Clerk, Apprentice or Servant stampt within the Times by the several 'Acts of Parliament for those Purposes respectively limited; or who have also in like Manner, omitted 'to insert and write in Words at length, in such Indentures or other Writings as aforesaid, the full Sum 'or Sums of Money, or any Part thereof, received, or in any wise directly or indirectly given, paid, or 'agreed or contracted for, with or in Relation to every such Clerk, Apprentice or Servant as aforesaid;'

Time allowed for Payment of Duties omitted to have been duly paid on Apprentices Fees; and for tendering the Indentures to be stampt, &c.

Be it enacted, That upon Payment of the Rates and Duties upon Monies, or such Part of such Monies so neglected or omitted to be paid as aforesaid, on or before the first Day of *September* one thousand seven hundred and fifty-seven, to such Person or Persons to whom the same ought to be paid, and tendering the said Indentures, or other Writings, to be stampt at the same Time, or at any Time on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, (of which timely Notice is to be given in the *London Gazette*) the same Indentures, or other Writings, shall be good and available in Law or Equity, and may be given in Evidence in any Court whatsoever; and the Clerks, Apprentices or Servants therein named shall be capable of following and exercising their respective intended Trade or Employment, as fully as if the said Rates and Duties so omitted had been duly paid, and the full Sum or Sums received or agreed for as aforesaid, had been inserted; and the Persons who have incurred any Penalties by the Omissions aforesaid, shall be acquitted and discharged of and from the said Penalties; any Thing in the said former Acts to the contrary notwithstanding.

See 32 *Geo.* 2. *c.* 19 & 22.

CAP. XX.

An Act more effectually to prevent the Spreading of the Distemper now raging amongst the Horned Cattle in this Kingdom.

'WHEREAS the contagious Distemper now rages amongst the Horned Cattle in this Kingdom; 'for the preventing the Spreading thereof;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, his Heirs and Successors, by and with the Advice of his or their Privy Council, from time to time to make such Rules, Orders and Regulations, or to vary or repeal the same, as his Majesty in his great Wisdom shall judge most Expedient and effectual, in *Great Britain*, *Ireland* and all other his Majesty's Dominions thereunto belonging, or any Part or Parts thereof, for prohibiting or preventing the driving or removing of any Oxen, Bulls, Cows, Calves, Steers, or Heifers, infected or not infected with the said Distemper, from or out of any such County, Riding, Division, Hundred, Parish or Place to any Fair or Market, or to any other such County, Hundred, Parish or Place as shall for that Purpose be specified in such Rules, Orders or Regulations; and for prohibiting the Sale, Disposition or other Use of any such Cattle as shall be infected with the said Distemper, or of any Hides or Skins, or other Parts of such infected Cattle; and also for the Burial of any such Beasts as shall die of such infectious Distemper, or be killed whilst the same is so infected, and every Part thereof, within such Time and in such Manner as shall be specified in such Rules, Orders, and Regulations as aforesaid; and also for the cutting and gashing of the Hide or Skin of every such infected Beast, before the Burial thereof, in such Manner as to render the same intirely useless; any Law, Statute, Custom or Usage to the contrary notwithstanding; and also for such further Purposes as his Majesty in his great Wisdom shall judge most expedient and effectual to put a stop to or prevent the Spreading of the said Distemper.

His Majesty impowered to make Orders to prohibit the removing or driving Horned Cattle from one County or Place to another;

and the Sale or use of Cattle infected, or of their Hides, &c. and for Burial of such as shall die of the said Infection, &c.

'II. And whereas his Majesty hath, in pursuance of two Acts of Parliament of the nineteenth and 'twentieth Years of his Majesty's Reign, by his Order in Council bearing Date the twenty-second Day 'of *March* one thousand seven hundred and forty-seven, made and established certain Rules, Orders and 'Regulations, for the better preventing the Spreading of the said Infection, and putting a Stop to the 'Distemper, which Rules, Orders and Regulations have been found beneficial;' Be it therefore enacted by the Authority aforesaid, That the said Order in Council, and all the Rules, Orders and Regulations therein contained and inserted (except such and so much of them, or any of them respectively, as his Majesty, his Heirs and Successors, at any Time or Times, during the Continuance of this present Act, shall with the Advice of his and their Privy Council judge proper and expedient to repeal, alter or vary) shall be in Force; and the same, and also such other Rules, Orders and Regulations, Variations and Additions as shall be made by virtue of and in pursuance and under the Power and Authority of this present Act, shall be observed and obeyed by all his Majesty's Subjects, during the Continuance of this Act, under the Penalty of ten Pounds, inflicted and directed to be levied by this Act, for every Offence committed against the same.

19 Geo. 2. c. 5. 20 Geo. 2. c. 4.

His Majesty's Order in Council of 22 March 1747, confirmed and enforced;

Obedience to such other Orders as shall be made, enforced under Penalty of 10*l.*

III. And

Powers given by Order of Council to Justices, Magistrates and Officers, confirmed.

III. And it is hereby further enacted and declared, That all the Powers and Authorities given by the said Order of Council, or which shall be given by any subsequent Order of Council, by Virtue of the Authority aforesaid, to Justices of the Peace and other Magistrates, and to Commissioners of the Land Tax, Inspectors and other Officers appointed in that Behalf, shall be duly executed, and are hereby established and enacted, and declared to be as good and valid in the Law, to all Intents and Purposes, during the Continuance of the said Order or Orders, as if the same were herein repeated and expressly enacted.

50*l.* Penalty on Persons obstructing, &c. the Execution of Orders,

or entering into a Combination to disobey or defeat the same.

IV. And be it further enacted, That from and after the first Day of *June* one thousand seven hundred and fifty-seven, all and every Person and Persons who shall by Force or Threats intimidate, hinder or prevent the said Justices, Magistrates, Commissioners, Inspectors or other Officers from executing the said Rules, Orders and Regulations, or from performing their respective Duties in Relation thereto; or who shall enter into any Combination, Confederacy or Subscription to disobey the said Order or Orders in Council, or to defeat, hinder or prevent the Execution thereof, shall forfeit and pay the Sum of fifty Pounds, to be recovered by Bill, Plaint, Suit or Information in any of his Majesty's Courts of Record at *Westminster*, by any Person or Persons who shall inform and sue for the same, to go and be paid to and for the sole Use and Benefit of such Person or Persons respectively, with full Costs of Suit.

This Act, and his Majesty's Order in Council of 22 March 1747, to be read publickly in Church on Sundays; and such new Orders, &c. as shall hereafter be made, to be read in like Manner.

'V. And, to the End that all Persons may know how to demean themselves in the Premisses;' Be it further enacted by the Authority aforesaid, That this Act, and his Majesty's Order in Council, dated the twenty-second Day of *March* one thousand seven hundred and forty-seven, on such *Sunday* in every Calendar Month as the Minister shall think proper, shall be publickly read immediately after Prayers, in all Parish Churches, Chapels and other Places set apart for Divine Worship; and that when and as often as his Majesty, his Heirs or Successors, shall make any Rules, Orders and Regulations, or shall vary or repeal the same, by Virtue or in Pursuance of this Act, every such Rule, Order, Regulation, Variation and Repeal, shall be notified and published in such Manner as his Majesty shall think proper, and shall be publickly read upon the next *Sunday* after the Receipt of the same, and on such *Sunday* in every Calendar Month as the Minister shall think proper, during the Time such Rules, Orders, Regulations and Variations shall continue in Force in such Manner as aforesaid, within such Counties, Ridings, Divisions, Hundreds, Parishes and Places as shall be specified in such Rules, Orders, Regulations, Variations and Repeals for that Purpose; and every such Order, Rule, Regulation, Variation and Repeal, together with this Act, shall be kept by the Minister of every such Parish Church, Chapel or Place, who shall permit any Person residing within his Parish, Chapelry or Place to read the same, during the Time such Rule, Order or Regulation shall continue in Force; and the Churchwardens or Chapelwardens of every Parish or Place shall provide a printed Copy of this Act, for the Purpose aforesaid, at the Expence of the Parish or Chapelry.

Printed Copy of all such Orders, together with this Act, to be kept by the Minister, for the Use of the Parishioners;

and to be provided at the Parish Expence.

His Majesty impowered to prohibit by Proclamation, occasionally, the Importation or Exportation of horned Cattle, raw Hides, or other Part of such Beasts.

VI. And be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the King's most Excellent Majesty, by one or more Proclamation or Proclamations, to be issued at any Time or Times during the Continuance of this Act, under the Great Seal of *Great Britain*, to prohibit and forbid all and every Person and Persons, Bodies Politick and Corporate whatsoever, to import or bring, or cause to procure to be imported or brought, directly or indirectly, or export, carry or send, or cause or procure to be exported, carried or sent, directly or directly, into or from or out of *Great Britain*, *Ireland*, and the Dominions thereunto belonging, or any Part thereof, any Ox, Bull, Cow, Calf, Steer or Heifer, or any raw Hides or Skins, or any other Part of such Beast, for such Time or Times, under such Rules, Orders and Regulations, as his Majesty, his Heirs and Successors, by the Advice aforesaid, shall judge most expedient and effectual to prevent or stop the Spreading of the said Distemper.

Where Justices prohibit the holding Fairs or Markets for Sale of horned Cattle,

no Tanner is to bring any raw Hide into his Tan-yard, before he gives Notice to the Officer of Excise of the District, and produces a Certificate concerning the Health of the Beast,

which the Officer is to enter in a Book.

Tanner guilty of a Breach of Orders, forfeits 10*l.*

'VII. And, to prevent the Distemper amongst the horned Cattle being spread and increased by Tanners and others buying the Hides and Skins of infected Beasts,' It is hereby further enacted, That when the Justices of the Peace at their General Quarter-Sessions, or at any Adjournment thereof within their respective Counties, Ridings and Divisions, shall prohibit the holding of any Fair or Fairs, Market or Markets, for buying and selling of such horned Cattle, every Tanner, Tawer or Dresser of Hides and Skins shall, before he brings any raw Hide or Skin of any Bull, Ox, Cow, Calf, Steer or Heifer, into his Tan-yard, Workhouse, Warehouse or Place used for dressing or manufacturing of Hides or Skins, give Notice to the Officer of Excise of the District in which such Tan-yard or Dressing-place is situated, and whose Survey the said Tanner, Tawer or Dresser of Hides shall be under, and subject to, for the Time being, and produce to the said Officer a Certificate under the Hand and Seal, or Hands and Seals, of one or more Justice or Justices of the Peace, or Commissioner or Commissioners of the Land Tax, Rector or Vicar, qualified as herein after mentioned, specifying the Colour of such Hide or Skin, the Name and Place of Abode of the Owner of such Hide or Skin, and that, upon Examination on Oath of one or more credible Person or Persons, it appeared to the Person or Persons signing and sealing such Certificate, that the Beast, from which such Hide or Skin was taken, was sound and free from Infection; which Certificate shall, by the said Officer, be entered into a Book to be kept for that Purpose: And if any Tanner, Tawer or Dresser of Hides or Skins, shall bring, or suffer to be brought, into his Tan-yard or Tan-pits, or other Place used for dressing or manufacturing Hides or Skins, any such raw Hide or Skin, or shall tan or dress, or manufacture any such raw Hide or Skin, without giving such Notice, and producing such Certificate as aforesaid, every Person so offending shall, for every such Offence, forfeit

feit the Sum of ten Pounds; to be recovered, levied and applied, as the several Forfeitures are by this Act directed to be recovered, levied and applied.

Officer to have Liberty to enter and search for Hides suspected to be clandestinely brought in.

VIII. And it is hereby further enacted, That all and every or any of the Officers of Excise acting and employed in any District wherein any Tan-yard, Workhouse or Warehouse, or Place for dressing or manufacturing of Hides or Skins is situate and being, shall and may at all Times by Day or by Night (and if in the Night, then in the Presence of a Constable or other Officer of the Peace) be permitted, upon his or their Request, to enter into any such Tan-yard, Workhouse, Warehouse or Place, in order to search for Hides and Skins suspected to be brought and conveyed into the same respectively, contrary to and against the Tenor and true Meaning of this Act, and then and there to search and examine, or cause to be searched or examined, any Tan-pit, Fat or other Place, where any such Hide or Skin is suspected to be laid, hid, put or concealed; and if any Tanner, Tawer or other Person or Persons whatsoever, shall obstruct or hinder any such Officer or Officers in the Execution of his or their Duty, Power or Authority, given to, vested in, and required of, him and them respectively by this Act; every Person so offending, and being thereof lawfully convicted as aforesaid, shall, for every such Offence, forfeit and pay the Sum of ten Pounds, to be recovered, applied and disposed of, in Manner herein after mentioned.

Person obstructing him forfeits 10 l.

His Majesty, by Advice of his Privy Council, may prohibit, occasionally, the killing of Cow Calves.

'IX. And whereas it is necessary to encourage and promote the Breeding of Cattle, the Number being 'greatly decreased by the said Mortality;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful for his Majesty, by Advice of his Privy Council, to prohibit and forbid the Killing or Slaughtering of Cow-Calves in such Counties and Places, and in such Manner, and at such Times, as his Majesty, during the Continuance of this Act, shall judge proper; and all and every Person offending against such Order and Prohibition, shall forfeit and pay the Sum of ten Pounds, to be recovered, levied and applied, as other Forfeitures by this Act are to be recovered, levied and applied.

Offender against such Prohibition, forfeits 10 l.

What shall be deemed a distinct and separate Offence.

'X. And, to prevent any Doubts which may arise in the Construction of this Act,' Be it further enacted by the Authority aforesaid, That the Removal, Driving or Sale of every Ox, Bull, Cow, Calf, Steer or Heifer, contrary to any such Rule, Order or Regulation, shall be deemed a distinct and separate Offence, within the Intent and Meaning of this Act; any Thing herein contained to the contrary notwithstanding.

Observation of Orders made under Authority of this Act, enjoined, under Penalty of 10 l.

XI. And be it further enacted by the Authority aforesaid, That all and every the Rules, Orders, Regulations and Variations, to be made by virtue, and in pursuance, of this Act, are hereby required to be punctually observed and obeyed by all his Majesty's Subjects; and all and every Person and Persons who shall offend against any such Rule, Order, Regulation or Variation, and shall be thereof convicted in *Great Britain* or *Ireland*, by his, her or their own Confession, or by the Oath or Oaths of one or more credible Witness or Witnesses before any Justice or Justices of the Peace for any County, Riding, Division, City, Liberty or Town Corporate, where such Offence or Offences shall be committed (which Justice or Justices is and are hereby impowered and required to hear and determine the same, and to examine any Witness or Witnesses upon Oath concerning the same) shall forfeit and lose the Sum of ten Pounds; one Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Offence shall be committed; to be levied by the Churchwardens, Overseers of the Poor, Constables, High Constables of the Hundred, Rape or Wapentake, or one or more of them, by Warrant or Warrants under the Hand and Seal, or under the Hands and Seals, of the Justice or Justices of the Peace who shall convict such Offender, by Distress and Sale of the Goods and Chattels of such Offender, rendering the Overplus (if any be) to the Owner thereof; and for want of such Distress, such Offender shall be committed by such Justice or Justices to the common Gaol or House of Correction of such County, Riding, Division, City, Liberty or Town Corporate, there to remain for the Space of three Months, to be reckoned from the Day of such Commitment; and all and every Person and Persons who shall offend against any such Rule, Order or Regulation, in any other of his Majesty's said Dominions, shall be deemed, adjudged, and taken to be guilty of a great Misdemeanor, and be prosecuted and punished by Fine and Imprisonment, according to the Laws and Usage of the same Dominions respectively.

on Conviction of the Offender before a Justice;

one Moiety to go to the Informer, the other to the Poor, and to be levied by Distress and Sale;

where no Distress, the Offender is to be committed for 3 Months.

Offenders out of Great Britain or Ireland, to be punished according to the Laws and Usage of the Country.

Appeal may be made from any Justice to the next Quarter-Sessions, upon giving Notice and Security.

XII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for any Person or Persons, who shall be convicted before such Justice or Justices of the Peace as aforesaid, of any of the Offences against this Act, to appeal from such Conviction to the Justices of the Peace at their next General or Quarter-Sessions to be holden for the County, Riding, Division, City, Liberty or Town Corporate, in which such Offences shall be committed, he, she or they, giving immediate Notice to such Justice or Justices of such intended Appeal, and likewise giving Security to the Satisfaction of such Justice or Justices, to pay all and every the Penalties and Forfeitures, to which he, she or they, shall be liable by such Conviction; and the Costs, Charges and Expences, of trying such Appeal, in case such Conviction shall be affirmed; and the said Justices in their next General or Quarter-Sessions, are hereby authorized and required to hear, try and finally determine the same, upon the Merits of the Cause, and Examination of Witness on Oath, and to order Costs to be paid as shall be just, if they shall think it reasonable so to do.

XIII. Pro-

XIII. Provided nevertheleſs, That if it ſhall appear to the ſaid Juſtices, that there was not ſufficient Time between ſuch Conviction and ſuch Quarter-Seſſions, to give Notice to all Parties to attend ſuch Appeal, that then it ſhall and may be lawful for ſuch Juſtices to adjourn the Hearing thereof to their next ſubſequent General or Quarter-Seſſions, at which they are hereby required to hear, try and finally determine the ſame; and in caſe there ſhall be no Determination on the ſaid Appeal at ſuch next or ſubſequent General or Quarter-Seſſions, the Judgment and Conviction of the Juſtice or Juſtices ſhall ſtand and be in full Force; and no Writ of *Certiorari* ſhall be allowed to remove the Conviction or Order of Seſſions, or any other Proceedings thereupon, into any of his Majeſty's Courts of Record at *Weſtminſter*, or of his Majeſty's Courts of Great Seſſion in the Principality of *Wales*, or the Counties Palatine.

The Juſtices may adjourn the Hearing the Appeal to the next Quarter-Seſſions, and if not then determined, the former Judgment to ſtand good; Conviction not removable by Certiorari.

XIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Juſtice or Juſtices of the Peace, if he or they ſhall be informed, that any Perſon or Perſons can give any Evidence relating to any of the Offences aforeſaid, to ſummon ſuch Perſon or Perſons to appear before him or them, and to examine ſuch Perſon or Perſons on Oath in relation thereunto; and in caſe ſuch Perſon or Perſons ſhall refuſe or neglect to appear purſuant to ſuch Summons, then ſuch Juſtice or Juſtices ſhall iſſue out his or their Warrant or Warrants, for apprehending and bringing ſuch Perſon or Perſons before him or them; and in caſe ſuch Perſon or Perſons ſhall refuſe to be examined upon Oath, to commit ſuch Perſons to the common Gaol or Houſe of Correction for ſuch County, Riding, Diviſion, City, Liberty or Town Corporate, there to remain until he, ſhe or they ſhall ſubmit to be examined as aforeſaid; and in caſe of any Appeal to the General or Quarter Seſſions, to compel ſuch Perſon or Perſons to enter into a Recognizance, with Condition to appear at the ſaid General or Quarter Seſſions, and to give Evidence upon the Trial of ſuch Appeal.

Juſtices may ſummon and examine Witneſſes on Oath, touching any of theſe Offences, and commit ſuch as refuſe to give Evidence; and in caſe of an Appeal compel them to enter into a Recognizance to appear, &c.

XV. And be it further enacted by the Authority aforeſaid, That for the more eaſy and ſpeedy convicting of any Perſon or Perſons who ſhall offend againſt this Act, it ſhall be ſufficient for any Juſtice or Juſtices of the Peace, who ſhall convict any Perſon or Perſons of any or either of the ſaid Offences, to draw ſuch Conviction in the following Form of Words, as the Caſe ſhall happen, or in any other Form of Words to the ſame Effect (that is to ſay)

Form of Conviction to be obſerved by Juſtices;

Middleſex. ‘ *A. B.* is convicted on his, her or their own Confeſſion (*or on the Oath of*) of having ‘ in this Kingdom (*ſpecifying the Offence, and the Time and Place, when and where the* ‘ *ſame was committed*)

Given under my (*or our*) Hand and Seal (*or Hands and Seals*) this Day of

Which ſaid Conviction in the ſame or like Form of Words, ſhall be good and effectual in the Law, to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or adjudged void or inſufficient for want of any other Form of Words whatſoever; and in caſe of Appeal as aforeſaid, the Juſtice or Juſtices who ſhall convict ſuch Offender or Offenders, is and are hereby required to delivered, or cauſe to be delivered, the Conviction in the Form aforeſaid, to the next General or Quarter Seſſions to which the Appeal is made, there to be filed on Record.

the ſame declared to be valid; and in caſe of Appeal, is to be delivered to the next Seſſions, to be filed.

XVI. Be it further enacted, That the Juſtices of the Peace within their reſpective Limits of their Commiſſions, at their General or Quarter Seſſions, or the major Part of them then and there aſſembled within that Part of *Great Britain* called *England*, ſhall have full Power and Authority, and they are hereby required to order ſuch reaſonable Salaries and Charges as they ſhall think proper, to be paid to any Inſpector or Inſpectors, or other Perſon or Perſons already employed or appointed by the Juſtices of the Peace, or hereafter to be employed or appointed by the Juſtices of the Peace, or the Commiſſioners of the Land Tax, to prevent the ſpreading of the Diſtemper amongſt the Cattle, out of the Monies ariſen or hereafter to ariſe, by virtue of an Act of Parliament paſſed in the twelfth Year of his Majeſty's Reign, intituled, *An Act for the more eaſy aſſeſſing, collecting and levying County Rates.*

Juſtices to order Salaries and Charges to be paid to the Inſpectors of Cattle, &c out of the County Rates.

12 Geo. 2. c. 29.

XVII. And be it further enacted, That the Commiſſioners of the Land Tax for the Time being in and for every County, Riding or Diviſion, and who have or ſhall qualify themſelves to act as ſuch reſpectively, are hereby impowered and required to put in Execution all and every the Powers and Authorities given to Commiſſioners of the Land Tax by this Act, or by any Order or Orders in Council purſuant to the ſame (except the Commiſſioners of the Land Tax within the County of *Middleſex*, and all Cities and Towns which are Counties of themſelves) in as full and ample Manner as the Juſtices of the Peace may do within the ſame.

Commiſſioners of the Land Tax are to put in Execution the Powers given by this Act, or by any Order of Council.

‘ XVIII. And whereas a Doubt hath ariſen whether Commiſſioners authoriſed to put in Execution the ‘ ſeveral ſucceeding Land Tax Acts, ſince the Year one thouſand ſeven hundred and forty-ſix, were pro‘ perly impowered to carry into Execution the Rules, Orders and Regulations made by his Majeſty in ‘ Council, and the Powers and Authorities given by the ſeveral Acts of Parliament, continuing the ſame ‘ in force from time to time;' Be it therefore declared and enacted, That the Commiſſioners named in the ſeveral ſucceeding Land Tax Acts, ſince the Year one thouſand ſeven hundred and forty-ſix, to carry the ſaid reſpective Land Tax Acts into Execution (having duly qualified themſelves to act therein, according to the Directions in the ſaid Acts) are and were authoriſed to carry into Execution the Powers and Authorities given by ſuch Rules, Orders and Regulations, to Commiſſioners of the Land Tax, as alſo the Powers and Authorities given by the ſeveral Acts of Parliament continuing the ſame in Force from time to time.

Commiſſioners in all the ſucceeding Land Tax Acts from 1746. authorized to carry into Execution the Powers veſted in them by the ſaid Orders, and Acts continuing them.

'XIX. And to prevent the spreading of the said infectious Distemper, by Persons who frequently buy 'up Cattle in infected Places, and soon after dispose of the same in Places free from the Infection, con-'trary to the true Intent and Meaning of this Act, and the Orders and Regulations made, or which shall 'hereafter be made by his Majesty in Council;' Be it enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and fifty-seven, no Person whatsoever, by himself, his Servant or Agent, shall sell or dispose of any living Ox, Bull, Cow, Calf, Steer or Heifer, until the same shall have been the Property of such Person for the Term of forty Days at least; and in Proof of such Property, the Seller shall produce a Certificate under the Hand of the Person of whom such Ox, Bull, Cow, Calf, Steer or Heifer, was last bought or purchased, signifying the Time when he purchased the same; and every Person who shall sell or dispose of any Ox, Bull, Cow, Calf, Steer or Heifer, without producing such Certificate, and shall be thereof convicted by his, her or their own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice or Justices of the Peace for the County, Riding, Division, City, Liberty or Town Corporate, where the Offence shall be committed, shall for every Ox, Bull, Cow, Calf, Steer or Heifer, so sold or disposed of, forfeit and pay the Sum of ten Pounds; unless such Person shall by himself, his Agent or Servant, make Oath before the said Justice or Justices (which Oath the said Justice or Justices is and are hereby impowered to administer) that the said Ox, Bull, Cow, Calf, Steer or Heifer, has been his Property for more than forty Days; the said Forfeiture to be adjudged, levied and recovered, in such Manner as is herein after directed to be levied and recovered; one Moiety of the said Forfeiture to be given to the Informer, and the other Moiety to the Poor of the Parish where the Offence shall be committed.

No horned Cattle is to be sold until the same shall have been the Seller's Property 40 Days,

on Forfeiture of 10 l.

Recovery and Application of the Forfeiture.

XX. And be it further enacted by the Authority aforesaid, That every Person who shall, from and after the said first Day of *June* one thousand seven hundred and fifty-seven, sell or dispose of any Ox, Bull, Cow, Calf, Steer or Heifer, and shall give a false or untrue Certificate of the Time of the Sale of such Cattle, and every Person who shall accept of such false or untrue Certificate, knowing the same to be such, shall forfeit and pay the Sum of ten Pounds, to be adjudged, levied, recovered and disposed of in the Manner herein after directed.

The Seller giving a false Certificate, and the Person accepting it forfeit 10 l.

XXI. And be it enacted by the Authority aforesaid, That if any Drover, or Person or Persons driving and conducting horned Cattle from one Place to another, shall find any Beast or Beasts in his Drift sicken upon the Road so as to be unable to proceed forward in their Journey, such Drover, or Person or Persons driving such horned Cattle, shall forthwith give Notice thereof to the Constable, Headborough or Churchwarden of the Parish or Place wherein such Beast or Beasts shall sicken, in order that the same may be slain and buried, the Skin being first slashed, if deemed to be ill of the Distemper now raging amongst the horned Cattle, in the Opinion of the Officer of such Parish or Place so summoned, and of two other substantial Inhabitants of the said Parish or Place, whom the said Officer is hereby impowered, by a Note in Writing under his Hand, to summon to his Assistance; and in case any Drover or Person or Persons driving horned Cattle, shall fail herein, or shall conceal or drive out of the Way, without giving such Notice, any such sick Beast or Beasts, he or they so offending shall forfeit and pay ten Pounds to the Use of the Poor of such Parish or Place wherein such Beast or Beasts shall be found sick or dead; to be levied on his or their Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace of the County, Riding, Division, Liberty, City or Town Corporate, wherein such Drover or Person or Persons driving such horned Cattle shall be taken; and in case of Non-payment, such Drover or Person or Persons shall be committed to the common Gaol of such County, Shire, Stewartry, Riding, Division, Liberty, City or Town Corporate, there to remain without Bail or Mainprize for the Space of six Calendar Months, or until he or they shall have paid the said Penalty.

If a Drover finds any Cattle sicken in his Drift, he is to give immediate Notice to a Parish Officer,

upon Penalty of 10 l.

or six Months Imprisonment.

'XXII. And for preventing Persons selling any horned Cattle before they have been in their Possession 'forty Days;' It is hereby enacted, That no Person or Persons shall sell or dispose of any Live Ox, Bull, Cow, Calf, Steer or Heifer, unless he, she or they shall, besides his, her or their Compliance with the Directions of the said Act, first obtain a Certificate under the Hand and Seal of some Justice of the Peace, or Commissioner of the Land Tax, specifying the Colours and Number of Beasts so intended to be sold, and the Parish, Township or Place from whence the same are brought, or intended to be carried, in order for Sale; and the Name or Names, Place or Places of Abode, of the Owner or Owners thereof; and that it appears to such Justice or Commissioner, upon Examination on the Oath of one or more credible Witness or Witnesses, that the Beasts contained in such Certificate have been the Property and in the Possession of such Person or Persons, for at least forty Days before the Date of the said Certificate; and every Person selling any Ox, Bull, Cow, Calf, Steer or Heifer, by virtue of such Certificate, shall produce the same and give a true Copy thereof, attested by two or more credible Witnesses, to the Person or Persons buying such Beasts; and every Person selling any Ox, Bull, Cow, Calf, Steer or Heifer, without obtaining such Certificate, and every Person buying the same without receiving a true Copy thereof, attested as aforesaid, shall forfeit and pay the Sum of ten Pounds for every Ox, Bull, Cow, Calf, Steer and Heifer, bought or sold contrary to the true Intent and Meaning hereof, to be levied, adjudged, recovered, applied and disposed of, as is herein after directed to be levied, adjudged, recovered, applied and disposed of.

No Cattle may be sold unless a Certificate be obtained of the Number, Colour, Place of Sale, and Owner's Name, and Proof made of their being the Seller's Property 40 Days before; an attested Copy to be given to the Buyer, upon Penalty of 10 l.

XXIII. And be it further enacted by the Authority aforesaid, That if one or more Justice or Justices of the Peace, during the Continuance of this Act, shall suspect any Person of buying, selling or driving any Ox, Bull, Cow, Calf, Steer or Heifer, or of taking off the Hide from any infected Ox, Bull, Cow, Calf, Steer or Heifer, which shall die of the said Distemper, contrary to the true Intent and Meaning of this Act, and the Rules, Orders and Regulations made by his Majesty in Council in pursuance thereof, or of not burying any Ox, Bull, Cow, Calf, Steer or Heifer, contrary to this Act and Orders,

Justice may summon any Person suspected of a Breach of any of these Regulations;

Orders, it shall and may be lawful for such Justice or Justices to summon such Person to appear before him or them, at a reasonable Time to be prefixed in such Summons; and the Proof of complying with the Directions of this Act and Orders, shall lie on the Party so summoned; and if such Person shall neglect or refuse to appear before such Justice or Justices (Proof being made upon Oath of his or her being duly summoned) or shall not make it out to the Satisfaction of him or them, that he or she has fully conformed himself or herself to this Act, Rules and Orders, such Person shall be deemed and taken to be duly convicted of the Offence or Offences for which he shall be so summoned, and incur the several Penalties and Forfeitures inflicted by this Act, to be levied, recovered and adjudged, in Manner as is herein after mentioned; one Moiety of the said Forfeiture to be paid to the Overseer of the Poor, and be applied to the Use of the Poor of the Parish where such Person dwells; and the other Moiety to the Treasurer of the County, Riding or Division, to be made Part of the County Stock; or in that Part of *Great Britain* called *Scotland*, to such Person and for such Purposes, as the Justices in their General Quarter-Sessions shall direct and appoint.

and the Party is to purge himself.

One Moiety of the Penalty to go to the Poor, and the other to the County Stock; in Scotland, to be applied as the Justices direct.

'XXIV. And for the more effectual preventing the spreading of the said infectious Distemper by Persons commonly called *Jobbers*, who occupying little or no Grazing Land, buy up Cattle in infected Places, and soon after dispose of the same;' Be it enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and fifty-seven, no Person whatsoever (Butchers and others excepted, buying Fat Cattle for immediate Slaughter) shall purchase any living Ox, Bull, Cow, Calf, Steer or Heifer, without having first obtained a Certificate under the Hand and Seal of some Justice of the Peace, or Commissioner of the Land Tax, acting for the County, Riding, Division, City, Liberty, Town or Place where such Person resides, specifying his or her Name, and Place of Abode, and the Number of Beasts he or she intends to purchase, and whether such Beasts are intended to be purchased by him or herself, or by an Agent or Servant, and if by an Agent or Servant, then the Name and Place of Abode of such Agent or Servant, and that it appears to such Justice or Commissioner upon Examination on the Oath of one or more credible Witness or Witnesses, that such Person really occupies Land sufficient to graze and keep the Number of Beasts contained in such Certificate, over and above the Stock such Person is at present possessed of, for the Space of three Months; and that it may appear no more Beasts were bought than were contained in such Certificate, every such Person shall, upon bringing any Cattle into any Parish or Place, bought in pursuance of such Certificate, produce and shew the said Certificate to an Inspector, Churchwarden or Overseer of the Poor, if any there be, of such Parish or Place, and shall at the same Time acquaint such Inspector, Churchwarden or Overseer, with the Place where, and the Name of the Person of whom such Beasts were purchased; and the said Inspector, Churchwarden or Overseer, is hereby required to mark on the Back of the said Certificate, the Number of Beasts so brought into any Parish or Place, and the Place where, and the Name of the Person of whom such Beasts were purchased, and the Day when such Certificate was so produced; and if any Person or Persons (Butchers or others buying Fat Cattle for immediate Slaughter excepted as aforesaid) shall, from and after the said first Day of *June* one thousand seven hundred and fifty-seven, buy any Ox, Bull, Cow, Calf, Steer, or Heifer, without previously obtaining such Certificate, or shall buy more than the Number contained in the same, or shall not produce the said Certificate to an Inspector, Churchwarden or Overseer of the Poor; every such Person shall, for every Beast bought contrary to the true Intent and Meaning hereof, forfeit and pay the Sum of five Pounds; the said Penalty to be levied, adjudged, recovered, applied and disposed of as is herein after directed.

No Person may buy Cattle, without a Certificate of his Name and Abode, and Number of Beasts he intends to buy;

and that he has Land sufficient to graze the same for three Months, over and above his present Stock.

On bringing home the Cattle, the Certificate is to be produced to the Inspector, &c. of the Parish.

Buyer not conforming hereto, forfeits 5l.

XXV. Provided always, That no Cattle shall be deemed to be bought by virtue of such Certificate, unless the same are purchased within one Month from the Date thereof.

Certificate not good, unless the Cattle be purchased within a Month after the Date.

XXVI. And be it further enacted by the Authority aforesaid, That when and as often as any Cattle shall be stopped for want of a proper Certificate, the Constable or other proper Officer of the Township or Parish where the said Cattle shall be so stopped, shall cause such Cattle, with all convenient Expedition, to be driven back to the next Constablewick from whence they last came, and shall give Notice thereof to the Constable or other proper Officer of such next Constablewick, who shall, and he is hereby required to receive the said Cattle, and to cause the same to be driven through his Constablewick, to the next Constablewick from whence such Cattle were driven, the Constable or other Parish Officer whereof shall receive the same as aforesaid, and so from Constablewick to Constablewick, until such Cattle shall arrive at the first Township or Place in the said County, Riding, Division or Liberty, through which they were suffered to pass, without a proper Certificate; and they shall be treated in such and the like Manner as Cattle which have been within one Mile of an infected Place are by this Act, or by any of his Majesty's Orders of Council deemed to be treated.

Where Cattle are stopt for want of a Certificate, they are to be driven back to the Place from whence they set out; and are to be treated as Cattle which have been within a Mile of an infected Place.

'XXVII. And whereas there are no such Officers as Overseers of the Poor and Churchwardens, in that Part of *Great Britain* called *Scotland*;' Therefore in order to carry this Act in that Part of the United Kingdom into Execution, Be it enacted by the Authority aforesaid, That all Matters and Things appointed to be done and executed by the Overseers of the Poor and Churchwardens, in that Part of *Great Britain* called *England*, shall, in *Scotland*, be done and executed by the Constables, or other Officers, to be appointed by the Justices of the Peace for that Purpose, at their respective Quarter-Sessions or Adjournment thereof.

In Scotland Constables are to execute the Powers, &c. vested in the Churchwardens;

and the Commissioners of the Land Tax are to assess their Counties to defray the Expence of such Service.

'XXVIII. And in order to make Provision in that Part of the United Kingdom called *Scotland*, for any 'Expence that may attend the Execution of this Service;' Be it enacted by the Authority aforesaid, That it may be lawful for the Commissioners of the Land Tax, and they are hereby impowered to assess their respective Counties, in a Sum not exceeding fifty Pounds for each County, to be levied and collected in the same Proportions, and according to the same Rules, with the Land Tax; and which Sum the respective Collectors of the Land Tax for each County are hereby required to collect and issue by order of the respective Justices of the Peace, or the major Part of them, assembled at the Quarter-Sessions or Adjournment thereof.

Method of Recovery of pecuniary Penalties.

XXIX. And it is hereby further enacted, That whereſoever any Person shall, for any Offence to be hereafter committed against any Law now in Being relating to the preventing the spreading of the Distemper which now rages amongst the horned Cattle in this Kingdom, be liable or subject to pay any pecuniary Penalty or Sum of Money upon Conviction, before any Justice or Justices of the Peace, it shall and may be lawful for any other Person whatsoever, either to proceed to recover the said Penalty, by Information and Conviction, before any Justice or Justices of the Peace, in such Manner as is directed by this Act, or to sue for the same by Action of Debt or on the Case, Bill, Plaint or Information, in any of his Majesty's Courts of Record, wherein no Essoin, Protection or Wager of Law, or more than one Imparlance shall be allowed, and wherein the Plaintiff, if he recovers, shall likewise have his double Costs.

Plaintiff recovering intitled to double Costs.

Limitation of Actions.

XXX. Provided, That all Suits and Actions to be brought by virtue of this Act, shall be brought before the End of the next Term after the Offence committed; and that no Offender against any of the Laws now in Being for the preventing the spreading of the Distemper which now rages amongst the Horned Battle, shall be prosecuted twice for the same Offence.

Commissioners of the Land Tax, and Rectors, and Vicars, rated for 100 l. per Ann. are to grant Certificates of Health for Cattle.

XXXI. And be it further enacted by the Authority aforesaid, That all the Commissioners of the Land Tax, and Rectors or Vicars who are rated to the Land Tax for one hundred Pounds *per Annum*, shall, in their respective Parishes, and they are hereby impowered to grant Certificates of Health for Cattle, in as full and ample Manner, as any Justice or Justices of the Peace are impowered in any Manner whatsoever to do, for which said Certificates no Fee or Reward whatsoever shall be taken.

Persons granting Certificates, are to set forth therein their Office,

on Penalty of 20 l.

XXXII. And be it further enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty-seven, all Persons whatsoever taking upon them to grant Certificates in pursuance of this Act, or his Majesty's Orders relating thereto, shall set forth in every such Certificate by virtue of what Office he grants such Certificate, whether as Justice of the Peace for any County, City or Borough, Commissioner of the Land Tax, or otherwise; and in Case any Person shall neglect so to do, such Person shall, for every such Offence respectively, forfeit and pay the Sum of ten Pounds of lawful Money of *Great Britain*, for every such Neglect, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, with full Costs of Suit, wherein no Essoin, Privilege, Protection or Wager of Law, or more than one Imparlance shall be allowed.

Justices at their Petty Sessions to appoint Inspectors.

XXXIII. And be it further enacted by the Authority aforesaid, That the Justices of the Peace within their respective Divisions, at their Petty Sessions, or the major Part of them then and there assembled, within that Part of *Great Britain* called *England*, shall have full Power and Authority to appoint any Person or Persons to be Inspector or Inspectors of any Houses, Buildings, Grounds, Fields and Cattle within their said Divisions, to be Assistant to the Constables, Churchwardens and Overseers of the Poor, in such Manner as the Justices of the Peace at their General Quarter-Sessions are by his Majesty's said Order in Council, dated the second of *March* one thousand seven hundred and forty-seven, impowered to do.

Certificates are not necessary where the Buyer and Seller live within five Miles of each other; provided the other Regulations are complied with.

XXXIV. Provided, That no Seller or Buyer of any such Cattle shall be obliged to take out either of the said Certificates, where both the Seller and Buyer live in the same Parish, or in the next adjacent Parish or Place, or within five Miles Distance of each other.

XXXV. Provided, That the Seller of such Cattle has been in the Possession of the Cattle so to be sold forty Days at the least before such Sale, and so as the Buyer keeps the said Cattle three Months at the least, from the Time he purchases the same, and so as the Distemper that now Rages amongst the horned Cattle in this Kingdom, be not within the Space of ten Miles of the Seller's Abode, and that the Seller and Buyer live in the same County; any Thing in this Act to the contrary notwithstanding.

The Prohibition of the Justices for the County at large, to hold Fairs or Markets for Sale of horned Cattle, is to extend to all Corporations within, or contiguous to, such County;

'XXXVI. And whereas the Magistrates of some Corporations situated within Counties at large, have 'in some Places presumed to hold Fairs and Markets for the Sale of horned Cattle, when the Justices of 'the Peace for the County at large have prohibited Fairs and Markets to be holden in the said County, 'which in a great Measure frustrates the said Prohibition, and Occasions many Disputes;' Be it therefore further enacted by the Authority aforesaid, That from and after the said first Day of *June* in the Year of our Lord one thousand seven hundred and fifty-seven, where the Justices of the Peace for any County at large have already, or shall hereafter think proper to prohibit Fairs and Markets to be holden for the

Sale

Sale of horned Cattle within such County, such prohibition shall be deemed and taken to extend to all Corporations within such County, or surrounded by or lying contiguous to such County, any Charter, Privilege or Exemption to the contrary notwithstanding; and in case any such Magistrate shall proclaim or give Notice, or cause to be proclaimed or Notice to be given, of any Fair or Market for horned Beasts, or shall wilfully and knowingly permit any horned Beasts to be brought into or sold at any Fair or Market within his Jurisdiction, during such Prohibition as aforesaid, such Magistrate shall forfeit and pay the Sum of one hundred Pounds of lawful Money of *Great Britain*, to any Person who shall sue for the same in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Imparlance shall be allowed.

and Magistrates offending against such Prohibition, forfeit 100l.

XXXVII. And be it further enacted, That from and after the first Day of *June* one thousand seven hundred and fifty-seven, no Justice of the Peace, or other Magistrate of any Corporation, or Commissioner of the Land Tax for such Corporation, or Rector or Vicar within any Corporation, shall certify for any horned Beast but such as have been kept within his Jurisdiction for the Time required by Law, nor for the Hide of any Beast but such as have been slaughtered within his Jurisdiction; any thing in any former Act to the contrary notwithstanding: And in case any such Magistrate shall take upon him to grant Certificates, otherwise than as aforesaid, such Magistrate shall forfeit and pay the Sum of twenty Pounds of lawful Money of *Great Britain*, for every Certificate so granted, to any Person or Persons that shall sue for the same, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, with full Costs of Suit, wherein no Essoin, Privilege, Protection, Wager of Law, or more than one Imparlance shall be allowed.

No Beast or Hide is to be certified for, which has not been the legal Time, &c. within the Jurisdiction of the Person certifying.

Magistrate granting a Certificate otherwise, forfeit 20l.

XXXVIII. Be it further enacted by this Act, That it shall and may be lawful for any four or more of the Justices of the Peace, of any County within this Realm, at their General Quarter-Sessions, or any Adjournment thereof, upon Information given to them that the said Distemper is in any neighbouring County, to prohibit for a certain Time, or until the Distemper shall cease in such County, any Ox, Bull, Cow, Calf, Steer or Heifer, from being driven or removed, or any Hides, Skins, or Flesh carried from such County, or from any Hundred, Lathe, Wapentake, Rape, Ward, or other Division of such County so infected, into the County so making such Order; and in case any Person shall act contrary to such Order, such Person shall incur the Penalties and Forfeitures enacted against Persons driving Cattle without Certificates.

Upon Information that the Distemper is in a neighbouring County, the Justices may prohibit the Removal of Cattle or Hides from thence.

XXXIX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, the Defendant or Defendants in such Action or Suit may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by Authority of this Act, or of some Rule, Order or Regulation made or to be made in pursuance of this Act; and if it shall appear so to have been done, then the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant and Defendants shall and may recover treble Costs, and have the like Remedy for the same, as the Defendant or Defendants hath or have in other Cases by Law.

Persons sued on this Act, may plead the General Issue.

Treble Costs.

XL. And be it further enacted by the Authority aforesaid, That this Act shall continue and be in Force until the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament.

Continuance of the Act.

CAP. XXI.

An Act for the more effectual Preservation and Improvement of the Spawn and Fry of of Fish in the River of *Thames*, and Waters of *Medway*; and for the better regulating the Fishery thereof.

9 Annæ, c. 26.

'WHEREAS by an Act of Parliament made and passed in the ninth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the better Preservation and Improvement of the Fishery within the River of* Thames; *and for regulating and governing the Company of Fishermen of the said River*; It was enacted, That from and after the tenth Day of *June* one thousand seven hundred and eleven, it should and might be lawful to and for the Court of Assistants of the said Company, for the Time being, or the major Part of them present, to make such By-laws and Ordinances for the good Rule and Government of the said Company, as they should think fit, so as the same should be always first approved of, or from time to time altered and amended by the Court of the Mayor and Aldermen of the City of *London*, and likewise allowed and confirmed according to the Form of the Statute in that Behalf made and provided; and that from and after the said tenth Day of *June* there should be yearly elected and chosen by the next Court of Mayor and Aldermen to be held after the tenth Day of *June* out of the six Wardens of the said Company for the Time being, to be nominated by the said Court of Assistants, one fit Person to be a Master of the Art or Mystery of Fishermen; and also out of twelve Assistants to be nominated as aforesaid, six fit Persons to be Wardens of the said Art or Mystery (whereof the Water Bailiff of the City of *London* for the Time being to be one) and in like Manner, out of sixty of the Commonalty, to be nominated as aforesaid, thirty fit Persons to be Assistants of the said Company; which said Master, Wardens and Assistants, or any sixteen of them, together with three of the said Wardens, should be, and were thereby constituted the Court of Assistants of the said Company

'pany, for the Time being; and were required to meet and assemble together, from time to time, on the 'first *Tuesday* in every Calendar Month in the Year, in the Hall of the said Company, in order to form 'the said Court of Assistants, and keep the same for regulating and reforming Abuses committed in the 'said Fishery; and for the due ordering and Governance of the said Company: And whereas in pursu- 'ance of the said Act of Parliament, certain By-laws and Ordinances were made for regulating the said 'Fishery, and reforming Abuses committed therein, but the said Company having ceased to act from about 'the Year one thousand seven hundred and twenty-seven, and most of the Members thereof being dead, 'the Regulations in the said Fishery intended by the said Act have not taken Place, and the several Laws 'now in Force for the Preservation of the said Fishery, have hitherto proved ineffectual, and by the un- 'warrantable Practices used by Fishermen and others, the Brood and Fry of Fish in the said River and 'Waters of *Medway* have been greatly hurt and destroyed: For Remedy whereof, and for the better pre- 'serving the Spawn, Fry and young Brood of Fish in the said River of *Thames*, and also in the Waters 'of *Medway*, so far as the same are within the Jurisdiction of the Mayor of the City of *London*, as Conser- 'vator of the River of *Thames*, and Waters of *Medway*, and for preventing the Fishing therein with un- 'lawful and unsizeable Nets, Engines or other Devices; and for the ascertaining the Times, Seasons, 'and Manner of fishing in the said River and Waters, and the Size and Kind of Nets and Engines to 'be used in Fishing in the said River and Waters; and for regulating the said Fishery, and reforming 'Abuses therein; and for the more speedy and effectual apprehending and punishing the Offenders;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Court of the Mayor and Aldermen of the said City of *London* for the Time being, shall have full Power and Authority, and they are hereby required on or before the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and fifty-seven, to make, frame and set down in Writing, such reasonable Rules, Orders or Ordinances, for the governing and regulating all Persons who shall fish or drudge in the said River of *Thames*, and also in the said Waters of *Medway* (within the said Jurisdiction of the said Mayor, as Conservator as aforesaid) as Common Fishermen or Drudgermen, or otherwise; and for Declaration in what Manner they shall demean themselves in Fishing, and with what Manner of Nets and Engines, and at what Times and Seasons they shall use Fishing in the said River and Waters of *Medway*, within the Jurisdiction aforesaid, and for ascertaining the Assize of the several Fish to be there taken; and for the Preservation from time to time of the Spawn and Fry of Fish in the said River and Waters, within the Jurisdiction aforesaid; and for obliging every Common Fisherman or Drudgerman, or other such Person who shall fish with a Boat, Vessel or Craft, from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, in the said River of *Thames*, and in the said Waters of *Medway*, within the Jurisdiction aforesaid, to have in his Boat, Vessel or Craft, both his Christian and Surname, and also the Name of the Parish or Place in which he dwelleth, painted in legible and large Characters, in some convenient Place where any one may see and read the same; and for preventing such Name or Mark of Distinction from being changed, altered or defaced; and to annex reasonable Penalties and Forfeitures for the Breach of such Rules, Orders or Ordinances, not exceeding the Sum of five Pounds for any one Offence; and such Rules, Orders and Ordinances, or any of them, from time to time, to alter and amend, and such new and other Rules, Orders and Ordinances, touching the Matters aforesaid, with such reasonable Penalties and Forfeitures (not exceeding five Pounds for any one Offence) from time to time to make, as to the said Court in their Discretion shall seem meet, for the better putting this Act in Execution; so as after the making thereof the same be allowed and approved of, from time to time, by the Lord Chancellor of *Great Britain*, the Lord Keeper or Lords Commissioners of the Great Seal, for the Time being, the Lord Chief Justice of the Court of *King's Bench*, the Lord Chief Justice of the Court of *Common Pleas*, the Lord Chief Baron of the Court of *Exchequer*, or any two of them, who are hereby required, on Request from Time to Time to them, or any two or more of them, made by or on the Behalf of the said Court of Mayor and Aldermen, to peruse and examine all such Rules, Orders or Ordinances, as shall, from time to time, be made by the said Court of Mayor and Aldermen, in pursuance of this Act, and laid before the Lord High Chancellor, Lord Keeper, or Lords Commissioners of the Great Seal, for the Time being, the said Lord Chief Justice of the Court of *King's Bench*, the said Lord Chief Justice of the Court of *Common Pleas*, the said Lord Chief Baron, or any two of them, for their Allowance and Approbation; and they, or any two of them, are to allow thereof, or alter the same, before they allow thereof, as they or any two of them, shall from time to time think fit; and for the doing thereof, no Fee or Reward shall be paid or taken.

The Court of Mayor and Aldermen of London, impowered to make Rules for regulating the Fishermen and Drudgermen in the Thames and Medway;

the Rules to be approved of by two of the Judges.

II. And be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever shall, within the said Jurisdiction of the said Mayor, from and after the first Day of *November* one thousand seven hundred and fifty-seven, wilfully take, destroy, spoil, kill, or expose to Sale, or exchange for any Goods, Matter or Thing whatsoever, any Spawn, Fry or Brood of Fish, or Spatt of Oysters, or any unsizeable or unwholsome Fish, or Fish out of Season, or bring such Fish on Shore for Sale, or use or keep any Net, Engine or other Device whatsoever, which shall be prohibited or declared unlawful in and by such Rules, Orders, and Ordinances of the said Court of Mayor and Aldermen of the said City, allowed and approved of as aforesaid; upon Pain of forfeiting and paying, for every Offence, such Sum and Sums of Money as in and by such Rules, Orders or Ordinances, shall be respectively appointed, and to be recovered in such Manner as is herein after mentioned.

The Penalties annexed to the said Rules, confirmed.

III. Provided nevertheless, and be it enacted by the Authority aforesaid, That such Rules, Orders and Ordinances, so to be from time to time made by the said Court of the Mayor and Aldermen, shall, within

The Rules to be printed and published.

thirty

thirty Days after the same shall be allowed and approved of as aforesaid, be printed and made publick in such Manner as the said Court shall think proper, and from Time to Time order.

'IV. And to the Intent the said Court of the Mayor and Aldermen of the said City may be the better 'informed what Rules, Orders and Ordinances may be proper to be made from Time to Time, for the 'better Regulation and Preservation of the said Fishery;' Be it further enacted by the Authority aforesaid, That the said Court shall at some Time or Times between the twenty-fifth Day of *June* and twenty-ninth Day of *September* next, and so yearly for ever thereafter, (if Occasion shall so require) between the twenty-fifth Day of *June* and twenty-ninth Day of *September* in every Year, order to be summoned before them such and so many Persons who shall fish in the said River of *Thames*, or Waters of *Medway*, within the Jurisdiction aforesaid, as common Fishermen or Drudgermen (not exceeding twelve in Number) as to the said Court shall seem meet to be examined upon Oath (if the said Court shall so think fit) touching the Fish and Fishery of the said River and Waters; and if any such common Fisherman or Drudgerman being personally summoned by Writing to attend the said Court of Mayor and Aldermen for the Purposes aforesaid, by the Space of fourteen Days at the least, shall neglect or refuse so to do, or in case of Attendance shall refuse to be examined upon Oath as aforesaid, not having or making appear before the said Court some just or lawful Excuse for such Neglect or Refusal; then, and in every such Case, he or they so offending shall, on due Proof made by Oath in such Court of the due Service of the Summons in Manner aforesaid, forfeit and lose the Sum of forty Shillings, to be levied by Distress and Sale of his or their Goods and Chattels, by Warrant under the Hand and Seal of the said Mayor, or the Recorder of the said City, or any one Alderman of the said City, directed to any Assistant of the said Water Bailiff, or any Constable, Headborough or Peace Officer, impowering him, them or any of them, to makke the said Distress for the said forty Shillings, and cause the same to be appraised and sold after the Expiration of five Days from the making such Distress, rendering the Overplus, if any, to the said Offender; which said penal Sum shall, as soon as received, be paid to the Treasurer of *Greenwich* Hospital for the Benefit of the same Hospital.

Court to summon occasionally, 12 of the Fishermen, and examine them touching the Fishery of the Thames and Medway;

Fishermen refusing to attend or to be examined forfeit 40 s.

to be levied by Distress and Sale,

and paid to Greenwich Hospital.

V. And be it further enacted by the Authority aforesaid, That for the better Preservation of the said Fishery of the said River of *Thames*, and Waters of *Medway*, within the Jurisdiction aforesaid, and for preventing, as much as may be, any Abuses from being committed therein, it shall and may be lawful to and for the Deputy of the said Mayor for the Time being, as Conservator as aforesaid, commonly called *The Water Bailiff*, and his Assistant and Assistants, such Assistant and Assistants having been named and appointed to be his Assistant and Assistants, by Warrant under the Hand and Seal of the Mayor of the said City for the Time being, and likewise for all and every other Person or Persons who shall for that Purpose be specially authorized by any Warrant or Warrants under the Hand and Seal of the said Mayor, from Time to Time, and at all Times, to enter into any Boat, Vessel or Craft, of any Fisherman or Drudgerman, or other Person or Persons fishing or taking Fish, or endeavouring to take Fish, upon the said River of *Thames*, or upon the said Waters of *Medway*, within the Jurisdiction aforesaid, and there search for, take and seize all Spawn, Fry, Brood of Fish, Spatt of Oysters, and unsizeable, unwholsome or unseasonable Fish, and also all unlawful Nets, Engines and Instruments, for taking or destroying Fish, as shall then be in any such Boat or Boats, Vessel or Craft, in or upon the said River or Waters; and to take and seize on the Shore or Shores adjoining to the said River, or Waters of *Medway*, within the Jurisdiction aforesaid, all such Spawn, Fry, Brood of Fish, Spatt of Oysters, unsizable, unwholsome, or unseasonable Fish, as shall be there found; and such Deputy and Assistants, or other Persons, who shall be so authorized as aforesaid, shall from Time to Time, with all convenient Speed, after the seizing or taking of any such unlawful Nets, Engines or Instruments, or any Spawn, Fry, Brood of Fish, or Spatt of Oysters, or unsizable, unwholesome or unseasonable Fish, bring or cause the same to be brought, before the Mayor of the said City for the Time being, or the Recorder of the said City, or one of the Aldermen of the said City, if seized within the Limits of the said City of *London*, and Liberties thereof, either upon the said River or on Shore, or before the Mayor of the said City for the Time being, or the Recorder of the said City, or one of the Aldermen of the said City, or one of his Majesty's Justices of the Peace of the County in which such Seizure shall be made, if made upon the said River or Waters, out of the Limits of the said City, or the Liberties thereof, but within the Jurisdiction of the said Mayor as Conservator as aforesaid, or before one of his Majesty's Justices of the Peace of the County in which the same shall be seized on Shore, who shall respectively cause such Nets, Engines or Instruments, or Spawn, Fry, Brood of Fish, Spatt of Oysters, unsizeable, unwholsome or unseasonable Fish, so seized to be examined; and if the same shall, upon View and Examination thereof, or on Proof on Oath before him or them made (which Oath he and they is and are hereby impowered to administer) appear to be unsizeable, unwholsome or unseasonable Fish, or unlawful Nets, Engines or Instruments for taking unsizeable Fish, or destroying of Fish or Spawn of Fish, contrary to such Rules, Orders or Ordinances, as shall be made by the said Court of the said Mayor and Aldermen, and allowed and approved of as aforesaid, and the Intent and Meaning of this Act, and that the same were so seized as aforesaid, the said Mayor, Recorder or any Aldermen of the said City, or Justice respectively, within their respective Jurisdictions, shall cause to be forthwith burnt or destroyed, as well all such unlawful Nets, Engines or Instruments, as also all such Spawn, Fry or unsizeable, unwholsome or unseasonable Fish, as shall be seized as aforesaid.

Water Bailiff, his Assistants, and others authorized by the Mayor,

may enter into Fishermens Boats, and seize all prohibited Fish, Nets, &c. on board,

and such as shall be found on the Shore;

and bring them before a proper Magistrate;

and the same being found, to be contrary to the Rules,

are to be burnt.

VI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall obstruct or hinder the said Water Bailiff, his Assistants, or any of the said Officers, or any Constable, Headborough or other Peace Officer, in the Execution of any of the Powers vested in them by this Act, or of any Warrant or Warrants to be issued by the said Mayor, Recorder or any Alderman of the said City, or Justice respectively, in pursuance of this Act; or if any Person or Persons whatsoever shall rescue any Person

Penalty of 10 l. for obstructing an Officer in his Duty, or rescuing an Offender.

son or Persons who shall be apprehended or taken by Virtue or in Pursuance of any of the Powers given by this Act, the Person or Persons so offending therein shall, for every such Offence, forfeit the Sum of ten Pounds, on Conviction thereof by the Oath of one or more credible Witness or Witnesses, before the said Mayor, Recorder or one of the Aldermen of the said City, within the said City and Liberties, or the Jurisdiction aforesaid, or before a Justice of the County where the said Offence shall be committed, or where the Offender shall be apprehended.

Magistrates to determine Complaints touching Offences against the Rules in a summary Way;

VII. And be it further enacted by the Authority aforesaid, That the Mayor, Recorder or any one Alderman of the said City, within the said City and Jurisdiction aforesaid, and his Majesty's Justices of the Peace of the respective Counties within the Jurisdiction aforesaid, or any one of them, shall have full Power to hear and determine in a summary Way, Complaints touching any unlawful or undue Fishing, or taking or destroying Fish, or any other Offences to be committed contrary to any of the Rules, Orders or Ordinances, at any Time hereafter to be made by the said Court of the Mayor and Aldermen in pursuance of this Act, and which shall be allowed and approved of as aforesaid; and the said Mayor, Recorder, Aldermen and Justices, and each of them respectively, within their respective Jurisdictions, are and is hereby authorized and required upon View, or upon Complaint made on Oath to them respectively, of any such Offence committed within their respective Jurisdictions, contrary to such Rules, Orders or Ordinances, within ten Days after the Commission of any such Offence, to issue his or their Warrant or Warrants under his Hand and Seal, or their Hands and Seals, directed to the Water Bailiff of the said City, or such his Assistant or Assistants as aforesaid, or to such Constables, Headboroughs or other Peace Officers, as the said Mayor, Recorder, Aldermen or Justices, or any one of them, shall, from Time to Time thhink fit, thereby requiring him or them to apprehend such Offender or Offenders, and to bring him, her or them, before the said Mayor, Recorder, Aldermen or Justices, or any one of them, within their respective Jurisdictions, to answer the Matters of Complaint to be contained in such Warrant or Warrants; and which Warrant or Warrants the Person and Persons to whom the same shall be directed, and their Assistants, are hereby authorized, impowered and required, to execute on the said River *Thames*, or on the Waters of *Medway*, or on any Part thereof, within the Jurisdiction aforesaid, or on any Shore adjoining to the said River, or Waters of *Medway*; and for that Purpose, they, and every of them, are hereby authorized, impowered and required, at all Times, to go on board any Boat, Vessel or Craft, in the said River or Waters; or in the Day Time, with a Peace Officer, to enter any House wherein any such Offender or Offenders shall be, for the apprehending him, her or them; and when apprehended, to carry him, her or them, as soon as conveniently may be, before the said Mayor, Recorder or one of the Aldermen of the said City, if apprehended in the said City of *London*, or the Liberties thereof; and if apprehended out of the said City of *London*, or the Liberties thereof, then before one of the Justices of the County where the said Offender or Offenders shall be taken; and the said Mayor, Recorder, Aldermen and Justices, within their respective Jurisdictions, or any one of them, are and is hereby authorized and required to summon Witnesses on either Side before them, and to examine them on Oath (which Oath the said Mayor, Recorder, Aldermen and Justices respectively, or any one of them, is and are hereby authorized, impowered and required, to administer) touching the Premisses, and thereupon to hear and determine the same; and in case any Offender or Offenders shall thereupon, by the said Mayor, Recorder or Aldermen, or the said Justices, or one of them, be convicted, and adjudged guilty of any such Offence, then such Offender or Offenders shall thereby incur and forfeit such Penalty as shall be by such Rules and Ordinances set and imposed for the same; and that such Warrant or Warrants, or other Act or Acts of the said Mayor, Recorder, Aldermen or Justices, and the Act and Acts of the Water Bailiff, and his Assistants, and of all Constables, Headboroughs and other Persons, in Obedience to such Warrant or Warrants, shall be as valid, good and effectual in Law, to all Intents whatsoever, as if the same were executed within the proper Limits of their own City, County or Jurisdiction.

and upon View, or Complaint on Oath of any Offence, to issue their Warrants for apprehending Offenders,

and to summon Witnesses, and examine them on Oath.

upon Conviction, Offender to forfeit as the Rules direct.

Witness refusing to appear, or to give Evidence, without just Cause, forfeits not exceeding 5l. nor less than 20s.

VIII. And be it further enacted by the Authority aforesaid, That if any Witness or Witnesses who shall be summoned in pursuance of this Act to appear before the said Mayor, Recorder, Aldermen or Justices of the Peace, or any one of them, within their respective Jurisdictions aforesaid, shall neglect or refuse to appear according to the Direction of the Summons, or appearing shall refuse to be examined on Oath touching the Premisses, and no just Excuse shall be offered for such Neglect or Refusal, every Person so offending, on Proof on Oath being made of such Summons having been served on him, her or them, shall for every such Offence forfeit and lose such Sum of Money, not exceeding five Pounds, nor less than twenty Shillings, as the said Mayor, Recorder, Aldermen or Justices, or any one of them, within their respective Jurisdictions, shall by Warrant under his Hand or their Hands order or direct.

Officer neglecting his Duty, forfeits any Sum not exceeding 5l.

IX. And be it further enacted by the Authority aforesaid, That if any Assistant or Assistants of the Water Bailiff of the said City, or any Peace Officer, shall wittingly or willingly neglect or refuse to serve or execute any Warrant or Warrants to him or them directed in Pursuance of this Act, or shall otherwise wilfully or wittingly omit the Performance of his or their Duty in the Execution of this Act, and shall be thereof convicted by the Oath of one or more credible Witness or Witnesses, before the said Mayor, Recorder or any such Alderman, or Justice as aforesaid, within their respective Jurisdictions, every such Assistant or Peace Officer so offending shall forfeit and lose any Sum of Money not exceeding five Pounds, as the said Mayor, Recorder, Alderman or Justice, or any one of them, within their respective Jurisdictions shall think reasonable and direct.

[illegible] on [illegible], or [illegible] to [illegible]

X. And be it further enacted by the Authority aforesaid, That if the said Water Bailiff, or any of his Assistants, shall at any Time hereafter receive any Sum of Money, Gratuity or Reward whatsoever, from any Person or Persons to prevent, delay or hinder any Prosecution; or compound for, or wilfully conceal any Offence to be committed contrary to this Act, and shall be thereof convicted by the Oath of

one or more credible Witness or Witnesses, before the said Mayor, Recorder or Aldermen, of the said City, or any one of them (and which Oath the said Mayor, Recorder and Aldermen or any one of them, is and are hereby authorized to administer) such Water Bailiff and his Assistants respectively, for every such Offence shall forfeit and lose the Sum of five Pounds.

'XI. And, for the better and more easy Recovery of the several Penalties and Forfeitures to be incurred by Disobedience to this Act, and the Powers therein contained, and disposing of the said Forfeitures, where no particular Provision is already made herein;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor of the said City of *London* for the Time being, Recorder and Aldermen of the said City, or any one of them, within the said City, or Liberties thereof, or within the Jurisdiction aforesaid, and to and for any other of his Majesty's Justices of the Peace, or any one of them, within their respective Counties, on the Conviction of any Person or Persons for any Offence or Offences committed contrary to the true Meaning of this Act, the Forfeiture not being paid, to issue a Warrant or Warrants under his Hand and Seal, or their Hands and Seals respectively, directed to the Assistant or Assistants of the said Water Bailiff, or any Peace Officer, within their respective Jurisdictions, impowering him or them to make Distress of the Goods and Chattels of the said Offender or Offenders, for the Sum to be levied by any such Warrants; and to cause such Goods and Chattels, after five Days from the Distress taken, to be appraised and sold, rendering the Overplus, if any, after deducting the Forfeiture and the Costs and Charges of the Distress and Sale, to the Owners; which Charges shall be ascertained by the Magistrate before whom such Offender or Offenders shall have been so convicted; and for want of such Distress and Non-payment, then it shall be lawful for the said Mayor, Recorder, Aldermen and Justices, or any one of them, within their respective Jurisdictions, by Warrant under his Hand and Seal, to commit such Offender or Offenders to the Common Gaol or House of Correction of the City or County, where such Offender or Offenders shall be convicted, there to remain for the Space of three Months from the Time of such Commitment, unless Payment shall be made of the said Penalty, Costs and Charges, before the Expiration of the said three Months; and one Moiety of all such Penalties and Forfeitures, when recovered, shall be paid to the Informer, and the other Moiety thereof shall be paid to the Treasurer of *Greenwich Hospital* aforesaid, for the Use of the said Hospital; but in case any such Offender or Offenders shall think him or themselves aggrieved by such Conviction, and shall within the said five Days enter into a Recognizance with two good and sufficient Sureties, in the Penal Sum of twenty Pounds, before such Magistrate or Magistrates, before whom he, she or they, shall be so convicted, (which said Recognizance shall be returned, within the said Space of fourteen Days, to the said Court of the Mayor and Aldermen) conditioned for his Personal Appearance at some Court of the said Mayor and Aldermen of the said City, to be holden within six Weeks after the acknowledging such Recognizance, or at the next Court of Conservacy to be held for the County in which such Offence shall be committed, and to stand to and abide such Order as shall be made in the Premisses by such Court, then the Goods so distrained shall be returned to the Party or Parties from whom the same were taken; and the said Court of Mayor and Aldermen, or Court of Conservacy, is hereby impowered and directed upon a Petition of Appeal presented to them, by the Party or Parties so convicted, complaining of such Conviction, to appoint a Time for the hearing and determining the Matter of such Appeal, and thereupon to cause Notice to be given to the Parties, and to summon Witnesses to attend at the Time so appointed, and then to examine such Witnesses upon Oath, and finally to hear and determine the Matter of such Appeal or Complaint, and make such Order therein, as to such Court shall seem meet; and the said Courts respectively shall, and they are hereby impowered to order all or any of the Penalties laid on or incurred by any of the Parties complaining, to be mitigated, or to vacate or set aside such Conviction or Convictions, or otherwise to ratify and confirm the same, and at their Discretion to award such reasonable Costs to be paid by the Appellant, as to them shall seem meet; and the said Court of Mayor and Aldermen, or Court of Conservacy, may, on Forfeiture of any such Recognizance, estreat the same into his Majesty's Court of *Exchequer*, there to be proceeded upon and executed in the same Manner, as Estreats returned to the said Court of *Exchequer*, from any Court of Conservacy held by the said Mayor of the said City, are.

Method of Recovery, and Application of the Forfeiture.

For want of Distress, Offender to be committed for 3 Months.

One Moiety of the Penalty to go to the Informer, the other to Greenwich Hospital.

If the Offender, aggrieved by such Conviction, shall enter into a Recognizance, with Sureties, to abide the Order of the Court,

the Distress is to be returned; and the Court to hear and determine such Appeal,

and to mitigate the Penalties, or vacate the Conviction, or confirm the same with Costs;

and on Forfeiture of Recognizance, to estreat the same into the Exchequer.

XII. And be it further enacted by the Authority aforesaid, that the Mayor, Recorder or any Alderman or Justice before whom any Person shall be convicted in Manner prescribed by this Act, shall cause such respective Conviction to be drawn up in the Form, or to the Effect following; that is to say,

Form of Conviction,

To wit. 'BE it remembered, That on this Day of in the Year of his Majesty's Reign, *A. B.* is convicted before me, one of his Majesty's Justices of the Peace for the City or County of (*as the Case shall happen to be*) for (*here set forth the Offence*) and I do adjudge him to pay and forfeit for the same the Sum of

'Given under my Hand and Seal, the Day and Year aforesaid.'

to be written on Parchment, and transmitted to the Court to be filed;

And the said Mayor, Recorder, Alderman or Justice before whom such Conviction shall be had, shall cause the same so drawn up in the Form aforesaid, to be fairly written upon Parchment, and transmitted to the Court of Mayor and Aldermen, or Court of Conservacy, to be filed and kept amongst the Records of the said Court, to which the same shall be transmitted; and in case any Person or Persons so convicted shall appeal from the Judgment of the said Mayor, Recorder or any Alderman or Justice as aforesaid, to the said Court of Mayor and Aldermen, or Court of Conservacy, the said Court of Mayor and Aldermen,

or Court of Conservacy, is hereby required upon receiving the said Conviction, drawn up in the Form aforesaid, to proceed to the Hearing and Determination of the Matter of the said Appeal, according to the Directions of this Act; any Law or Usage to the contrary notwithstanding.

Conviction, or other Proceedings of the Court, not removable by Certiorari.

XIII. And be it further enacted by the Authority aforesaid, That no Writ of *Certiorari*, or other Writ or Process for Removal of any such Conviction, or any Proceedings thereon, into any of his Majesty's Courts of Record at *Westminster*, shall be allowed or granted.

If the Offender escape out of the Jurisdiction of the Person granting a Warrant against him, or if his Goods be in a different County, &c. any Justice of the Peace, &c. may indorse the Warrant,

and Peace Officer execute the same;

and the Offender may be tried by such Justice, or remanded back to to be tried by the Person granting the Warrant.

XIV. And it is hereby further enacted, That in case any Person, against whom a Warrant shall be issued by the said Mayor, Recorder, or any Alderman, or Justice of the Peace, either before or after Conviction as aforesaid, for any Offence against this Act, shall escape, go into, reside, or be in any other County, Riding, Division, City, Liberty, Town or Place out of the Jurisdiction of such Person granting such Warrant or Warrants as aforesaid; or if the Goods and Chattels of any Offender convicted of any Offence in pursuance of this Act, shall be in a different County, Riding, Division, City, Liberty, Town or Place than where the said Party was convicted, or the Warrant of Distress granted; it shall and may be lawful for the said Mayor, Recorder, or any Alderman as aforesaid, or any Justice of the Peace of the County, Riding, Division, City, Liberty, Town or Place into which such Person shall escape, either before or after Conviction, or where his Goods and Chattels shall be, after such Conviction; and they and every of them are hereby required, upon Proof made upon Oath of the Hand Writing of the said Mayor, Recorder, Alderman or Justice granting such Warrant or Warrants, to indorse his or their Name or Names on such Warrant; and the same, when so indorsed, shall be a sufficient Authority to all Peace Officers to execute such Warrant in such other County, Riding, Division, City, Town or Place out of the Jurisdiction of the Person granting the said Warrant; and the said Mayor, Recorder, Aldermen and Justices respectively, or any one of them, as the Case shall happen, after indorsing the said Warrant, may, on the Offender or Offenders being apprehended and brought before the said Mayor, Recorder, Aldermen or Justices, or any one of them, within their respective Jurisdictions, proceed to hear and determine the Complaint, in the same Manner as if it had originally arose within their respective Jurisdictions, or may direct the Offender to be carried to the Person who granted the said Warrant, to be dealt with according to Law.

Rights and Privileges of the City of London, and of the Mayor and Corporation, reserved.

XV. Provided always, and it is hereby enacted and declared, That nothing in this Act contained shall extend or enure to prejudice or derogate from the Rights, Privileges, Franchises or Authority of the City of *London*, or any Rights, Privileges or Authority exercised by the Mayor of the said City for the Time being, as Conservator as aforesaid; or to prohibit, defeat, alter or diminish any Power, Authority or Jurisdiction, which at the Time of making this Act, the Mayor, Commonalty and Citizens of *London*, or the Mayor of the City of *London*, as Conservator of the said River of *Thames* and Waters of *Medway*, did or might lawfully claim, use or exercise; and further, That it shall and may be lawful to and for the said Mayor of the said City for the Time being, in like Manner as he hath used to do in other Cases, to inquire of, hear and determine, by Presentment or Indictment taken before him as Conservator of the said River and Waters, all unlawful and undue Fishing, and taking and destroying Fish, and all other Offences contrary to such Rules, Orders and Ordinances as shall be made by the said Court of Mayor and Aldermen, and allowed and approved of as aforesaid; and upon Conviction of any such Offender or Offenders, to impose a Fine on him, her or them for the said Offence, not exceeding the Penalties which shall be inflicted in and by the said Rules, Orders or Ordinances; and which Fine or Fines, when levied and recovered, shall be applied and distributed in like Manner as the Penalties inflicted by the said Court of Conservacy have been usually applied and distributed; but no Person shall be punished twice for one and the same Offence.

The Mayor, as Conservator, may try by Presentment or Indictment, all unlawful and undue Fishing, and other Offences contrary to the Rules, and impose suitable Fines, to be applied as Penalties inflicted by the Court of Conservacy.

Limitation of Actions.

XVI. And be it further enacted by the Authority aforesaid, That all Actions, Suits and Informations, which shall be commenced and prosecuted against any Person or Persons for any Thing which he, she or they shall do, or cause to be done in pursuance of this Act, shall be commenced, sued or prosecuted within six Months next after the Cause of Action shall accrue; and all such Persons against whom any such Actions, Suits or Informations shall be commenced, sued or prosecuted, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence; and if in any such Suit, the Plaintiff or Prosecutor shall become nonsuit, or shall forbear Prosecution, or discontinue his Suit; or if a Verdict shall pass, or Judgment shall be given against him upon a Demurrer, then and in any such Case, the Defendant or Defendants shall recover double Costs, for which he or they shall have like Remedy, as when Costs by Law are awarded; and this Act shall be taken and allowed in all Courts within this Kingdom as a publick Act; and all Judges and Justices are hereby required to take Notice thereof as such, without the same being specially pleaded.

General Issue.

Double Costs.

Publick Act.

Act 24 G. 2. c. 44. extended to Magistrates acting under this Act;

and no Action is maintainable against an Officer, till Notice be given him thereof;

XVII. And be it further enacted by the Authority aforesaid, That the Statute made in the twenty-fourth Year of his present Majesty's Reign, intituled, *An Act for the rendering Justices of the Peace more safe in the Execution of their Office; and for indemnifying Constables and others, acting in Obedience to their Warrant*, so far as the said Act relates to the rendering Justices of the Peace more safe in the Execution of their Office, shall extend and be construed to extend, to the Mayor, Recorder and every Alderman of the said City of *London*, and to every Justice and Justices of the Peace, acting under the Authority or in the Execution of this Act; and no Action or Suit shall be had or commenced against, nor any Writ sued out, or Copy of Writ served upon the said Water Bailiff, his Assistant or Assistants, or any other Officer or Officers, for any Thing done in Execution of this Act, until Notice in Writing shall have been given

to

to him or them, or left at his or their usual Place of Abode, by the Attorney for the Party commencing such Action, or suing out such Writ, one Month before the commencing such Action, or suing out or serving the Copy of the said Writ; which said Notice in Writing shall contain the Name and Place of Abode of the Person who is to bring such Action, together with the Cause of Action or Complaint; and the Name and Place of Abode of the said Attorney, shall be under-wrote or indorsed thereon; and the said Water Bailiff, his Assistant or Assistants, and the said other Officer or Officers shall be at Liberty, and may by Virtue of this Act, at any Time within one Calendar Month after such Notice, tender or cause to be tendered any Sum or Sums of Money, as Amends for the Injury complained of to the Party complaining, or to the said Attorney; and if the same is not accepted, the Defendant or Defendants in such Action or Actions may plead such Tender in Bar of such Action or Actions, together with the General Issue, or any other Plea, with Leave of the Court; and if upon Issue joined upon such Tender, the Jury shall find the Amends tendered to have been sufficient, the said Jury shall find a Verdict for the Defendant or Defendants; and in such Case, or if the Plaintiff shall become nonsuit, or discontinue his Action; or if Judgment shall be given for the Defendant or Defendants upon Demurrer, the Defendant or Defendants shall be intitled to double Costs; and if the Jury shall find that no such Tender was made, or that the Amends tendered were not sufficient; and also shall find against the Defendant or Defendants, on such other Plea or Pleas by them pleaded, the said Jury shall find a Verdict for the Plaintiff, and such Damages as they shall think proper; for which the said Plaintiff shall have Judgment, together with his Costs of Suit.

and he may tender Amends for the Injury complained of,

and plead the same, &c. or any other Plea, in bar of the Action;

and upon a Verdict have double Costs.

Plaintiff recovering, intitled to Damages and Costs of Suit.

XVIII. Saving always to the King's most Excellent Majesty, his Heirs and Successors, and all Bodies Politick and Corporate, and to the High Court of Admiralty, and all other Courts and Persons, all Fines, Forfeitures, Penalties, Amerciaments, and Wreck of Sea, which of Right have been reserved and become due and payable to the said Courts and Persons respectively, for and in respect of the said Fishery or Drudging, or otherwise, and all Rights, Titles, Estates, Jurisdictions, Privileges or Franchises whatsoever, in as full and ample Manner as the same were or have been before the making of this Act; and also all such Right, Title, Interest, Claim, Privilege and Conversation, and Inquiry and Punishment of and for the Offences aforesaid, as they or any of them lawfully have and enjoy, or of Right ought to have and enjoy by any Manner of Means; any Thing in this Act to the contrary notwithstanding.

Reservation of accustomable Rights and Privileges, to the Crown, and to all Bodies Politick and Corporate, and other Persons.

XIX. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend to prejudice or derogate from any of the Rights of the Admiralties or Vice-Admiralties of *Kent* or *Essex*, or any Piscaries or Fishings belonging to or appertaining to the said City of *London*, or any other City or Town Corporate, or any Lords of Manors, Proprietors, Owners or Occupiers of any Rivers, Creeks, Streams or Fisheries adjacent to or within any Part of the said Limits, or to the Rights of any other Person or Persons within the Limits aforesaid.

Reservation of Rights to the Admiralties of Kent and Essex, Piscaries, &c.

XX. Provided also, That nothing in this Act contained shall extend, or be construed to extend, to any Fisherman or Drudgerman who now do or shall hereafter inhabit or dwell in any of the Cinque Ports or their Members, or in the City of *Rochester*, or Towns or Places of *Strood*, *Chatham*, *Frindsbury*, *Gillingham*, *Milton*, *Queenborough*, *Feversham*, *Whitstaple* or the Places adjacent; but that such Fishermen and Drudgermen shall and may use and exercise their Trades of Fishing and Drudging, and Selling, in as full and ample Manner as they have heretofore lawfully done, to all Intents and Purposes as if this Act had never been made.

Places and Persons exempted from the Jurisdiction of this Act.

XXI. Provided always, and it is hereby further enacted, That nothing herein contained shall extend or be construed to extend to impower or authorise the said Mayor, Court of Mayor and Aldermen, the Water Bailiff, or any other Person whatsoever, to grant any Licence or Licences, or to make any Rules, Orders or Ordinances whereby any Licence or Licences shall be required to be taken by any Fisherman, Drudgerman or other Person, for going out to Fish, Fishing, Drudging or taking Fish in any Manner or Way, or whereby any Gratuities, Rewards or Compensations, under any Pretence or Denomination whatsoever, shall be paid or payable by any Fisherman, Drudgerman or other such Person, to the Water Bailiff, or his Successors, or to any other Person or Persons; or whereby any such Fisherman, Drudgerman, or other such Person shall be obliged to appear before the said Mayor, Water Bailiff or other Person, to enter his or their several Name or Names, in any Register or other Book, or whereby any such Fisherman, Drudgerman or other Person as aforesaid, shall be limited or restrained from keeping any Number of Boys in any one Boat, as such Fisherman, Drudgerman, or other Person shall judge proper; any Thing in the said Act of the ninth Year of her late Majesty Queen ANNE, or any other Statute, Law, Custom or Usage to the contrary in any wise notwithstanding.

Fishermen not liable to take out Licences, or pay any Gratuity for Liberty of Fishing,

or to appear and enter their Names, or to be restrained from keeping any Number of Boys.

Concerning Fishery see further 30 *Geo.* 2. *c.* 30. 33 *Geo.* 2. *c.* 27. *and* 2 *Geo.* 2. *c.* 15.

CAP. XXII.

An Act to explain and amend an Act made in the eighteenth Year of his present Majesty's Reign, to prevent the Misbehaviour of the Drivers of Carts in the Streets in *London*, *Westminster*, and the Limits of the Weekly Bills of Mortality; and for other Purposes in this Act mentioned.

18 Geo. 2. c. 33.

'WHEREAS by an Act made and passed in the eighteenth Year of his present Majesty's Reign, intituled, *An Act to repeal a Clause in an Act made in the third Year of the Reign of King* WILLIAM *and Queen* MARY, *relating to Carts used by Persons inhabiting within the Limits of the Weekly Bills of Mortality; and to allow such Carts to be drawn with three Horses; and to prevent the Misbehaviour of the Drivers of Carts in Streets within the said Limits*; therein reciting (amongst other Things) that great Inconveniencies had arisen from the irregular Behaviour of Carmen, Draymen and other Persons driving Carts, Drays and other Carriages within the Cities of *London* and *Westminster*, and Suburbs thereof, the Borough of *Southwark*, and other Streets within the Bills of Mortality, by their misusing and hindering the Passage of his Majesty's Subjects through the said Streets and Highways, and committing other Disorders of the like Kind; For Remedy whereof it was thereby enacted, That from and after the twenty-ninth Day of *September* one thousand seven hundred and forty-five, no Person or Persons whatsoever should drive any Cart, Car or Dray of any Kind whatsoever, within the Limits aforesaid, unless the Master or Owner of such Cart, Car or Dray, should place upon some conspicuous Part of such Cart, Car or Dray the Name of the Owner of such Cart, Car or Dray, and the Number of such Cart, Car or Dray so belonging unto him, in order that the Driver of such Cart, Car or Dray might the more easily be convicted for any Disorder or Misbehaviour committed by him as aforesaid; and it was thereby further enacted, That every Owner of such Cart, Car or Dray residing within the Limits aforesaid, should enter his Name and Place of Abode with the Commissioners for licensing Hackney Coaches, for which Entry he should pay the Sum of one Shilling and no more; and the said Commissioners were thereby required to receive and register such Entry as aforesaid; and it was thereby also enacted, That in case any Person or Persons should drive any such Cart, Car or Dray, within the Limits aforesaid, not marked, numbered and entered as before directed, every such Person so offending should forfeit the Sum of forty Shillings, and it should be lawful for any Person or Persons to seize and detain the Cart, Car or Dray, or any of the Horses drawing the same, and them to detain until such Penalty should be paid: And whereas no Provision is made by the said Act, to whom the Money forfeited shall go and be paid, or to sell the Cart, Car, Dray or Horse as shall be seized in pursuance of the said Act, to raise the forty Shillings forfeited;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That one Moiety of the Money which shall be forfeited by the Driver of any Cart, Car or Dray, under the said Act, shall go and be paid to the Person or Persons who shall apprehend and prosecute to Conviction any Offender or Offenders against the said Act; and that the other Moiety thereof shall go and be paid to the Overseers of the Poor, if there shall be any, of the Parish or Place in which the Offence shall be committed; and if there shall be no Overseers in such Parish or Place, then to some other Officer of such Parish or Place, for the Use of the Poor of such Parish or Place; and if the Offender or Offenders, on being convicted of any Offence against the said Act, before any Justice of the Peace within his Jurisdiction, shall not within the Space of twenty-four Hours after any such Conviction, pay the forty Shillings forfeited, then the same shall be raised by Sale of the Cart, Car, Dray or Horse which shall be seised; and every Justice of the Peace within his Jurisdiction is hereby authorised and required to issue his Warrant under his Hand and Seal, directed to the Constable, or some other Peace Officer of the Parish or Place in which the Cart, Car, Dray or Horse seized shall be, to cause Sale to be made thereof with all convenient Speed, for raising the Money which shall be forfeited for any such Offence or Offences as aforesaid; rendering to the Offender or Offenders the Overplus (if any there shall be) after deducting the Charges of the Sale of any such Cart, Car, Dray or Horse, and also the Expences the Party or Parties who shall have made the Seizure shall be at by detaining or housing thereof, or keeping any Horse seized, until Sale shall be made thereof in pursuance of this Act, or the Money forfeited shall be paid.

Application of the Forfeiture.

On Non-payment within 24 Hours, Distress may be sold.

Overplus to be returned, after deducting all Charges.

II. And be it further enacted by the Authority aforesaid, That every Time the Property of any Cart, Car or Dray, which is or shall be entered with the said Commissioners for licensing Hackney Coaches in pursuance of the said recited or this present Act, shall be altered, the new Owner or Owners thereof shall, from time to time, within seven Days next after he, she or they shall become Owner or Owners thereof, cause the Name or Names of the former Owner or Owners thereof to be taken off from every such Cart, Car or Dray, and the Name or Names of the new and real Owner or Owners thereof to be put or painted in large and legible Characters upon some conspicuous Part thereof, and also to be entered with the said Commissioners for licensing Hackney Coaches; and if any Omission shall be made in doing thereof, and any Person shall drive any such Cart, Car or Dray within the Limits aforesaid, not having the Name or Names of the real Owner or Owners thereof painted or put thereon, in some conspicuous Part thereof, and also entered with the said Commissioners for licensing Hackney Coaches as herein before is directed, every such Person so offending in the Premisses, shall forfeit for every such Offence the Sum of

On changing the Property, new Owner's Name to be affixed on the Cart,

and to be entered; and in Default thereof,

Offender to forfeit 40 s.

of forty Shillings on being thereof convicted, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice of the Peace of the County, City, Division or Place where any such Offence shall be committed; and the said Moiety so forfeited, shall go and be applied in like Manner as the forty Shillings forfeited for any Offence committed against the said herein before recited Act is hereby directed to go and be applied; and every such Cart, Car and Dray, and any Horse drawing the same, is and are hereby subjected and made liable to be seized by any Person or Persons, and also to be sold, to raise and answer the Money which shall be forfeited in pursuance of this Act, together with the reasonable Charges of every such Sale, and of Housing the Cart, Car or Dray which shall be seized under this Act, and keeping the Horse which shall be also seized under this Act, until Sale shall be made thereof, or the Money forfeited shall be paid.

and the Cart and Horse may be seized and sold.

'III. And whereas some Doubt hath been made whether the Justices of the Peace of the City of *London* are authorized to ascertain at their General or Quarter Sessions of the Peace in *London*, the Rates or 'Prices of Goods taken up in *London*, and carried for Hire out of *London* into the City of *Westminster*, 'and other Places contiguous to *London*, by the Carts, Cars or Carrooms licensed to work in *London*, and 'to compel Persons who shall work any such Carts, Cars or Carrooms licensed to work in *London*, to 'carry Goods from any Parts of the said City of *London* into the said City of *Westminster*, and other Parts 'adjacent to *London*; and to enforce Payment to the Carmen for their Labour and Carriage of Goods, 'according to the Rates or Prices which shall be set or ascertained at the said General or Quarter Sessions 'of the Peace in *London*, and by reason thereof many Inconveniencies have happened to Merchants and 'others;' Be it therefore further enacted by the Authority aforesaid, That the Justices of the Peace of the said City of *London* for the Time being, shall have Power and Authority, and they are hereby enjoined and required at the next General Sessions of the Peace which shall be holden for the said City of *London* after the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven, and so afterwards at the General Sessions of the Peace which shall be holden for the said City of *London* next after the twenty-fourth Day of *June* in every Year, as Occasion shall require, to assess and rate reasonable Rates and Prices for the Carriage of all Goods taken up in the said City of *London*, and carried by any such licensed Carts, Cars or Carrooms, as well in the said City of *London*, as from the said City of *London* into the said City of *Westminster*, or any other Place or Places not exceeding the Distance of three Miles from the said City of *London*; and to make, frame and set down in Writing such reasonable Rules, Orders and Ordinances for governing and regulating such Carts, Cars and Carrooms, and the Drivers thereof, and to compel Payment for Carriage of Goods by such licensed Carts, Cars or Carrooms, according to the Rates or Prices which shall be rated, assessed or set at any such Sessions of the Peace in *London* as aforesaid; and to annex reasonable Penalties for Breach of any such Rules, Orders or Ordinances, not exceeding five Pounds for any one Offence, as to the major Part of the Justices at any such Sessions of the Peace in *London* assembled shall seem meet; and such Rules, Orders and Ordinances, or any of them, from time to time, at any other such Sessions of the Peace as aforesaid in *London*, to alter and amend; and such new or other Rules, Orders and Ordinances, touching the Matters aforesaid, with such reasonable Penalties and Forfeitures (not exceeding five Pounds for any one Offence) to make, as to the major Part of the Justices at any such Sessions of the Peace assembled shall, from time to time seem meet, for the better putting this Act in Execution.

Justices of the City to assess annually the Rates of Carriage of Goods,

and to make Rules for regulating Carts and Drivers, and for Payment of their Fare, and to annex Penalties for Breach of Orders; they may also alter and amend the same, or make new Orders.

IV. Provided nevertheless, and be it enacted by the Authority aforesaid, That all such Rules, Orders and Ordinances, so to be from time to time made at any such Sessions of the Peace in *London* shall, within thirty Days after the making the same, be printed and affixed up in some publick Places of the said City of *London*, and be otherwise made publick, in such Manner as the said Justices at their General or Quarter Sessions of the Peace shall think proper, and from time to time order.

The said Rules to be printed and published.

'V. And whereas his Majesty's Subjects are frequently interrupted and hindered passing on their law-'ful Occasions in the publick Streets, Lanes and open Passages in the Cities of *London* and *Westminster*, 'and within the Weekly Bills of Mortality, by empty Pipes, Butts, Barrels, Casks and other Vessels, 'and also by empty Carts, Cars, Drays or other Carriages, standing or being placed there, and by 'other Obstructions;' For Remedy whereof, Be it further enacted by the Authority aforesaid, That no Persons after the said twenty-fourth Day of *June* shall wilfully obstruct the passing and repassing of his Majesty's Subjects in any such publick Streets, Lanes or open Passages within the Limits herein before mentioned, or put or set any empty Pipes, Butts, Barrels, Casks or other Vessels in any such publick Streets, Lanes, or open Passages within the Limits aforesaid, (except for such reasonable Time only as shall be necessary for the carrying or removing thereof to or from any House, Warehouse, Cellar, Vault or other Place, or for the trimming thereof) or set or place any empty Cart, Car, Dray or other Carriage in any such publick Street, Lane or open Passage within the Limits aforesaid, except only during such reasonable Time as any such Cart, Car or other Carriage shall be plying for Hire, in the Place or Places appointed or to be appointed for the standing thereof so to ply for Hire, by the Persons authorised to appoint such the Standings thereof, and except during such reasonable Time as any such Cart, Car, Dray or other Carriage shall be waiting in any such publick Street, Lane or open Passage to load or unload Goods or Commodities, or to take up or set down a Fare; and that every Person offending in any of the Cases aforesaid, and being convicted of any such Offence, either by his own Confession, or by the Oath of one more credible Witness or Witnesses, before any Justice of the Peace of the County, City, Division or Place where any such Offence shall be committed, shall for every such Offence forfeit any Sum not exceeding twenty Shillings, and not less than the Sum of five Shillings; or shall be committed to the House of Correction, or some other Prison of the County, City, Liberty, Division or Place in which

Persons wilfully obstructing the Passage of the Streets, &c. with empty Casks, Carts, &c.

except while plying for Hire on their proper Stands, or taking up, or setting down a Fare

liable to forfeit not exceeding 20 s. nor less than 5 s. or to be committed.

which the Offence shall be committed, or the Offender shall have been apprehended, there to remain and be kept to hard Labour for any Time not exceeding one Calendar Month, as any such Justice shall think fit and order.

9 *Ann. c.* 23. 10 *Ann. c.* 19. No Coaches or Carts to ply for Hire in the Streets here mentioned, nor to stop there longer than to take up or set down a Fare,

on forfeiture of a Sum not exceeding 20 s. nor less than 5 s. or being committed.

'VI. And whereas the Passage from *Westminster* Bridge into the City of *Westminster* is greatly obstructed, and rendered unsafe, by the constant Stand of Hackney Coaches and other Carriages, plying for hire near the said Bridge;' Be it therefore further enacted by the Authority aforesaid, That no Hackney Coachman, Carman, or other Person or Persons, shall, from and after the said twenty-fourth Day of *June*, ply for Hire with any Hackney Coach, Cart, or other Wheel Carriage, in *Bridge Street*, *Parliament Street*, *Great George Street*, *St. Margaret's Street*, or *Abingdon Street*, in the City of *Westminster*, or any of the said Streets; or stop or stay in any of the said Streets with any such Coach, Cart, or other Wheel Carriage, any longer Time than shall be reasonable for such Coachman, Carman, or other Person, having the Care of any Wheel Carriage, to wait to take up or set down his Fare, or to load and unload Goods or other Commodities; and that every Coachman, Carman, or other Person, having the Care of any such Wheel Carriage, offending in any of the Cases aforesaid, and being convicted of any such Offence, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses before any Justice of the Peace for the City and Liberty of *Westminster*, which Oath such Justice is hereby impowered and required to administer, shall, for every such Offence, forfeit any Sum not exceeding twenty Shillings, and not less than five Shillings; or shall be committed to the House of Correction in *Westminster*, there to remain and be kept to hard Labour for any Time not exceeding one Calendar Month, as any such Justice shall think fit and order.

Concerning Coaches, &c. see farther 33 *Geo.* 2. *c.* 25.

Driver of any Carriage, obstructing the Passage in any of the Streets within the Bills of Mortality,

forfeits any Sum not exceeding 20 s. or may be committed.

VII. And be it further enacted by the Authority aforesaid, That if the Driver of any Carriage whatsoever in the said Cities of *London* or *Westminster*, or in any publick Street or common Highways within the said weekly Bills of Mortality, shall by Negligence or wilful Misbehaviour prevent, hinder, or interrupt the free Passage of his Majesty's Subjects, in any of the publick Streets in *London* or *Westminster*, or of in any publick Streets or common Highways within the said weekly Bills of Mortality, every such Driver being convicted thereof, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice of the County, City, Division, Liberty or Place wherein any such Offence shall be committed, and which Oath every such Justice is hereby impowered to administer, shall for every such Offence forfeit any Sum not exceeding twenty Shillings; or shall be committed to the House of Correction, or some other Prison of the County, City, Liberty, Division or Place in which the Offence shall have been committed, or the Offender shall have been apprehended, there to be kept to hard Labour, for any Time not exceeding one Calendar Month, as any such Justice shall think fit and order.

20 s. Penalty of obstructing the Passage of any of the Highways by empty Waggons, &c. except while they are loading or unloading.

to be levied by Distress and Sale;

and for want of Distress, Offender to be committed.

'VIII. And for preventing Obstructions in all the publick Highways of this Kingdom;' Be it enacted by the Authority aforesaid, That if any Person after the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven shall set, place, or leave, any empty Waggon, Cart, or any other Carriage in any publick Highway within this Kingdom, so as in any Manner to interrupt or hinder the free Passage of any other Carriage, or of his Majesty's Subjects, except only during such reasonable Time as such Waggon, Cart or Carriage shall be loading or unloading; every Person so offending, and being convicted of such Offence, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice of the Peace for the County, Riding, Division, City or Place where such Offence shall be committed, which Oath such Justice is hereby impowered and required to administer, shall, for every such Offence forfeit and pay any Sum not exceeding twenty Shillings, to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace; and for want of sufficient Distress, such Justice is hereby impowered and required to commit such Offender to the House of Correction, or some other Prison of the County, Riding, Division, City or Place in which the Offence shall be committed, or the Offender shall have been apprehended, there to remain and be kept to hard Labour for any Time not exceeding one Calendar Month.

20 s. Penalty on Driver riding on his Waggon or Cart, &c. without some other Person to conduct it, or causing any Damage; or obstructing the Passage; or being empty, not giving Way for Coaches, &c. or loaded Carriages;

to be levied by Distress and Sale; and for want of Distress, Offender to be committed.

IX. And be it further enacted by the Authority aforesaid, That if after the said twenty-fourth Day of *June* the Driver of any Waggon, Cart, Car, Dray or other Carriage, on any publick Highway, shall ride upon any such Carriage, not having some other Person on Foot or on Horseback to guide the same (such Carriages as are respectively drawn by one Horse only, or by two Horses abreast, and are conducted by some Person holding the Reins of such Horse or Horses, excepted) or if the Driver of any Carriage whatsoever on any of the said Highways, shall by Negligence or Misbehaviour cause any Hurt or Damage to any Person passing or being upon such Highway; or shall by Negligence or wilful Misbehaviour, prevent, hinder or interrupt the free Passage of any other Carriage, or of his Majesty's Subjects on the said Highways; or if the Driver of any empty or unloaded Waggon, Cart or other Carriage, shall refuse or neglect to turn aside and make way for any Coach, Chariot, Chaise, loaded Waggon, Cart, or other loaded Carriage; every such Driver offending in any of the Cases aforesaid, and being convicted of such Offence, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice of the Peace of the County, Riding, Division or Place where such Offence shall be committed (which Oath such Justice is hereby impowered and required to administer) shall for every such Offence forfeit any Sum not exceeding twenty Shillings, to be levied by Distress and Sale of the Offender's Goods

and Chattels, by Warrant under the Hand and Seal of any Justice of the Peace; and for want of sufficient Distress, such Justice is hereby impowered and required to commit such Offender to the House of Correction, or some other Prison of the County, Riding, Division or Place in which the Offence shall be committed, or the Offender shall have been apprehended, there to remain and be kept to hard Labour, for any Time not exceeding one Month.

Application of Forfeitures for Offences on the Highways.

X. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures for Offences against this Act on the publick Highways, shall be applied, one Moiety to the Informer, and the other Moiety to the Surveyor or Surveyors of the Highways in the Parish wherein such Offence shall be committed, to be by such Surveyor or Surveyors applied in the Repair of the Highways within such respective Parish.

Offender being apprehended, not discovering his Name and Abode, to be committed.

XI. And be it further enacted by the Authority aforesaid, That if any Person who shall be apprehended for having committed any Offence against this Act, shall refuse to discover his Name and Place of Abode, to the Justice or Justices before whom he shall be brought, such Person so refusing shall be immediately delivered over to a Constable or other Peace Officer, and shall by him be conveyed to the common Gaol, or House of Correction, of the County or Place where the Offence shall be committed, there to remain until he shall declare his Name and Place of abode to the said Justice, or to some other Justice of the said County or Place.

Pecuniary Forfeitures, not before provided for, to be levied by Distress and Sale of the Offender's Goods.

Application thereof.

XII. And be it further enacted by the Authority aforesaid, That the pecuniary Forfeitures by this Act incurred, and for levying whereof no Provision is herein before made, shall and may be levied by Distress and Sale of the Goods and Chattels of every such Offender (rendring to him the Overplus, after the Charges of the Distress and Sale shall be deducted) by Warrant under the Hand and Seal of the Justice before whom the Offender was convicted; and one Moiety of all which pecuniary Forfeitures, whereof the Application is not herein before directed, shall be paid to the Person or Persons who shall prosecute to Conviction any Offender or Offenders against this Act and the other Moiety thereof shall be paid to the Overseers of the Poor, if there shall be any, of the Parish or Place in which the Offence shall be committed, or the Offender shall have been apprehended; and if there shall be no Overseers in such Parish or Place, then to some other Officer of such Parish or Place, for the Use of the Poor of such Parish or Place.

Offenders may be apprehended by any Persons seeing the Offence committed.

XIII. And be it further enacted by the Authority aforesaid, That any Person or Persons who shall see any of the Offences herein before mentioned, and intended by this Act to be redressed, committed, shall and may by the Authority of this Act, and without any other Warrant, apprehend the Offender or Offenders, and shall with all convenient Speed then afterwards convey or deliver every such Offender and Offenders to a Constable, or some other Peace Officer of the County, City or Place in which the Offence shall be committed, or the Offender shall be apprehended, in order to be conveyed before some Justice of the Peace of such County, City or Place, there to be dealt with according to Law.

Inhabitants of the Place where any Offence shall be committed, deemed legal Witnesses.

XIV. And be it further enacted by the Authority aforesaid, That in all Actions, Suits, Trials, and other Proceedings in pursuance of this Act, or in relation to any Matter or Thing herein contained, any Inhabitant of the Parish, Town or Place in which any Offence or Offences shall be committed, contrary to the true Intent and Meaning of this Act, or the said herein before recited Act, shall be admitted to give Evidence, and shall be deemed a competent Witness, notwithstanding his, her or their being an Inhabitant of the Parish or Place in which any such Offence or Offences shall have been committed.

Offenders punished under this Act, not punishable for the same Offence by any other.

General Issue.

Double Costs.

XV. And be it further enacted by the Authority aforesaid, That no Person, who by virtue of this Act shall be punished for any Offence or Offences by him, her or them committed, shall be punished for the same Offence or Offences under any other Law or Statute; and that if any Action or Suit shall be commenced against any Person or Persons for any Thing done in Pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, a Verdict shall be recorded for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover double Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law for Recovery of his or their Costs.

CAP. XXIII.

An Act for enabling his Majesty to raise the Sum of one million, for the Uses and Purposes therein mentioned.

Most gracious Sovereign,

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, having taken into our serious Consideration your Majesty's most gracious Message, signifying your Majesty's Desire to be enabled by your faithful Commons, to defray any extraordinary Expences of the War, incurred or to be incurred, for the Service of the Year one thousand seven hundred and fifty-seven, and to take all such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of your Majest's Enemies, and as the Exigency of Affairs may require, have resolved

' to

One million granted to his Majesty to defray extraordinary Expences.

'to give and grant to your Majesty the Sum of one million for that Purpose; and do therefore most 'humbly beseech your Majest, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lord Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and fifty-eight, to cause or direct any Loans to be taken or received at his Majesty's Exchequer, from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate; or ony Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding in Loans and Exchequer Bills together, in the whole, the said Sum of one million, in the same Manner or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and fifty-seven; and for discharging certain Arrears of Land Taxes incurred before the Time therein mentioned; and for the more effectual collecting of Arrears for the future*, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

His Majesty by Warrant under his Sign Manual may authorize the Treasury to take in Loans, or issue Exchequer Bills for the said Sum, in the same Manner as Loans or Exchequer Bills are to be taken or made by the Land Tax Act of this Session.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

Clauses &c. in the said Act relating to Loans or Exchequer Bills therein, extended to such as shall be made in pursuance of this Act.

III. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty, in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of one million; any thing in an Act made in the fifth and sixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesty's several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding.

The Bank impowered to lend his Majesty the said Sum, on the Credit of this Act, notwithstanding Act 5 & 6 W. & M.

IV. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and fifty-eight, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times, at or after the said fifth Day of *July* one thousand seven hundred and fifty-eight, shall be or remain in the Receipt of the Exchequer, of the Surpluses, Excesses, Overplus Monies, and other Revenues, composing the Fund commonly called *The Sinking Fund*, except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf; and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

Loans with the Interest, to be paid out of the first Supplies; and if none shall be granted before 5 July 1758. out of the Sinking Fund;

V. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surpluses, Excesses, Overplus Monies, or other Revenues composing the Sinking Fund, shall from time to time be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

and the Monies issued to be replaced out of the first Supplies.

CAP. XXIV.

CAP. XXIV.

An Act for the more effectual Punishment of Persons who shall attain, or attempt to attain, Possession of Goods or Money, by false or untrue Pretences; for preventing the unlawful Pawning of Goods; for the easy Redemption of Goods pawned; and for preventing Gaming in Publick Houses by Journeymen, Labourers, Servants and Apprentices.

Refer to 33 *H.* 8, *c.* 1.

'WHEREAS divers evil-disposed Persons, to support their profligate way of Life, have by various subtle Stratagems, Threats and Devices, fraudulently obtained divers Sums of Money, Goods, Wares and Merchandizes, to the great Injury of industrious Families, and to the manifest Prejudice of Trade and Credit;' Therefore for the punishing all such Offenders, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, all Persons who knowingly and designedly, by false Pretence or Pretences, shall obtain from any Person or Persons, Money, Goods, Wares or Merchandizes, with Intent to cheat or defraud any Person or Persons of the same; or shall knowingly send or deliver any Letter or Writing, with or without a Name or Names subscribed thereto, or signed with a fictitious Name or Names, Letter or Letters, threatning to accuse any Person of any Crime punishable by Law with Death, Transportation, Pillory or any other infamous Punishment, with a View or Intent to extort or gain Money, Goods, Wares or Merchandizes from the Person or Persons so threatened to be accused, shall be deemed Offenders against Law and the Publick Peace; and the Court before whom such Offender or Offenders shall be tried, shall in case he, she or they shall be convicted of any of the said Offences, order such Offender or Offenders to be fined and imprisoned, or to be put in the Pillory, or publickly whipped, or to be transported, as soon as conveniently may be (according to the Laws made for Transportation of Felons) to some of his Majesty's Colonies or Plantations in *America*, for the Term of seven Years, as the Court in which any such Offender or Offenders shall be convicted shall think fit and order.

Persons convicted of obtaining Money or Goods by false Pretences, or of sending threatening Letters in order to extort Money or Goods, may be punished by Fine and Imprisonment, or by Pillory, Whipping or Transportation.

II. And be it further enacted by the Authority aforesaid, That any Justice or Justices of the Peace of the County, Riding, Division, City, Liberty or Place, before whom any Person or Persons charged on Oath, by any credible Person or Persons, with having committed any of the Offences intended by this Act to be punished, shall be brought, shall examine by Oath (which Oath every such Justice or Justices is and are hereby impowered and required to administer) and such other lawful Means as to any such Justice or Justices shall seem meet, touching the Matters complained of, and deal with the Offender or Offenders according to Law; and if the Party or Parties charged as being the Offender or Offenders, shall be committed to Prison, or be admitted to Bail, to answer the Matters complained of at the next General or Quarter-Sessions of the Peace, or next Sessions of *Oyer* and *Terminer*, which shall be held for the County, Riding, Division, City, Liberty or Place wherein the Offence shall be charged on Oath to have been committed, then such Justice or Justices shall bind over the Prosecutor and Prosecutors of every such Offender and Offenders to appear at the next General or Quarter-Sessions of the Peace, or next Sessions of *Oyer* and *Terminer* which shall be held for the County, Riding, Division, City, Liberty or Place wherein the Offence shall be charged to have been committed, by Recognizance, in such reasonable Sum of Money as to such Justice or Justices shall seem requisite, to prosecute such Offender and Offenders with Effect; and if any Money, Goods, Wares or Merchandizes fraudulently obtained, shall appear to such Justice or Justices to exceed the Amount or Value of twenty Pounds, then the Recognizance to be taken in that Behalf from the Prosecutor or Prosecutors, shall be in not less than double the Amount or Value the same shall appear before any such Justice or Justices to be worth.

Where a Charge is made of any of the said Offences, Justice to enquire therein upon Oath,

and to bind over the Complainant to appear and prosecute;

and his Recognizance to be in Proportion to the Fraud.

'III. And whereas divers of his Majesty's Subjects suffer great Inconveniences and frequent Losses, 'by Persons pawning or unlawfully disposing of the Goods and Chattels of others, and the Persons so 'pawning or unlawfully disposing of the Goods or Chattels of others, from the Meanness of their Circum'stances, are seldom able to make Restitution or Recompence to the Parties injured, and the Laws now in 'Being are insufficient to punish such Offenders;' Be it therefore further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, if any Person or Persons shall knowingly and designedly pawn or exchange, or unlawfully dispose of the Goods or Chattels of any other Person or Persons, not being employed or authorized by the Owner or Owners thereof so to do, and shall be thereof convicted by the Oath of any credible Witness or Witnesses, or by the Confession of the Person or Persons charged with such Offence, before any such Justice or Justices of the Peace as aforesaid (which Oath every such Justice as aforesaid is hereby impowered and required to administer) every such Offender shall, for every such Offence, forfeit the Sum of twenty Shillings; and in case the said Forfeiture shall not be forthwith paid, the Justice or Justices of the Peace as aforesaid, before whom such Conviction shall be had, shall commit the Party or Parties so convicted to the House of Correction, or some other publick Prison of the County, Riding, Division, City or Place wherein the Offender or Offenders shall reside or be convicted, there to remain and be kept to hard Labour for the Space of fourteen Days, unless the said Forfeiture shall be sooner paid; and if within three Days before the Expiration of the said fourteen Days, the said Forfeiture shall not be paid, the said Justice or Justices is

Penalty of 20 *s.* on pawning, exchanging, or disposing of Goods without Leave of the Owner;

and on Non-payment, to be committed for 14 Days to hard Labour,

and if not paid within that Time, to be whipped, on Application of the Prosecutor.

is and are hereby required to order, upon the Application of the Profecutor or Profecutors, the Perſon or Perſons ſo convicted to be publickly whipped in the Houſe of Correction or Priſon to which the Offender or Offenders ſhall be committed, or in ſome open publick Place of the City, Riding, Diviſion, Town or Place wherein the Offence ſhall have been committed, as to ſuch Juſtice or Juſtices ſhall ſeem proper; and the ſaid reſpective Forfeitures when recovered, ſhall be applied towards making Satisfaction thereout to the Party or Parties injured, and defraying the Coſts of the Proſecution, as ſhall be adjudged reaſonable by the Juſtice or Juſtices before whom ſuch Conviction ſhall be had; but if the Party or Parties injured ſhall decline to accept of ſuch Satisfaction and Coſts; or if there ſhall be any Overplus of the ſaid reſpective Forfeitures, after making ſuch Satisfaction, and paying ſuch Coſts as aforeſaid, then ſuch reſpective Forfeitures, or the Overplus thereof (as the Caſe ſhall happen) ſhall be paid and applied to and for the Uſe of the Poor of the Pariſh or Place where the Offence ſhall have been committed, and ſhall be paid to the Overſeers of the Poor of ſuch Pariſh for that Purpoſe.

Application of the Forfeitures.

Pawnbroker to make Entry of Goods pawned, pledged or exchanged,

and a Duplicate, if required, to be given thereof to the Pawner, upon paying for the ſame.

Penalty 5l. on Default of making ſuch Entry, and giving ſuch Duplicate.

IV. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons who, from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-ſeven, ſhall take by way of Pawn, Pledge or Exchange, of or from any Perſon or Perſons whomſoever, any Goods or Chattels, of what Kind ſoever the ſame ſhall be, ſhall forthwith enter or cauſe to be entered, in a fair or regular Manner, in a Book or Books to be kept for that Purpoſe, a Deſcription of the Goods or Chattels which he, ſhe or they ſhall receive in Pawn, Pledge, or Exchange; and alſo the Sum of Money advanced or paid thereon, with the Day of the Month and Year on which, and the Name and Place of Abode of the Perſon or Perſons by whom ſuch Goods or Chattels were ſo pawned, pledged or exchanged, and alſo the Name and Place of Abode of the Owner or Owners thereof, according to the Information of the Perſon pawning or pledging, or exchanging the ſame; and ſhall at the ſame Time give a Duplicate or Copy thereof to the Perſon or Perſons ſo pawning, pledging or exchanging the ſaid Goods or Chattels, if required; for which the Perſon or Perſons giving ſuch Duplicate or Copy, ſhall be paid by the Perſon or Perſons who ſhall ſo pawn, pledge or exchange ſuch Goods or Chattels, the Sum of one Half-penny, on Goods and Chattels pawned for leſs than twenty Shillings; and one Penny on Goods or Chattels pawned for twenty Shillings, and not exceeding five Pounds; and for every ſuch Duplicate upon Goods or Chattels pawned for any larger Sum, the Sum of two Pence and no more; and in Default of making ſuch Entry, and giving ſuch Duplicate or Copy, if required as aforeſaid, he, ſhe or they ſhall reſpectively for every Offence forfeit the Sum of five Pounds, to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals of any Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty or Place where the Offence ſhall be committed; which reſpective Forfeitures when levied, ſhall be paid and applied to the Uſe of the Poor of the Pariſh or Place wherein the Offence ſhall be committed.

Where Goods pawned ſhall be damaged thro' Neglect of the Pawnbroker,

'V. And whereas it ſometimes happens that the Goods or Chattels pledged and pawned as aforeſaid, 'are ſpoiled and damaged, or rendered of leſs Value than when the ſame were pledged or pawned, through 'the Neglect, Default or Miſbehaviour of the Perſon or Perſons to whom the ſame were ſo pledged or 'pawned, his, her or their Agents or Servants, either by wearing or uſing thereof, or by letting the ſame 'out to Hire;' Be it therefore enacted by the Authority aforeſaid, That if in the Courſe of any of the aforeſaid Proceedings, before any Juſtice or Juſtices of the Peace, in purſuance of, or under this Act, it ſhall appear or be proved to the Satisfaction of the Juſtice or Juſtices upon Oath or ſolemn Affirmation as aforeſaid, that any of the Goods or Chattels ſo pawned as aforeſaid, are become or have been rendered of leſs Value than the ſame were at the Time of pawning or pledging thereof, by or through the Default, Neglect or wilful Miſbehaviour of the Perſon or Perſons to whom the ſame were ſo pledged or pawned, his, her or their Executors, Adminiſtrators or Aſſigns, Agents or Servants; then, and in any ſuch Caſe, it ſhall be lawful, and every ſuch Juſtice or Juſtices is and are hereby required to allow or award a reaſonable Satisfaction to the Owner or Owners of ſuch Goods or Chattels, in reſpect of ſuch Damage; and the Sum or Sums of Money ſo allowed or awarded ſhall be deducted out of the Principal and Intereſt, and Allowance for Warehouſe-room, which ſhall appear to be due to any Perſon or Perſons, to whom the ſame were ſo pledged or pawned, his, her or their Executors, Adminiſtrators or Aſſigns; and in all Caſes where the Goods and Chattels pawned as aforeſaid, ſhall have been damaged as aforeſaid, it ſhall be ſufficient for the Pawner or Pawners, his, her or their Executors, Adminiſtrators or Aſſigns, to pay or tender the Money upon the Balance, after deducting out of the Principal and Intereſt, and Money payable for Warehouſe-room as aforeſaid, for the Goods or Chattels pawned, ſuch reaſonable Satisfaction in reſpect to ſuch Damage, as any ſuch Juſtice or Juſtices ſhall order or award; and upon ſo doing, the Juſtice or Juſtices ſhall proceed as if the Pawner or Pawners, his, her or their Executors, Adminiſtrators or Aſſigns, had paid or tendered the whole Money due for the Principal, Intereſt and Warehouſe-room as aforeſaid.

Perſons buying or taking in Pledge, Linen or Apparel, intruſted to others to waſh or mend, &c.

to forfeit double the Sum,

and reſtore the Goods.

VI. And be it enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-ſeven, if any Perſon or Perſons ſhall knowingly buy or take in as a Pledge, any Linen or Apparel, intruſted to any other Perſon or Perſons to waſh, ſcour, iron, mend or make up, and ſhall be convicted of the ſame, on the Oath of one credible Witneſs, or on Confeſſion of the Party, before one or more Juſtice or Juſtices; every ſuch Perſon or Perſons ſhall forfeit double the Sum given for or lent on the ſame, to be paid to the Poor of the Pariſh where the Offence is committed, to be recovered in the Manner other Forfeitures are by this Act directed to be recovered; and ſhall likewiſe be obliged to reſtore the ſaid Goods to the Owner in the Preſence of the ſaid Juſtice or Juſtices.

VII. And

VII. And be it further enacted by the Authority aforesaid, That in case any Person or Persons, who shall offer by way of Pawn, Pledge, Exchange or Sale, any Goods or Chattels, shall not be able, or shall refuse to give a satisfactory Account of himself, herself or themselves, or of the Means by which he, she or they became possessed of such Goods or Chattels; or if there shall be any other Reason to suspect that such Goods or Chattels are stolen, or otherwise illegally or clandestinely obtained; it shall and may be lawful for any Person or Persons, his, her or their Servants or Agents to whom such Goods or Chattels shall be so offered, to seize and detain such Person or Persons, and the said Goods or Chattels, and to deliver such Person or Persons, as soon as conveniently may be, into the Custody of the Constable, or other Peace Officer, who shall and is hereby required, immediately to convey such Person or Persons, and the said Goods or Chattels, before some Justice or Justices of the Peace of the County, Riding, Division, City, Liberty or Place wherein the Offence shall be committed; and if such Justice or Justices shall, upon Examination and Enquiry, have Cause to suspect that the said Goods or Chattels were stolen, or illegally or clandestinely obtained, it shall and may be lawful for such Justice or Justices to commit such Person or Persons into safe Custody, for any Time not exceeding the Space of six Days, in order to be further examined; and if upon either of the said Examinations, it shall appear to the Satisfaction of such Justice or Justices, that the said Goods or Chattels were stolen, or illegally or clandestinely obtained, the said Justice or Justices is and are hereby authorized and required to commit the Party or Parties offending to the common Gaol or House of Correction of the County, Riding, Division, City, Liberty or Place wherein the Offence shall be committed, there to be dealt with according to Law.

Persons offering Goods to Sale, Pawn or Exchange, not giving a good Account of themselves, may be detained, and carried before a Justice.

Justice may commit the Party.

VIII. Provided nevertheless, and be it further enacted, That in case such Goods or Chattels so seized and detained as aforesaid, shall afterwards appear to be the Property of the Person or Persons who offered the same to be pawned, pledged, exchanged or sold, or that he, she or they, was or were authorised by the Owner or Owners thereof to pawn, pledge, exchange, or sell the same, then and in such Case, the Person or Persons who shall so seize or detain the Party or Parties who offered the said Goods or Chattels, shall be, and he, she and they is and are by this Act indemnified for having so done.

The Persons detaining the Party and Goods, indemnified for so doing.

'IX. And for the better enabling all Persons to recover their Goods or Chattels, which after the said 'twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, shall be unlawfully pawned 'or pledged to, or exchanged with, any Person or Persons whatsoever;' Be it further enacted by the Authority aforesaid, That if the Owner or Owners of any Goods or Chattels, unlawfully pawned, pledged or exchanged, shall make out, either on his, her or their Oath, or by the Oath of any credible Witness, or (being one of the People called *Quakers*) by solemn Affirmation before any Justice or Justices of the Peace, within his or their Jurisdiction, that such Owner or Owners, has or have had, his, her or their Goods and Chattels unlawfully obtained or taken from him, her or them, and that there is just Cause to suspect that any Person or Persons, within the Jurisdiction of any such Justice or Justices hath or have knowingly and unlawfully taken to Pawn, or by Way of Pledge, or in Exchange, any Goods or Chattels of such Owner or Owners, and without the Privity of, or Authority from such Owner or Owners thereof; and shall make appear to the Satisfaction of any such Justice or Justices, probable Grounds for such the Suspicion of the Owner or Owners thereof; then and in any such Case, any Justice or Justices of the Peace, within his or their Jurisdiction, may issue his or their Warrant for searching, in the Day-time, the House, Warehouse or other Place, of any such Person or Persons, who shall be charged on Oath or Affirmation as aforesaid, as suspected to have knowingly and unlawfully received or taken to pawn, or by Way of Pledge, or in Exchange, any such Goods or Chattels, without the Privity of, or Authority from the Owner or Owners thereof; and if the Occupier or Occupiers of any House, Warehouse or other Place, wherein any such Goods or Chattels shall, on Oath or Affirmation as aforesaid, be charged or suspected to be, shall after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, on Request made to him, her or them, to open the same, by any Peace Officer authorised to search there, by Warrant from a Justice or Justices of the Peace for the County, Riding, Division, City, Liberty, Town or Place, in which such House, Warehouse or other Place shall be situate, refuse to open the same, and permit the same to be searched, it shall be lawful for any such Peace Officer to break open any such House, Warehouse or other Place, in the Day-time, and to search as he shall think fit therein, for the Goods or Chattels suspected to be there, doing no wilful Damage; and if any Person or Persons shall oppose or hinder any such Search, and shall be thereof convicted before any such Justice or Justices, by the Oath of one or more credible Witness or Witnesses, every Person so offending in the Premisses shall forfeit for every such Offence the Sum of five Pounds; and in case such Forfeiture be not immediately paid down, or within the Space of twenty-four Hours, the Justice or Justices before whom such Conviction shall be had, shall commit the Party or Parties so convicted to the House of Correction, or some other publick Prison of such County, Riding, Division, City, Liberty, Town or Place, there to be kept to hard Labour for any Time not exceeding one Month, nor less than five Days, unless in the mean Time such Forfeiture shall be paid; and such Forfeiture, when recovered, shall forthwith go and be applied to and for the Use of the Poor of the Parish wherein such Offence shall have been committed; and if upon the Search of the House, Warehouse, or other Place, of any such suspected Person or Persons as aforesaid, any of the Goods or Chattels which shall have been so knowingly and unlawfully pawned, pledged or exchanged as aforesaid, shall be found, and the Property of the Owner or Owners from whom the same shall have been unlawfully obtained or taken, shall be made out, to the Satisfaction of any such Justice or Justices, by the Oath of one or more credible Witness or Witnesses, or (if any such Witness or Witnesses be of the People called *Quakers*) by solemn Affirmation, or by the Confession of the Person or Persons charged with any such Offence, any such Justice or Justices

Justice upon Oath of the Owner, to issue a Warrant to search the suspected Person's House.

Upon Refusal of Admittance Officer may break open the Door.

Persons hindering such Search, forfeit 5 l.

and on Non-payment, are to be committed to hard Labour.

The Goods found to be restored to the Owner.

shall thereupon cause the Goods and Chattels found on any such Search, and unlawfully pawned, pledged or exchanged as aforesaid, to be forthwith restored to the Owner or Owners thereof.

'X. And whereas Goods and Chattels are often pawned or pledged for securing the Payment of Money 'lent thereon, and the Interest thereof; and although when the Money becomes due, the Borrowers, or 'their Representatives, are desirous to repay the same, and the Interest due thereon, and make Tender 'thereof to the Person or Persons with whom the same are so pawned or pledged, they are frequently 'under great Difficulties to get back the Goods and Chattels so pawned, and are often under Necessity to 'commence Suits at Law for the Recovery thereof, to their great Expence; For Remedy whereof,' Be it enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, if any Goods or Chattels shall be pawned or pledged for securing any Money lent thereon, not exceeding in the Whole the Principal Sum of ten Pounds, and the Interest thereof; and if within two Years after the Pawning or Pledging thereof, Proof having been made on Oath, by one or more credible Witness or Witnesses, or by producing a Duplicate of the Entry directed to be given by this Act as aforesaid, before any such Justice or Justices, or by solemn Affirmation (if the Person be of the People called *Quakers*) to the Satisfaction of any such Justice or Justices, of the Pawning or Pledging of any such Goods or Chattels within the said Space of two Years, any such Pawner or Pawners who was or were the real Owner or Owners of such Goods or Chattels at the Time of the Pawning or Pledging thereof, his, her or their Executors, Administrators or Assigns, shall tender unto the Person or Persons who lent on the Security of the Goods or Chattels pawned, his Executors, Administrators or Assigns, the Principal Money borrowed thereon, and all Interest due for the same, together with such Charges for the Warehouse-room of the Goods or Chattels pawned, as shall be agreed on at the Time of the Pawning of such Goods and Chattels; and the Person who took such Goods or Chattels in Pawn, his Executors, Administrators or Assigns, shall thereupon neglect or refuse to deliver back the Goods or Chattels so pawned, for any Sum or Sums of Money not exceeding the said Principal Sum of ten Pounds, to the Person or Persons who borrowed the Money thereon, his, her or their Executors, Administrators or Assigns; then and in any such Case, on Oath, or (if the Person or Persons be of the People called *Quakers*) on solemn Affirmation thereof made by the Pawner or Pawners thereof, his, her or their Executors, Administrators or Assigns, or some other credible Person, any Justice or Justices of the Peace of the County, Riding, Division, City, Liberty or Place where the Person or Persons who took such Pawn as aforesaid, his Executors, Administrators or Assigns shall dwell, on the Application of the Borrower or Borrowers, his, her or their Executors, Administrators or Assigns, is and are hereby required to cause such Person or Persons who took such Pawn, his, her or their Executors, Administrators or Assigns, within the Jurisdiction of the Justice or Justices, to come before such Justice or Justices; and such Justice or Justices is and are hereby authorized and required to examine on Oath, or solemn Affirmation, as the Case may require, the Parties themselves, and such other credible Persons as shall appear before him or them, touching the Premisses; and if Tender of the Principal Money due, and all Interest thereof, together with Charges for Warehouse-room as aforesaid, shall be proved by Oath or Affirmation as aforesaid, to have been made, such Principal Money not exceeding the said Sum of ten Pounds, to the Lender or Lenders thereof, his, her or their Executors, Administrators or Assigns, by the Borrower or Borrowers of such Principal Money, his, her or their Executors, Administrators or Assigns, within the said Space of two Years after the said Pawning or Pledging of the Goods or Chattels; then on Payment by the Borrower or Borrowers, his, her or their Executors, Administrators or Assigns, of such Principal Money, and the Interest due thereon, together with such Charges for Warehouse-room of the Goods or Chattels so pawned or pledged as aforesaid, to the Lender or Lenders, his, her or their Executors, Administrators or Assigns; and in case the Lender or Lenders, his, her or their Executors, Administrators or Assigns, shall refuse to accept thereof, on Tender thereof to him, her or them made, by the Borrower or Borrowers thereof, his, her or their Executors, Administrators or Assigns, before any such Justice or Justices, such Justice or Justices shall thereupon, by Order under his Hand, or their Hands, direct the Goods or Chattels so pawned, forthwith to be delivered up to the Pawner or Pawners thereof, his, her or their Executors, Administrators or Assigns: And if the Person or Persons who shall have lent any Principal Sum or Sums of Money, not exceeding in the whole the said Sum of ten Pounds, on any Goods or Chattels pawned, his, her or their Executors, Administrators or Assigns, shall neglect or refuse to deliver up or make Satisfaction for the Goods or Chattels, which shall be proved to the Satisfaction of such Justice or Justices as aforesaid, to have been so pawned, as any such Justice or Justices of the Peace as aforesaid shall order and direct; then any such Justice or Justices shall, and is and are hereby authorised and required to commit the Party or Parties so refusing to deliver up or make Satisfaction for the same, to the House of Correction, or some other publick Prison of the County, Riding, Division, City or Place wherein the Offender or Offenders shall reside, or be convicted; there to remain without Bail or Mainprize, until he, she or they shall deliver up the Goods or Chattels so pawned, and continuing redeemable as aforesaid, according to the Order of such said Justice or Justices, or make Satisfaction or Compensation for the Value thereof, to the Party or Parties intitled to the Redemption of such Goods or Chattels so pawned, and continuing redeemable as aforesaid.

Goods pawned for a Sum not exceeding 10*l* may be recovered within 2 Years.

Justice on Complaint of Pawnbroker refusing to deliver Goods, to summon and examine the Parties;

and Proof being made of Tender, and Payment of the Principal, Interest and Charges; or Tender being then also made, and refused;

Justice to make an Order for the immediate Delivery of the Goods,

on Refusal, to commit the Pawnbroker till Satisfaction be made.

XI. And be it further enacted by the Authority aforesaid, That if any Pawn or Pledge of Goods or Chattels, of what Kind soever, made by or for the Proprietor or Proprietors thereof, shall remain unredeemed for the Space of two Years, then every such Pawn or Pledge shall be forfeited; and it shall and may be lawful to and for every such Person or Persons, to whom such Goods or Chattels have been pawned or pledged, to sell the same; any Law, Statute, Custom or Usage to the contrary thereof notwithstanding;

Goods remaining unredeemed for 2 Years, are forfeited, and may be sold;

withstanding; subject nevertheless to account for the Overplus, if any shall be, of the Produce of all such Goods or Chattels which have been pledged for two Pounds and upwards, as by this Act is directed. Overplus to be accounted for.

XII. Provided always, and be it further enacted by the Authority aforesaid, That every Person or Persons to whom any Goods or Chattels shall have been pawned or pledged, shall from time to time enter in a Book or Books to be kept for that Purpose, a true and just Account of the Sale of all Goods and Chattels pawned to him, her or them, for two Pounds, or upwards, which shall be sold by any such Person or Persons, expressing the Day when, the Money for which, and the Name and Place of Abode of the Person to whom such Goods or Effects pawned were sold; and in case any such Goods or Effects shall be sold for more than the Principal Money, with Interest, and the Charge of Warehouse-room as aforesaid, due thereon at the Time of such Sale, the Overplus shall by every such Person or Persons be paid on Demand to the Person by or on whose Account such Goods or Chattels were pawned, his, her or their Executors, Administrators or Assigns; and such Person or Persons who pawned or pledged such Goods or Chattels, his, her or their Executors, Administrators or Assigns, shall for his, her or their Satisfaction in this Matter, be permitted to inspect the Entry to be made as aforesaid of every such Sale, paying for such Inspection the Sum of one Penny, and no more; and in case any Person or Persons shall refuse to permit any such Person or Persons who pawned or pledged such Goods or Chattels, to inspect such Entry as aforesaid in any such Book or Books, such Person or Persons, if an Executor or Executors, Administrator or Administrators, or Assignee or Assignees, at such Time producing his, her or their Letters Testamentary, Letters of Administration or Assignment; or in case the Goods or Effects were sold for more than the Sum entered in any such Book or Books; or if any such Person or Persons shall not make such Entry, or shall not have *bona fide* sold the Goods or Chattels pawned for the best Price that he, she or they might have reasonably had or got for the same, without his, her or their wilful Default; or shall refuse to pay such Overplus, upon Demand, to the Pawner or Pawners, his, her or their Executors, Administrators or Assigns; he or they producing such their Letters Testamentary, Letters of Administration or Assignment; every such Person or Persons so offending shall for every such Offence forfeit treble the Value of such Goods and Chattels to the Person or Persons by whom, or on whose Account such Goods or Chattels were pawned, his, her or their Executors, Administrators or Assigns, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*. Entry to be made of Sale of Goods pawned for 2*l.* or upwards. Overplus arising from the Sale, to be paid on Demand to the Owner; On Refusal of Inspection, or the Goods being sold for more than entered, &c. Pawnbroker to forfeit treble the Value.

XIII. Provided always, and be it further enacted by the Authority aforesaid, That no Fee or Gratuity whatsoever shall be had, taken or received, for any Summons or Summonses, Warrant or Warrants, granted by any Justice or Justices of the Peace, in pursuance of this Act, so far as the same relates to Goods and Chattels pawned, pledged, taken in Exchange, or unlawfully disposed of. Summonses and Warrants to be issued without Fee.

'XIV. And whereas the Occupiers of many licensed Publick Houses, and of other Houses wherein 'Wines and Liquors are sold, frequently suffer Gaming therein, and Journeymen, Labourers, Servants 'and Apprentices, by Means of such Gaming therein, not only mis-spend their Time, but are often re-'duced to Poverty and great Distress;' Be it therefore further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, if any Person or Persons licensed to sell any Sorts of Liquors, or who shall sell, or suffer the same to be sold, in his, her or their House or Houses, or in any Outhouses, Ground or Apartments thereto belonging, shall knowingly suffer any Gaming with Cards, Dice, Draughts, Shuffle Boards, Mississippi or Billiard Tables, Skittles, Nine Pins, or with any other Implement of Gaming, in his, her or their Houses, Outhouses, Ground or Apartments thereto belonging, by any such Journeymen, Labourers, Servants or Apprentices; and shall be convicted of the said Offence on their own Confession, or on the Oaths of one or more credible Witness or Witnesses, before any Justice or Justices of the Peace for the County, Riding, Division, City, Liberty or Place wherein the Offence shall be committed, within six Days after any such Offence shall be committed, he, she or they so offending shall for every such Offence forfeit and pay the Sum of forty Shillings; and for every like Offence which he, she or they shall afterwards be convicted of, before any such Justice or Justices of the Peace, he, she or they so offending shall forfeit the Sum of ten Pounds; all which Sums of Money so forfeited, shall be levied by Distress and Sale of the Offenders Goods and Chattels, by Warrant from the Justice or Justices before whom such Offender or Offenders shall be convicted; and which Warrant every such Justice or Justices is and are hereby required and authorised to grant; and three Fourths of all Sums which shall be so forfeited shall, on the Recovery thereof, be paid to the Churchwardens of the Parish in which the Offence shall be committed, for the Use of the Poor of such Parish; and the other fourth thereof shall be paid to the Person or Persons on whose Information the Party or Parties offending shall have been convicted of the Offence. *Refer to* 18 *Geo.* 2. *c.* 34. Publicans permitting Journeymen, &c. to game in their Houses, forfeit 40*s.* and for every subsequent Offence, 10*l.* to be levied by Distress and Sale.

XV. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, if any Journeyman, Labourer, Apprentice or Servant, shall game in any House, Out-house, Ground or Apartments thereto belonging, wherein any Liquors shall be sold, and Complaint thereof shall be made on Oath before any Justice or Justices of the Peace for the County, Riding, Division, City, Liberty or Place, where the Offence shall have been committed, every such Justice or Justices shall thereupon issue his or their Warrant to some Constable, Tythingman, Headborough or other Peace Officer of the Parish, Precinct or Place wherein the Offence shall be charged to have been committed, or where the Offender shall reside, to apprehend and carry On Complaint of Journeymen, &c. gaming in Publick Houses, Justice to issue his Warrant for apprehending them,

every

every ſuch Offender before ſome Juſtice or Juſtices of the Peace acting for the County, Riding, Diviſion, City, Liberty or Place, where the Offence ſhall be committed, or where the Offender ſhall reſide; and if the Perſon who ſhall be apprehended ſhall be convicted of the ſaid Offence by the Oath of one or more credible Witneſs or Witneſſes, or on his own Confeſſion, every ſuch Offender ſhall forfeit any Sum not exceeding twenty Shillings, nor leſs than five Shillings, as the Juſtice or Juſtices before whom any ſuch Offender or Offenders ſhall be convicted ſhall think fit and order, every Time he ſhall ſo offend, and be convicted as aforeſaid; and one Fourth of all ſuch Money ſo forfeited ſhall, on the Conviction of any ſuch Offender or Offenders, be paid to the Perſon or Perſons on whoſe Information the Party or Parties offending ſhall be convicted, and the other three Fourths thereof ſhall be applied for the Uſe of the Poor of the Pariſh wherein the Offence ſhall have been committed, and ſhall be paid to the Overſeers of the Poor of ſuch Pariſh for that Purpoſe; and if the Party who ſhall be convicted of the Offence laſt mentioned, ſhall not forthwith pay down the ſaid Sum ſo forfeited by him, any ſuch Juſtice or Juſtices ſhall, by Warrant under his Hand, or their Hands, commit every ſuch Offender to the Houſe of Correction, or ſome other Priſon, of the County, Riding, Diviſion, City, Liberty or Place, in which he ſhall be apprehended; there to remain and be kept to hard Labour for any Time not exceeding the Space of one Month, or until he ſhall pay the Sum of Money ſo forfeited.

who upon Conviction, are to forfeit not exceeding 20 s. nor leſs than 5 s.

Offender not paying the Forfeiture, to be committed to hard Labour.

XVI. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City, Liberty, Town or Place, and he and they is and are hereby required, upon Complaint made to him upon Oath of any Offence committed againſt this Act, within the ſame County, Riding, Diviſion, City, Liberty, Town or Place, to iſſue his Warrant for bringing before him, or ſome other Juſtice or Juſtices of the Peace of any County, Riding, Diviſion, City, Liberty, Town or Place, the Perſon or Perſons charged with ſuch Offence; and the Juſtice or Juſtices before whom ſuch Perſon or Perſons ſhall be brought, is hereby authorized and required to hear and determine the Matter of every ſuch Complaint, and to proceed to Judgment and Conviction thereupon, as by this Act is directed; and if it ſhall appear by Oath of any credible Perſon or Perſons, to the Satisfaction of any ſuch Juſtice or Juſtices, that any Perſon or Perſons, within the Juriſdiction of ſuch Juſtice or Juſtices, can give or offer material Evidence on Behalf of the Proſecutor, againſt any Offender or Offenders againſt the true Intent and Meaning of this Act, or on Behalf of the Perſon accuſed, and who will not voluntarily appear before ſuch Juſtice or Juſtices to be examined, and give his, her or their Evidence, concerning the Premiſſes; every ſuch Juſtice or Juſtices is and are hereby authorized and required to iſſue his or their Summons to convene every ſuch Perſon or Perſons within his or their Juriſdiction before him or them, to be examined upon Oath concerning the Premiſſes; and if any Perſon ſo ſummoned ſhall neglect or refuſe to appear on ſuch Summons, and no juſt Excuſe ſhall be offered for ſuch Neglect or Refuſal, then (after Proof by Oath of ſuch Summons having been duly ſerved upon him, her or them for that Purpoſe) any ſuch Juſtice or Juſtices is and are hereby authorized and required to iſſue his or their Warrant to bring every ſuch Witneſs and Witneſſes, within his or their Juriſdiction, before him or them; and on the Appearance of any ſuch Witneſs before any ſuch Juſtice or Juſtices, any ſuch Juſtice or Juſtices is and are hereby authorized and impowered to examine upon Oath every ſuch Witneſs; and if any ſuch Witneſs, on his or her Appearance, or being brought before any ſuch Juſtice or Juſtices, ſhall refuſe to be examined on Oath concerning the Premiſſes, without offering any juſt cauſe for ſuch Refuſal, it ſhall be lawful for any ſuch Juſtice or Juſtices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit every Perſon ſo refuſing to the publick Priſon of the County, Riding, Diviſion, City or Place, in which the Perſon or Perſons ſo refuſing to be examined on Oath ſhall be brought before any ſuch Juſtice or Juſtices, there to remain for any Time not exceeding three Months, as any ſuch Juſtice or Juſtices ſhall direct; and if, on ſuch Examination, any ſuch Juſtice or Juſtices ſhall deem the Evidence of any ſuch Witneſs or Witneſſes to be material, any ſuch Juſtice or Juſtices may bind over any ſuch Witneſs, unleſs a Feme Covert, or one under the Age of twenty-one Years, by Recognizance, in a reaſonable Penalty, to appear and give Evidence at the next General or Quarter-Seſſions of the Peace, or Seſſions of *Oyer* and *Terminer*, as in ſuch Recognizance ſhall be mentioned.

Juſtice, upon Complaint, to iſſue his Warrant for bringing the Offenders before him,

and may ſummon Witneſſes.

and if the Witneſs refuſes to give Evidence, he may be committed to hard Labour.

Material Witneſs may be bound over to give Evidence before a Court.

XVII. And be it further enacted by the Authority aforeſaid, That no Perſons charged on Oath with being guilty of any of the Offences punihable by this Act, and which ſhall require Bail, ſhall be admitted to Bail before twenty-four Hours Notice, at leaſt, ſhall be proved by Oath to have been given in Writing to the Proſecutor, of the Names and Places of Abode of the Perſons propoſed to be Bail for any ſuch Offender or Offenders, unleſs the Bail offered ſhall be well known to the Juſtice or Juſtices, and he and they ſhall approve of them; and every ſuch Offender and Offenders, who ſhall be bound over to the General Quarter-Seſſions of the Peace, or Gaol Delivery, of the County, City, or Town wherein the Offence charged on him ſhall have been committed, to anſwer any ſuch Offences puniſhable by this Act, ſhall be tried at ſuch General Quarter-Seſſions of the Peace, or Seſſions of *Oyer* and *Terminer* and Gaol Delivery which ſhall be held next after his, her or their being apprehended, unleſs the Court ſhall think fit to put off the Trial on juſt Cauſe made out to them.

Offenders not to be admitted to Bail, till due Notice has been given to the Proſecutor, &c.

Offender to be tried at the next Seſſion, unleſs the Court put off the Trial.

XVIII. Provided always, and be it enacted by the Authority aforeſaid, That in all Actions, Suits, Trials and other Proceedings in Purſuance of this Act, or in Relation to any Matter or Thing herein contained, any Inhabitant of the Pariſh, Town or Place, in which any Offence or Offences ſhall be committed, contrary to the true Intent and Meaning of this Act, ſhall be admitted to give Evidence, and ſhall be deemed a competent Witneſs, notwithſtanding his, her or their being an Inhabitant or Inhabitants of the Pariſh, Town or Place wherein any ſuch Offence or Offences ſhall have been committed.

Inhabitants where the Offence is committed, deemed competent Witneſſes.

XIX. And

XIX. And be it further enacted by the Authority aforesaid, That the Justice or Justices before whom any Person shall be convicted, in manner prescribed by this Act, shall cause such respective Conviction to be drawn up in the Form or to the Effect following; that is to say, Conviction to be drawn up in the following Form;

To wit. 'BE it remembered, That on this Day of in the Year of 'his Majesty's Reign, *A. B.* is convicted before of his Majesty's Justices of 'the Peace for the said County of or for the Riding or Division of the said 'County of or for the City, Liberty or Town of *(as the Case shall happen* '*to be)* for and the said do adjudge him or her to pay and forfeit for the 'same, the Sum of

Given under the Day and Year aforesaid.

And the said Justice or Justices, before whom such Conviction shall be had, shall cause the same so drawn up, in the Form aforesaid, to be fairly written upon Parchment, and transmitted to the next General Quarter-Session of the Peace to be held for the County, Riding, Division, City, Town, Liberty or Place, wherein such Conviction was had, to be filed and kept amongst the Records of the said General or Quarter-Sessions; and in case any Person or Persons so convicted, shall appeal from the Judgment of the said Justice or Justices, to the said General or Quarter-Sessions, the Justices in such General or Quarter-Sessions are hereby required upon receiving the said Conviction, drawn up in the Form aforesaid, to proceed to the Hearing and Determination of the Matter of the said Appeal, according to the Directions of this Act; any Law or usage to the contrary notwithstanding. and to be written on Parchment, and transmitted to the Quarter-Sessions to be filed. Justices at the Quarter-Sessions to determine Appeals.

XX. And be it further enacted by the Authority aforesaid, That no *Certiorari* shall be granted to remove any Indictment, Conviction, or other Proceedings had thereon in Pursuance of this Act. Indictment or Conviction not removeable by Certiorari.

XXI. Provided always, and it is hereby further enacted by the Authority aforesaid, That if any Person convicted of any Offences punishable by this Act, shall think him or herself aggrieved by the Judgment of the Justice or Justices before whom he or she shall have been convicted, such Persons shall have Liberty to appeal to the Justices at the next General or Quarter-Sessions of the Peace which shall be held for the County, Riding, Division, City, Liberty, Town or Place, where such Judgment shall have been given; and that the Execution of the said Judgment shall, in such Case, be suspended, the Person so convicted entering into a Recognizance at the Time of such Conviction, with two sufficient Sureties, in double the Sum which such Person shall have been adjudged to pay or forfeit, upon Condition to prosecute such Appeal with Effect, and to be forth-coming, to abide the Judgment and Determination of the Justices in their said next General or Quarter-Sessions; which Recognizance the said Justice or Justices before whom such Conviction shall be had, is hereby impowered and required to take; and the Justices in the said General or Quarter-Sessions are hereby authorized and required to hear and finally determine the Matter of the said Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party; and if, upon the hearing of the said Appeal, the Judgment of the Justice or Justices before whom the Appellant shall have been convicted, shall be affirmed, such Appellant shall immediately pay the Sum which he or she shall have been adjudged to forfeit, together with such Costs as the Justices in the said General or Quarter-Sessions shall award to be paid, for defraying the Expences sustained by the Defendant or Defendants in such Appeal; or in Default of making such Payments shall suffer the respective Pains and Penalties by this Act inflicted upon Persons respectively, who shall neglect to pay, or shall not pay the respective Sums or Forfeitures by this Act to be paid by, or imposed upon, Persons respectively, who shall be convicted by Virtue of this Act. Appeal may be made to the Quarter-Sessions; and Execution respited, the Party entering into Recognizance to prosecute the Appeal. Justices to determine the Appeal, and award Costs. On Affirmation of the Judgment, Appellant to pay the Fine and Costs.

XXII. And be it further enacted by the Authority aforesaid, That no Person, who, by Virtue of this Act, shall be punished for any Offence or Offences by him, her or them committed, shall be punished for the same Offence or Offences, under any other Law or Satute; and that if any Action or Suit shall be commenced against any Person or Persons for any Thing done in Pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in Pursuance and by the Authority of this Act; and if it shall appear so to have been done, or a Verdict shall be recorded for the Defendant or Defendants; and if the Plaintiff shall be nonsuited or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover double Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law, for Recovery of his or their Costs. None to be punished a second Time for the same Offence. General Issue. Double Costs.

XXIII. And be it further enacted by the Authority aforesaid, That the Statute made in the twenty-fourth Year of his present Majesty's Reign, intituled, *An Act for the rendering the Justices of the Peace more safe in the Execution of their Office, and for indemnifying Constables and others acting in Obedience to their Warrant*, so far as the said Act relates to the rendering the Justices more safe in the Execution of their Office, shall extend and be construed to extend to the Justice or Justices of the Peace acting under the Authority or in Execution of this Act; and no Action or Suit shall be had or commenced against, or Writ issued out, or Copy or Writ served upon any Peace Officer or Officers, for any Thing done in the Execution of this Act, until Notice in Writing shall have been given to him or them, or left at his or their usual Place of Abode, by the Attorney for the Party commencing such Action, or suing out or serving Clause in Act 24 G. 2. c. 44 extended to Justices acting under this Act. Notice to be given to Peace Officer before commencing Suit against him.

ving the Copy of the said Writ; which said Notice in Writing shall contain the Name and Place of Abode of the Person who is to bring such Action, together with the Cause of Action or Complaint; and the Name and Place of Abode of the said Attorney shall be under-wrote or indorsed thereon; and any Peace Officer or Officers shall be at Liberty, and may by Virtue of this Act, at any Time within fourteen Days after such Notice, tender or cause to be tendered any Sum or Sums of Money, as amends for the Injury complained of, to the Party complaining, or to the said Attorney; and if the same is not accepted of, the Defendant or Defendants, in such Action or Actions, may plead such Tender in Bar of such Action or Actions, together with the General Issue, or any other Plea, with Leave of the Court; and if upon Issue joined upon such Tender, the Jury shall find the Amends tendered to have been sufficient, the said Jury shall find a Verdict for the Defendant or Defendants; and in such Case, or if the Plaintiff shall become nonsuit or discontinue his Action, or if Judgment shall be given for the Defendant or Defendants upon Demurrer, the Defendant or Defendants shall be intitled to his and their Costs; and if the Jury shall find that no such Tender was made, or that the Amends tendered were not sufficient, and also shall find against the Defendant or Defendants on such other Plea or Pleas by them pleaded, the said Jury shall give a Verdict for the Plaintiff, and such Damages as they shall think proper, for which the Plaintiff shall have Judgment, together with his, her or their full Costs.

Tender of Amends may be be made by him,

and pleaded in Bar of the Action.

If none, or insufficient Tender has been made, Plaintiff, upon a Verdict, to recover.

CAP. XXV.

For former Laws concerning Militia refer to 4 & 5 P. & M. c. 3. 13 & 14 Car. 2. c. 3. 15 Car. 2. c. 4.

An Act for the better ordering of the Militia Forces in the several Counties of that Part of *Great Britain* called *England*.

10 & 11 *W.* 3. c. 12. 1 *Ann. st.* 2. c. 23. 1 *Geo.* 1. *st.* 2. c. 14. 9 *Geo.* 1. c. 8. 7 *Geo.* 2. c. 23.

'WHEREAS a well-ordered and well-disciplined Militia is essentially necessary to the Safety, Peace and Prosperity of this Kingdom: And whereas the Laws now in Being for the Regulation of the Militia are defective and ineffectual;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, That from and after the first Day of *May* one thousand seven hundred and fifty-seven, his Majesty, his Heirs and Successors may and shall issue forth Commissions of Lieutenancy for the respective Counties, Ridings and Places herein after mentioned; and the respective Lieutenants thereby appointed shall have full Power and Authority to call together all such Persons, and to arm and array them at such Times and in such Manner as is herein after expressed; and such respective Lieutenants shall from Time to Time constitute and appoint such Persons as they shall think fit, qualified as is herein after directed, and living within their respective Counties, Ridings and Places, to be their Deputy Lieutenants; the Names of such Persons having been first presented to and approved by his Majesty, his Heirs or Successors; and shall give Commissions to a proper Number of Colonels, Lieutenant Colonels, Majors and other Officers, also qualified as is herein after directed, to train and discipline the Persons so to be armed and arrayed, according to the Rules, Orders and Directions herein after provided; and shall certify to his Majesty, his Heirs and Successors, the Names of such Commission Officers, within one Month after they shall be so appointed, and shall have accepted their respective Commissions.

The King to issue forth Letters of Lieutenancy for the respective Counties.

The Lieutenants to assemble and arm the Militia.

II. Provided always, and be it enacted, That nothing herein contained shall be construed to vacate any Commission of Lieutenancy already granted by his Majesty, nor any Deputations granted to Deputy Lieutenants; but that the same shall continue in full Force and Vigour for the Purposes of this Act, so as the said Deputy Lieutenants be qualified as is herein after directed.

Commissions of Lieutenancy and Deputations already granted to stand good.

III. And be it enacted, That his Majesty's Lieutenant of every County, Riding or Place shall have the chief Command of the Militia thereof, which shall be raised by Virtue of this Act; and in every County, Riding or Place in *England* and *Wales*, (except as is herein after excepted) there shall be appointed twenty or more Deputy Lieutenants, if so many Persons, qualified as is herein before and after expressed, can be therein found; and if twenty Persons so qualified cannot be therein found, then there shall be appointed so many Persons as can be therein found; and each Person so to be appointed a Deputy Lieutenant or Colonel, shall be seised or possessed, either in Law or Equity, for his own Use and Benefit, in Possession of a Freehold, Copyhold or Customary Estate for Life, or for some greater Estate, or of an Estate for some long Term of Years, determinable on one or more Life or Lives, in Manors, Messuages, Lands, Tenements or Hereditaments in *England*, *Wales* or the Town of *Berwick* upon *Tweed*, of the yearly Value of four hundred Pounds, or shall be Heir Apparent of some Person who shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of eight hundred Pounds; and each Person so to be appointed a Lieutenant Colonel or Major, shall be in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of three hundred Pounds, or shall be Heir Apparent of some Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of six hundred Pounds; and each Person so to be appointed a Captain, shall be in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of two hundred Pounds, or shall be Heir Apparent of some Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of four hundred Pounds, or shall be a younger Son of some Person who shall be, or at the Time of his Death was in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of six hundred Pounds; and that each Person so to be appointed a Lieutenant, shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred Pounds, or

Lieutenants to have the Chief Command of the Militia.

Number of Deputy Lieutenants in each County.

Deputy Lieutenant or Colonel to have 400 l. per Annum, or be Heir to 800 l. per Annum.

Lieutenant Colonel or Major 300 l. per Annum.

Captain 200 l. per Annum.

Lieutenant 100 l. per Annum.

or shall be Son of some Person who shall be, or at the Time of his Death was, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of two hundred Pounds; and each Person so to be appointed an Ensign, shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of fifty Pounds, or shall be Son of some Person who shall be, or at the Time of his Death was, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred Pounds; one Moiety of which said Estates, required as Qualifications for each Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, Captain, Lieutenant and Ensign respectively, shall be situate or arising within such respective County or Riding in which he shall be so appointed to serve.

Ensign 50l. per Annum.

One Moiety of the Estates to be within the County for which they serve.

IV. Provided always, and be it enacted, That for the Purposes of the respective Qualifications required by this Act, the immediate Reversion or Remainder of and in Manors, Messuages, Lands, Tenements or Hereditaments which are leased for one, two or three Life or Lives, or for any Term of Years determinable upon the Death of one, two or three Life or Lives on reserved Rents, and which are to the Lessee or Lessees of the clear yearly Value of three hundred Pounds, shall be deemed equal to an Estate herein before described as a Qualification of the yearly Value of one hundred Pounds, and so in Proportion, be the said Qualifications of a greater or less Degree; any Thing in this Act contained to the contrary notwithstanding.

What shall be deemed equal to an Estate of 100l.

V. Provided always, and be it enacted, That any Officer may be promoted on Account of Merit in the said Militia, when called out and assembled, in case of actual Invasion, or upon imminent Danger thereof, or in case of Rebellion, by the Lieutenant of any County, Riding or Place, from a lower to an higher Commission, inclusive of that of Lieutenant Colonel, notwithstanding he should not have the Qualifications requisite for his first Admittance into such higher Rank of the Militia.

Officers may be promoted, in extraordinary Occasions, on Account of Merit,

VI. Provided, That no Person, not having the Qualification herein before directed for a Captain, shall be promoted to an higher Rank than that of Captain.

but none higher than Captains, who want a Qualification for that Rank.

VII. Provided also, That the Qualifications above recited, to enable any Person to be a Deputy Lieutenant, Lieutenant Colonel, Major, Captain, Lieutenant or Ensign, shall not extend to such Commissions as shall be granted by his Majesty's Constable of the *Tower*, or Lieutenant of the *Tower Hamlets*.

Recited Qualifications not to extend to the Tower or Tower Hamlets.

VIII. Provided always, and be it enacted, That his Majesty, his Heirs and Successors, shall from Time to Time, as he and they shall think fit, signify his and their Pleasure to his and their Lieutenants of any County, Riding or Place, to displace all or any such Deputy Lieutenants and Officers; and thereupon his Majesty's respective Lieutenants shall appoint others within the same County, Riding or Place, under the like Qualifications, to serve in their Stead.

Deputy Lieutenants and Officers may be displaced at his Majesty's Pleasure.

IX. Provided always, and be it enacted, That every Deputy Lieutenant and Commission Officer in the Militia shall, within six Months next after he shall have accepted his Commission, leave with the Clerk of the Peace of the County, Riding or Place, in and for which he shall be so appointed, his Qualification in Writing, signed by himself; and such Clerk of the Peace is hereby required to enter the same upon a Roll to be kept for that Purpose; and every Deputy Lieutenant and Commission Officer shall, at some General Quarter-Session holden for the County, Riding or Place for which he shall be so appointed, or in one of his Majesty's Courts of Record at *Westminster*, within six Months after he shall have accepted his Commission, take the Oaths appointed to be taken in and by an Act passed in the first Year of the Reign of his late Majesty King GEORGE, intituled, *An Act for the further Security of his Majesty's Person and Government; and the Succession of the Crown in the Heirs of the late Princess* SOPHIA, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*; and shall also make, repeat and subscribe the Declaration in the said Act mentioned.

Their Qualifications to be left with the Clerk of the Peace, and filed.

They are to take the Oaths, &c. appointed by 1 Geo. 1. st. 2. c. 13.

X. And be it enacted, That if any Person shall execute any of the Powers hereby conferred on Deputy Lieutenants, Colonels, Lieutenant Colonels or Majors, (not being qualified as aforesaid) or shall not, within the Time herein before limited, deliver in such Qualification, and take the Oaths, and make, repeat and subscribe the Declaration aforesaid, every such Person shall forfeit and pay the Sum of two hundred Pounds; and if any Person shall execute any of the Powers hereby conferred on Captains, Lieutenants or Ensigns (not being qualified as aforesaid) and shall not, within the Time herein before limited, deliver in such Qualification, and take the Oaths, and make, repeat and subscribe the Declaration aforesaid, every such Person shall forfeit and pay the Sum of one hundred Pounds; such several Penalties to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Wager of Law or Protection, or more than one Imparlance shall be allowed; one Moiety whereof shall go to the Use of the Person who shall sue for the same, and the other Moiety to the Uses herein after directed.

200 l. Penalty on Deputy Lieutenants, and all above the Degree of Captains,

and 100l. on Captains, and those under, acting if not qualified, &c.

XI. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be deemed or construed to extend to oblige any Peer of this Realm to serve in the Militia personally, or by Substitute; or to restrain his Majesty's Lieutenant of any County, Riding or Place from appointing any Peer of this Realm, or Heir Apparent of any such Peer, to be a Deputy Lieutenant or Commission Officer in the Militia within the County, Riding or Place where such Peer or Heir Apparent of such Peer shall respectively have some Place of Residence; or to oblige any Peer of this Realm, or Heir Apparent of such Peer (so appointed a Deputy Lieutenant or Commission Officer respectively) to leave with the Clerk of the Peace for the County, Riding or Place for which he shall be so appointed, any Qualification in Writing as aforesaid; but it shall be lawful for every Peer of this Realm, or Heir Apparent of such Peer so

Peers exempted from serving;

but they and their Heirs Apparent may be appointed Deputy Lieutenants or Commission Officers.

appointed and taking the Oaths, and making, repeating and subscribing the Declaration aforesaid, to act as a Deputy Lieutenant or Commission Officer respectively, although he shall not be seised or possessed of any such Estate in Manors, Messuages, Lands, Tenements or Hereditaments, as is required by this Act; any Thing herein contained to the contrary notwithstanding.

A Commission does not vacate a Seat in Parliament.

XII. Provided always, and be it enacted, That the Acceptance of a Commission in the Militia shall not vacate the Seat of any Member returned to serve in Parliament.

At the End of 4 Years, such a Number of Officers to be discharged.

XIII. And be it enacted, That his Majesty's Lieutenant, together with three or more Deputy Lieutenants of any County, Riding or Place, and on the Death, or in the Absence of his Majesty's Lieutenant, any five or more of them shall, at the End of every four Years, at their annual Meeting, discharge such a Number of the Officers of the Militia (not exceeding one Field Officer of each Regiment or Battalion, and one third Part of the whole Number of Officers of each inferior Rank respectively) as shall be equal to the Number of Persons who shall be fit and willing to serve as Officers in the Militia of such County, Riding or Place, and shall be duly qualified for such Ranks according to the Directions of this Act; and such Lieutenant shall appoint such Persons to serve as Officers in the Room of the Officers so discharged as aforesaid.

Adjutant from the King's Forces to be appointed to each Regiment;

XIV. And be it enacted, That his Majesty, his Heirs and Successors may and shall appoint one proper Person, who shall have served, or shall at the Time of such Appointment, actually serve in some of his Majesty's other Forces, to be an Adjutant to each Regiment or Battalion of Militia in each County, Riding or Place respectively; and such Adjutant shall, during his Service in the said Militia, preserve his Rank in the Army in the same Manner as if he had continued in that Service; and his Majesty, his Heirs and Successors may and shall also appoint, according to the Proportion of one Serjeant to twenty private Men, two or more proper Persons to be Serjeants to every Company in the said Militia, out of and from his Majesty's other Forces, such Persons having served in the said Forces for the Space of three Years next preceding their Appointment to be Serjeants as aforesaid, or may appoint such other Persons to be Serjeants as aforesaid, as have formerly served for the Space of three Years in his Majesty's said Forces; and the Service in the Militia of such Persons so appointed out of his Majesty's said Forces, shall intitle them to the Benefit of *Chelsea Hospital*, in the same Manner as if they had continued to serve in the said Forces; and every Person appointed to be a Serjeant as aforesaid, out of the Pensioners on the Establishment of *Chelsea Hospital*, shall be intitled to be put again upon the said Establishment after he shall be discharged from the Service of the Militia, provided he brings a Certificate of his good Behaviour, under the Hand of the Colonel or commanding Officer of the Regiment or Battalion in which he shall have served as aforesaid.

Serjeants to be appointed out of the Army;

and to be intitled to Chelsea Hospital.

Serjeants appointed from thence, to be readmitted.

Alehouse-keepers, &c. disqualified from being Serjeants.

XV. And be it enacted, That no Person who shall keep any House of publick Entertainment, or who shall sell any Ale, Wine, Brandy or other Spirituous Liquors by Retail, shall be capable of being or continuing a Serjeant in the Militia.

Number of private Men to be raised in each County,

XVI. And be it enacted, That the Number of private Men to be raised by Virtue of this Act, in that Part of *Great Britain* called *England*, the Dominion of *Wales* and Town of *Berwick* upon *Tweed* (exclusive of the Places herein after excepted) shall be

For the County of *Bedford*, four hundred.
For the County of *Berks*, five hundred and sixty.
For the County of *Bucks*, five hundred and sixty.
For the County of *Cambridge*, four hundred and eighty.
For the County of *Chester*, with the City and County of the City of *Chester*, five hundred and sixty.
For the County of *Cornwall*, six hundred and forty.
For the County of *Cumberland*, three hundred and twenty.
For the County of *Derby*, five hundred and sixty.
For the County of *Devon*, with the City and County of the City of *Exeter*, one thousand six hundred.
For the County of *Dorset*, with the Town and County of the Town of *Poole*, six hundred and forty.
For the County of *Durham*, four hundred.
For the County of *Essex*, nine hundred and sixty.
For the County of *Gloucester*, with the City and County of the City of *Gloucester*, and the City and County of the City of *Bristol*, nine hundred and sixty.
For the County of *Hereford*, four hundred and eighty.
For the County of *Hertford*, five hundred and sixty.
For the County of *Huntingdon*, three hundred and twenty.
For the County of *Kent*, with the City and County of the City of *Canterbury*, nine hundred and sixty.
For the County of *Lancaster*, eight hundred.
For the County of *Leicester*, five hundred and sixty.
For the County of *Lincoln*, with the City and County of the City of *Lincoln*, one thousand two hundred.

Repealed by 31 Geo. 2. c. 26. s. 59.

For the *Tower Division* in the County of *Middlesex*, commonly called *The Tower Hamlets*, one thousand one hundred and sixty.
And for the rest of the County of *Middlesex*, one thousand six hundred.
For the County of *Monmouth*, two hundred and forty.
For the County of *Norfolk*, with the City and County of the City of *Norwich*, nine hundred and sixty.

For

For the County of *Northampton*, six hundred and forty.
For the County of *Northumberland*, with the Town and County of the Town of *Newcastle upon Tyne*, and the Town of *Berwick*, five hundred and sixty.
For the County of *Nottingham*, with the Town and County of the Town of *Nottingham*, four hundred and eighty.
For the County of *Oxford*, five hundred and sixty.
For the County of *Rutland*, one hundred and twenty.
For the County of *Salop*, six hundred and forty.
For the County of *Somerset*, eight hundred and forty.
For the County of *Southampton*, with the Town and County of the Town of *Southampton*, nine hundred and sixty.
For the County of *Stafford*, with the City and County of the City of *Litchfield*, five hundred and sixty.
For the County of *Suffolk*, nine hundred and sixty.
For the County of *Surry*, eight hundred.
For the County of *Sussex*, eight hundred.
For the County of *Warwick*, with the City and County of the City of *Coventry*, six hundred and forty.
For the County of *Westmorland*, two hundred and forty.
For the County of *Worcester*, with the City and County of the City of *Worcester*, five hundred and sixty.
For the County of *Wilts*, eight hundred.
For the West Riding of the County of *York*, with the City and County of the City of *York*, one thousand two hundred and forty.
For the North Riding of the said County, seven hundred and twenty.
And for the East Riding of the said County, with the Town and County of the Town of *Kingston upon Hull*, four hundred.
For the County of *Anglesea*, eighty.
For the County of *Brecknock*, one hundred and sixty.
For the County of *Cardigan*, one hundred and twenty.
For the County of *Caermarthen*, with the County Borough of *Caermarthen*, two hundred.
For the County of *Carnarvon*, eighty.
For the County of *Denbigh*, two hundred and eighty.
For the County of *Flint*, one hundred and twenty.
For the County of *Glamorgan*, three hundred and sixty.
For the County of *Merioneth*, eighty.
For the County of *Montgomery*, two hundred and forty.
For the County of *Pembroke*, with the Town and County of the Town of *Haverford West*, one hundred and sixty.
For the County of *Radnor*, one hundred and twenty.

XVII. Provided, That there shall not be more than three Commission Officers (that is to say) one Captain, one Lieutenant, and one Ensign, to eighty private Men; and so in Proportion, as near as may be, to any greater or lesser Number of private Men. Three Officers allowed to 80 private Men.

XVIII. Provided always, and be it enacted, That if his Majesty's Lieutenant of any County, Riding or Place, shall think that too large a Proportion of private Men is by this Act directed to be raised for such County, Riding or Place, it shall be lawful for his Majesty's Privy Council, upon Application made to them by any such Lieutenant, to fix as near as may be, the Number of private Men, which shall be furnished from the List of that County, Riding or Place so complaining, by the Proportion which the whole Number returned in all the Lists bears to the whole Number of the Militia by this Act directed to be raised; all which Lists his Majesty's Lieutenants of each County, Riding or Place respectively, are hereby required to transmit to his Majesty's Privy Council. Where too large a Proportion of Men is directed, the Privy Council is to regulate the same.

XIX. And be it enacted, That his Majesty's Lieutenants, together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Absence of his Majesty's Lieutenants, the Deputy Lieutenants, or any three or more of them, shall meet once in every Year at some City or principal Town of the County, Riding or Place for which they shall be commissioned, or oftener, if they shall think fit, there to concert such Measures as shall be most conducive to the faithful Execution of this Act; the first of which Meetings for the Year one thousand seven hundred and fifty-seven shall be on the twelfth Day of *July*, and for every subsequent Year on the first *Tuesday* in *June*; and shall at their first Meeting, issue out their Orders to the Chief Constable, and where there is no Chief Constable, to some other Officer of the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions within their respective Counties, Ridings or Places, to return to them upon a Day, and at a Place therein to be mentioned, fair and true Lists in Writing of all Men usually, and at that Time dwelling within their respective Hundreds, Rapes, Laths, Wapentakes, or other Divisions, between the Ages of eighteen and fifty Years (all Peers of this Realm; all Persons who shall serve or act as Deputy Lieutenants, or Commission Officers in the Militia; all Persons actually serving as Commission Officers in any Regiment, Troop or Company in his Majesty's other Forces, or in any of his Majesty's Castles or Forts; all Persons being Members Lieutenants and Deputy Lieutenants to meet annually or oftener. First Meeting to be on 12 July, and for subsequent Years on 1st Tuesday in June. Orders to be then issued to the Constables to make Returns of all Men, between the Ages of 18 and 50 Years. Persons excepted.

Members of either of the Universities, Clergymen, Teachers and Preachers of separate Congregations, Constables, and other Peace Officers, and Parish Officers; articled Clerks, Apprentices, Seamen and Sea-faring Men excepted) distinguishing the Numbers in each Parish, Tithing or Place, and which of the Persons so returned labour under any Infirmities incapacitating them from serving as Militia Men; for which Purpose such Chief Constables, or other Officers, and every of them, are hereby authorised and required, by Order under their Hands, to require the Constable, Tythingman, Headborough, or other Officer of each Parish, Tything or Place within their respective Hundreds, Rapes, Lathes, Wapentakes, or other Divisions, to return to them upon a Day, and at a Place in such Order to be mentioned, fair and true Lists in Writing of all such Men as aforesaid, usually and at that Time dwelling within their respective Parishes, Tythings or Places, with the Distinctions before described, having first affixed a true Copy thereof on the Door of the Church or Chapel belonging to such Parish, Tything or Place; and if any Place, being Extraparochial, shall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of some Parish or Place thereunto adjoining, on the *Sunday* Morning before they shall make such Return; and his Majesty's Lieutenants, together with any two or more Deputy Lieutenants, or in the Absence of his Majesty's said Lieutenant, any three or more Deputy Lieutenants, shall on the Day, and at the Place on which they shall have so ordered such Lists to be returned, meet and appoint what Number of Persons in each respective Hundred, Rape, Lath, Wapentake, or other Division as aforesaid, shall serve in the said Militia, towards raising the Number of Militia Men hereby ordered and directed to be raised for such respective County, Riding or Place, in Proportion to the whole Number contained in such Lists; and the said Deputy Lieutenants shall afterwards subdivide themselves; and any three or more Deputy Lieutenants, or in case three Deputy Lieutenants shall not meet, then any two Deputy Lieutenants, together with any one Justice of the Peace for such County, Riding or Place, or any one Deputy Lieutenant, together with any two such Justices of the Peace, shall within one Month after the said second General Meeting, meet within the respective Subdivisions, at a Time and Place to be appointed by the said Deputy Lieutenants, or one of them; and the said Deputy Lieutenants, or any one or more of them, shall before such Meeting issue out an Order to the Chief Constables or other Officers of the respective Hundreds, Rapes, Laths, Wapentakes, or other Divisions, to return upon the Day and at the Place of Meeting so appointed, true Copies of the Lists so by them returned, to his Majesty's said Lieutenant, and the said Deputy Lieutenants, at their second General Meeting as aforesaid; and the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace so assembled in the said Subdivisions, shall (after hearing any Person who shall think himself aggrieved by having his Name inserted in such Lists, or by any others being omitted) direct such Lists to be amended, and appoint what Number of Men in each respective Parish, Tything or Place, shall serve in the said Militia, in Proportion to the whole Number contained in the Lists for such Hundreds, Rapes, Laths, Wapentakes, or other Divisions as aforesaid; and shall immediately cause them to be chosen by Lot out of the whole Number of Men liable to serve for each respective Parish, Tything or Place; and the said Deputy Lieutenants, or any one or more of them, shall appoint another Meeting to be held within three Weeks in the same Subdivision, and shall issue out an Order to the Chief Constables or other Officers of the respective Hundreds, Rapes, Laths, Wapentakes, or other Divisions, to direct the Constable, Tythingman, Headborough or other Officer of each Parish, Tything or Place, to give Notice to every Man so chosen to serve in the Militia, to appear at such Meeting; which Notice shall be given or left at his Place of Abode at least seven Days before such Meeting; and every Person so chosen by Lot, shall upon such Notice appear at such Meeting, and there take the Oaths directed to be taken, and make, repeat and subscribe the Declaration mentioned in and by the said Act passed in the first Year of his late Majesty King GEORGE; which Oaths and Declaration any one Deputy Lieutenant is hereby authorised then and there to administer; and shall be inrolled to serve in the Militia of such respective County, Riding or Place, as a private Militia Man, for the Space of three Years, in a Roll to be then and there prepared for that Purpose, or shall provide a fit Person (to be approved by the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace then met) to serve as his Substitute; which Substitute so provided and approved, shall take the said Oaths, and make, repeat and subscribe the said Declaration, and sign his Consent on the said Roll, to serve as his Substitute during the said Term; and if any Person so chosen by Lot to serve in the said Militia (not being one of the People called *Quakers*) shall refuse or neglect to take the Oaths, and make, repeat and subscribe the Declaration aforesaid, and to serve in the said Militia, or to provide a Substitute to be approved as aforesaid, who shall take the Oaths, and make, repeat and subscribe the said Declaration, and sign his Consent to serve as his Substitute; every such Person shall forfeit and pay the Sum of ten Pounds, and at the End of three Years be appointed to serve again.

Chief Constables to order the Parish Officers to make such Returns.

Copy to be affixed on the Door of the Church, the Sunday before the Return is made.

Lieutenants and Deputy Lieutenants to meet and appoint the Number of Men to serve.

Deputy Lieutenants to subdivide, and meet in their Subdivisions within a Month;

and after setling the Lists, and Number of Men to serve; they are to cause them to be chosen by Lot.

Another Meeting within three Weeks after, and Notice to the Persons chosen to attend; who are then to take the Oaths, &c. according 1 Geo. 1. stat. 2. c. 13. and are to be inrolled to serve as private Men for three Years, or provide fit Substitutes.

Persons refusing to serve, &c. forfeit 10 l.

and at the End of three Years are liable to serve again.

XX. And be it enacted, That the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, shall meet in the several Subdivisions, from time to time, as often as they shall think necessary, for the due Execution of this Act; and one of the said Meetings in every Year shall be on *Tuesday* in the Week before *Michaelmas* Day; and if any Man serving in the said Militia, being of the Age of thirty-five Years or upwards, and having served two Years in the Militia, shall desire his Discharge; or if any Person whatsoever shall shew any just Cause for his Discharge; it may and shall be lawful for the said Deputy Lieutenants, or any three or more of them, or any two Deputy

Deputy Lieutenants to meet occasionally, and annually on the Tuesday before Michaelmas; to grant Discharges to such as have a Right thereto,

puty Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, at their said annual Meetings for the respective Subdivisions, to discharge such Person from serving in the said Militia; and in the Stead of the Persons so discharged, and also if there shall be any other Vacancy by Death, or otherwise, such Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, shall cause a like Number of other Persons to be chosen by Lot out of the Lists of such Parishes, Tythings or Places where such Vacancies shall happen, unless the Person by whom any such Vacancy shall be made, served as a Substitute; in which case the Person for whom he served shall himself serve, or provide another Substitute for the Remainder of the three Years unexpired from his having provided his first Substitute; which Persons so chosen, or Substitutes so provided and approved as aforesaid shall take the said Oaths, and make, repeat and subscribe the said Declaration; and every Person so chosen shall be inrolled, and every Substitute so provided shall subscribe his Consent to serve, and shall serve in the said Militia for the Space of three Years, or for the Remainder of the three Years unexpired, subject to the Directions, Provisions and Penalties in this Act contained.

and to fill up by Lot all Vacancies.

Persons chosen are to take the Oaths, &c. and be inrolled.

XXI. Provided always, and be it enacted, That every Militia Man shall, if he change the Place of his Abode, continue actually bound to serve in the Militia of the Parish, Tything or Place to which he shall so have removed, until his three Years Service shall be completed; and if the Quota to the Militia of the Parish, Tything or Place to which he shall so have removed, be full, he shall, on the first Vacancy, be inrolled to serve in the Militia thereof, until the whole Term of three Years actual Service be completed; and every such Militia Man shall, before he change the Place of his Abode, give Notice thereof to any three or more Deputy Lieutenants, or to any two Deputy Lieutenants, together with any one Justice of the Peace, or to any one Deputy Lieutenant, together with any two Justices of the Peace, at some publick Meeting, or to one Deputy Lieutenant, who shall give to such Militia Man a Certificate of the Time he shall have served in the Militia of the respective Parish, Tything or Place, from his Inrollment to serve in the same; and if such Certificate shall have been given by one Deputy Lieutenant only, such Deputy Lieutenant shall certify the same to the Deputy Lieutenants and Justices of the Peace at their next Meeting within such Subdivision; and if any Militia Man so changing the Place of his Abode, shall not give Notice as aforesaid, such Militia Man so neglecting, and thereof convicted on Oath before one or more Justice or Justices of the Peace, shall forfeit and pay the Sum of twenty Shillings; and if such Offender shall refuse immediately to pay such Penalty, it shall be levied by Distress and Sale of his Goods and Chattels, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices, rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale to such Offender, upon whom such Distress shall have been made as aforesaid; and for want of such Distress, such Justice or Justices shall commit such Offender to the House of Correction, there to be kept to hard Labour for the Space of one Month.

Private Man, changing his Residence, to serve in the Place he removes to, and to give previous Notice of his Removal to the Deputy Lieutenant.

On Neglect of giving such Notice, he forfeits 20 s.

XXII. And be it enacted, That the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace in the several Subdivisions, shall yearly cause new Lists in the several Parishes, Tythings or Places within the same, to be made as is before directed, and to be returned to them at their said annual Meetings in the several Subdivisions; and shall in every third Year appoint what Number of Persons shall serve for each Parish, Tything or Place; and shall cause a sufficient Number of Persons to be chosen by Lot, in the Room of such Persons as shall have served three Years, and of those who shall have been discharged; which Persons so chosen shall take the said Oaths, make, repeat and subscribe the said Declaration, and be inrolled in Manner aforesaid, so that by Rotation all Persons not excepted by this Act, living in such Parishes, Tythings or Places, may serve Personally or by Substitute, for the Space of three Years; and shall be subject to, and under the Directions, Provisions and Penalties in this Act contained; and no Militia Man having served as a Substitute, shall by such Service be excused from serving for himself, when he shall be chosen by Lot as aforesaid; and the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, shall transmit to his Majesty's Lieutenant true Copies of the said Rolls, within fourteen Days after their respective Meetings for that Purpose; and if any Chief Constable, or other Officer of any Hundred, Rape, Lath, Wapentake, or other Division, or any Constable, Tythingman, Headborough, or other Officer, of any Parish, Tything or Place, shall refuse or neglect to return such Lists from time to time, or to comply with such Orders and Directions as he shall from time to time receive from his Majesty's Lieutenant, and the said Deputy Lieutenants or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, in pursuance of this Act, or shall in making such Return, be guilty of any Fraud or wilful Partiality, any three or more Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, are hereby impowered and required to imprison in the common Gaol of the respective County or Place, such Chief Constable or other Officer of any Hundred, Rape, Lath, Wapentake, or other Division; or such Constable, Tythingman, Headborough, or other Officer of any Parish, Tything or Place; there to be kept without Bail or Mainprize for the Space of one Month; or at their Discretion, to fine such Officer in any Sum not exceeding five Pounds, nor under forty Shillings; such Fine to be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hands and Seals of any three

New Lists to be made out, and returned to the Deputy Lieutenants at their annual Meetings; and every third Year the Number of Men to serve is to be appointed, and chosen by Lot, &c.

No Substitute to be excused from serving for himself.

Copies of the Rolls to be transmitted to the Lieutenant.

Constables or other Officers neglecting their Duty, or guilty of Fraud,

may be imprisoned for one Month, or fined, not exceeding 5 l. nor under 40 s.

three or more Deputy Lieutenants, or of any two Deputy Lieutenants, together with any one Justice of the Peace, or of any one Deputy Lieutenant, together with any two Justices of the Peace, rendering the Overplus (if any) on Demand, after deducting the Charge of such Distress and Sale, to such Officer upon whom such Distress shall have been made as aforesaid.

Private Man serving for himself is exempted from several Duties and Offices.

XXIII. Provided always, and be it enacted, That no private Man, personally serving for himself in the said Militia, during the Time of his serving as a Militia Man, shall be liable to do personally any Highway Duty, commonly called *Statute-work*, or to serve as a Peace Officer or Parish Officer; nor shall such private Man be liable to serve in any of his Majesty's Land Forces, by virtue of any Act for recruiting his Majesty's Land Forces, unless he shall consent thereto.

None having served three Years, is liable to serve again but in Rotation.

XXIV. Provided always, That no Person having personally or by Substitute served three Years in the Militia, shall be obliged to serve again, until by Rotation it comes to his Turn.

The same Liberty granted to married Men, if called out in Cases of publick Danger, to set up Trades.

as by 22 Geo. 2. c. 44. is granted to Mariners or Soldiers.

XXV. And be it enacted, That every Man having personally served in the Militia, when called out and assembled in case of actual Invasion, or upon imminent Danger thereof, or in case of Rebellion, and being a married Man, may set up and exercise any such Trade as he is apt and able for, in any Town or Place within the Kingdoms of *Great Britain* and *Ireland*, without any Let, Suit or Molestation, of any Person or Persons whatsoever, for or by Reason of the using of such Trade, as freely, and with the same Provisions, and under the same Regulations, and with the like Exception in respect to the two Universities of that Part of *Great Britain* called *England*, as any Mariner or Soldier may do, by an Act passed in the twenty-second Year of his Majesty's Reign, intituled, *An Act to enable such Officers, Mariners and Soldiers, as have been in his Majesty's Service since his Accession to the Throne, to exercise Trades.*

If a Quaker be chosen and refuse to serve, or provide a Substitute, Deputy Lieutenants are to provide one, and levy the Expence by Distress and Sale.

XXVI. And be be it enacted, That if any Person, being one of the People called *Quakers*, shall be chosen by Lot to serve in the Militia, and shall refuse or neglect to appear and to take the Oaths, and make, repeat and subscribe the Declaration aforesaid, and to serve in the said Militia, or to provide a Substitute, to be appointed as aforesaid, who shall take the said Oaths, make, repeat and subscribe the said Declaration, and subscribe his Consent to serve as the Substitute of such *Quaker*; then and in every such Case, any three Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, shall, upon as reasonable Terms as may be, provide and hire a fit Person, who shall take the said Oaths, make, repeat and subscribe the said Declaration, and subscribe his Consent to serve in the said Militia for the Space of three Years, as the Substitute of such *Quaker*; and any three Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, are hereby impowered and required to levy by Distress and Sale of the Goods and Chattels of such *Quaker*, by Warrant under the Hands and Seals of any three Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, such Sum or Sums as shall be necessary to defray the Expence of providing and hiring such Person to serve in the said Militia for the Space of three Years, as the Substitute of such *Quaker* so refusing or neglecting as aforesaid, rendering the Overplus, if any, after deducting the Charges of such Distress and Sale, to such *Quaker*, upon whom such Distress shall have been made as aforesaid; and in case any Measures shall be used in making Distress as aforesaid, which may be by any such *Quaker* thought oppressive, it shall be lawful for such Quaker to complain thereof to the Deputy Lieutenants and Justices of the Peace at their next Meeting, who are hereby impowered and required to hear and finally determine the same.

If oppressive Measures be used in making the Distress, Quaker upon Complaint, to be redressed.

Within one Month after Return of the Rolls, the Lieutenant and Deputy Lieutenants are to meet, and form the Militia into Regiments; and post proper Officers to each Company.

Manner of training and exercising the Militia.

XXVII. And be it enacted, That within one Month after the said Rolls are so returned from the Deputy Lieutenants, and Justices of the Peace as aforesaid, his Majesty's Lieutenant, together with any two or more Deputy Lieutenants, or in the Absence of the said Lieutenant, any three or more Deputy Lieutenants shall meet together, and form and order the Militia for their respective Counties, Ridings or Places, into Regiments, consisting, where the Number of Militia Men will admit the same, of twelve, but in no case of less than seven Companies, of forty Men each at the least, of Persons living as near to each other as conveniently can be; and shall post to each Company proper Officers commissioned and qualified as aforesaid, and other proper Non-commission Officers; and the Militia so formed and ordered shall be trained and exercised in Manner following; that is to say, In half Companies on the first *Monday* in the Months of *March*, *April*, *May*, *June*, *July*, *August*, *September*, and *October*, and in Companies on the third *Monday* in the said Months, at each Place of Exercise, or so many, not amounting to half Companies or Companies respectively, living within the Distances herein after mentioned, as can be conveniently brought together; and in Regiments or by Battalions on the *Tuesday*, *Wednesday*, *Thursday* and *Friday* in *Whitsun* Week, in every Year, at Places of Exercise to be appointed within the respective Counties, Ridings or Places by his Majesty's Lieutenant, together with any two or more Deputy Lieutenants, or in the Absence of the said Lieutenant, by any three or more Deputy Lieutenants, as convenient with regard to the respective Abodes of the Militia Men as may be, and so as such Militia Men may not be obliged to go above six Miles from Home to perform such Exercise in Half Companies or Companies; and Notice of the several Places of Exercise to which the Militia Men of each Parish,

Notice of the Places of Exercise is to be sent to the Chief Constables, &c. and by them to the Parish Officers, who are to fix the same on the Church Doors.

Tything or Place are to resort, shall be sent to the Chief Constables, or other Officers of the several Hundreds, Rapes, Laths, Wapentakes or other Divisions, with Directions to forward the same to the Constables, Tythingmen, Headboroughs, or other Officers of the several Parishes, Tythings or Places within their respective Hundreds, Rapes, Laths, Wapentakes, or other Divisions; which Constables, Tythingmen, Headboroughs, or other Parish Officers, shall cause such Notice to be fixed on the Doors of the Churches or Chapels belonging to their respective Parishes, Tythings or Places; or if any Place being Extraparochial, shall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of some Parish, Tything or Place thereunto adjoining; and all such Militia Men shall duly attend on the Days herein before mentioned, at the Times and Places of Exercise so to be appointed; and his Majesty's Lieutenant shall, from Time to Time as Occasion shall require, appoint a Clerk, and also a Serjeant Major out of the Serjeants, and a Drum Major out of the Drummers, to each Regiment or Battalion.

A Clerk, Serjeant Major, and Drum Major to be appointed to each Regiment.

XXVIII. Provided always, That if the principal Inhabitants of any Parish, Town or Place, or any five or more of them, shall represent to the Lieutenant, or any three or more Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or to any one Deputy Lieutenant, together with any two Justices of the Peace, at any Meeting in their Subdivision, in which such Parish, Town or Place is situate, that it is, upon Account of Fairs or Markets inconvenient to exercise the Militia Men on the Day appointed by this Act, it shall be lawful for any three Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, to order and direct the Militia Men within such Parish, Town or Place, to be exercised upon any other Day within that Week, *Sunday* excepted.

If it is inconvenient on Account of Fairs or Markets to exercise the Militia on the Day set by this Act, they may be exercised on any other Day in that Week but Sunday.

XXIX. Provided also, That in any County, Riding or Place, where the Number of Men to be raised, shall not amount to seven Companies, and therefore not be sufficient to form a Regiment, such Companies shall be formed into a Battalion, and shall be under the Command of his Majesty's Lieutenant of such County, Riding or Place, and one Field Officer, one Adjutant (who shall not be of higher Rank in the Army than a Subaltern) one Serjeant Major, one Drum Major, and one Clerk, shall be appointed for the Battalion of Militia of such County, Riding or Place; and the whole Militia of such County, Riding or Place, shall on the *Tuesday*, *Wednesday*, *Thursday* and *Friday* in *Whitsun* Week in every Year, be trained and exercised in the same Manner, as Regiments in other Counties are by this Act directed to be brought together, trained and exercised.

Where the Numbers are insufficient to be regimented, they are to be formed into a Battalion, and are to be exercised for four Days in Whitsun Week annually.

XXX. Provided also, That where by reason of the Distance from the appointed Place of Exercise, a whole Company, or half Company of Militia Men cannot be got together, his Majesty's Lieutenant, together with any one or more Deputy Lieutenants, or in the Absence of his Majesty's Lieutenant, any two or more Deputy Lieutenants, shall order such smaller Numbers to be trained and exercised by such Person or Persons, and in such Place or Places as they shall think fit.

Smaller Bodies of Men to be exercised as shall be thought fit by the Lieutenant, &c.

XXXI. And be it enacted, That one Commission Officer in every Company shall attend the Exercise of his Men, when in Companies or in half Companies, as often as convenient, and shall then inspect the State of their Arms, Clothes and Accoutrements, a Report whereof he shall forthwith transmit in Writing to his Majesty's Lieutenant, or to the Commanding Officer of the Regiment or Battalion.

Commission Officer to attend the Exercise of Companies or half Companies.

XXXII. And be it enacted, That the Captain of each Company of Militia shall keep in his own Custody, or leave and deposit with the several Serjeants belonging to his Company, or with such Persons as the said Captain shall appoint for that Purpose, the Arms, Clothes, and Accoutrements provided for his Company of Militia; and the Churchwardens of every Parish or Place where the said Arms, Clothes and Accoutrements, are so deposited, or one of them is and are hereby required to provide, at the Expence of such Parish or Place, a Chest, in which such Captain, Sergeant, or other Person so appointed as aforesaid, shall keep the said Arms in some dry Part of his House or Dwelling, under Lock and Key, and another Chest, in which he shall keep under Lock and Key, the said Clothes and Accoutrements; and the Sergeant, or such other Person as shall be appointed to train and discipline the Men, is hereby required to take Care, that after Exercise every Militia Man cleans and returns his Arms, Clothes and Accoutrements, to his Captain, or to such Person as shall be appointed as aforesaid to receive the same.

Captain to have the Charge of the Arms and Clothes, &c. of his Company; and Churchwardens to provide Chests.

XXXIII. Provided always, and be it enacted, That his Majesty's Lieutenant of any County, Riding or Place, or the Colonel of any Regiment of Militia, is hereby authorized, by Warrant under his Hand and Seal, to employ such Person or Persons as he shall think fit, to seize and remove the Arms, Clothes and Accoutrements, belonging to the Militia, whenever his Majesty's said Lieutenant, or the said Colonel, shall judge it necessary to the Peace of the Kingdom, and to deliver the said Arms, Clothes and Accoutrements, into the Custody of such Person or Persons as his Majesty's said Lieutenant, or the said Colonel, shall appoint to receive the same, for the Purposes of this Act.

The King's Lieutenant, or the Colonel, may seize and remove the Arms, &c. when necessary to the publick Peace.

XXXIV. And be it enacted, That if any Serjeant, or any other Person intrusted by the Captain with the Custody of any Arms, Clothes or Accoutrements belonging to the Militia, shall deliver out any such Arms, Clothes or Accoutrements, unless for exercising the Men, or by the Command of his superior Officer, or by the Order of any Justice of the Peace under his Hand and Seal, it may and shall be lawful for any two or more Justices of the Peace to commit such Offender to the common Goal of the County, Riding or Place, where the Offence shall be committed, there to remain without Bail or Mainprize, for any Time not exceeding six Months.

Person intrusted with Custody of the Arms, &c. delivering out the same, unless for Exercise, or by proper Command, may be committed for 6 Months.

XXXV. And

No Pay, Arms or Clothing, to be issued, nor Adjutant or Serjeant to be appointed, till four fifths of the Men and Officers have been appointed, &c.

XXXV. And be it further enacted by the Authority aforesaid, That no Pay, Arms, Accoutrements or Clothing, shall be issued, and that no Adjutant or Serjeants shall be appointed for the Militia of any County, Riding or Place, till it shall appear by a Return signed by his Majesty's Lieutenant, or, in his Absence, by three Deputy Lieutenants, that four fifths of the Militia Men of the said County, Riding or Place, have been chosen; and that four fifths of the Commission Officers have been appointed; and that they have taken out their Commissions, and entered their Qualifications.

Names of the Men to be called over at Exercise, and a Return made to a Justice of the Absentees, and of such as be disobedient.

and the Justice may fine such Absentee for the 1st Offence 2 s.

for the 2d Offence 4 s.

for the 3d, and every other Offence 6 s.

and if any Militia Man shall be drunk on his Duty, he forfeits 10 s.

if disobedient, for the 1st Offence 2 s. 6 d.

for the 2d Offence 5 s.

and for the 3d and every other Offence 40 s.

and if he sell, pawn or lose his Arms, Clothes, &c. he forfeits 3 l.

if he neglect to return his Arms, &c. he forfeits 2 s. 6 d.

and if he neglect to return them by Monday after Whitsun Week, 5 s.

XXXVI. And be it enacted, That the Serjeant, or such other Person as shall be appointed to train and discipline the Men, shall call over the Names of the Militia Men so appointed to be exercised; and within one Week after every such Exercise, shall certify in Writing to some neighbouring Justice of the Peace, the Names of the Militia Men absent from Exercise, with the Reasons of their Absence, if known to him; and the said Serjeant, or other Person appointed to train and discipline the Men, shall also certify at the same Time, if any of the said Militia Men be disobedient, or otherwise misbehave themselves; and such Justice of the Peace is hereby impowered and required, upon Proof then made upon Oath, to fine every such absent Militia Man, whose Excuse he shall not allow of; for the first Time of his being so absent, two Shillings; and if such Militia Man shall refuse immediately to pay such Fine, such Militia Man shall, by Order of the said Justice, be set in the Stocks for the Space of one Hour; and for the second Offence, such Militia Man so convicted as aforesaid, shall forfeit and pay four Shillings; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall by Warrant commit such Militia Man to the House of Correction for the Space of four Days; and for the third and every other Offence, such Militia Man so convicted shall forfeit and pay six Shillings; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall by Warrant, commit such Militia Man to the House of Correction for any Time not exceeding one Month, or until such Penalty shall be paid; and if any Militia Man shall be drunk at the Time of his exercising, such Militia Man, being thereof convicted on Oath before some Justice of the Peace, shall forfeit and pay ten Shillings; and if such Militia Man shall refuse immediately to pay such Penalty, such Militia Man shall be, by Order of such Justice, set in the Stocks for one Hour; and if any Militia Man shall be disobedient or insolent to his Officer, and be convicted thereof as aforesaid, such Militia Man shall, for the first Offence, forfeit and pay two Shillings and six Pence; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall, by Warrant, commit such Militia Man to the House of Correction for the Space of four Days; and for the second Offence, such Militia Man so convicted as aforesaid, shall forfeit and pay five Shillings; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall, by Warrant, commit such Militia Man to the House of Correction for the Space of seven Days; and for the third and every other Offence, such Militia Man so convicted as aforesaid, shall forfeit and pay forty Shillings; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall, by Warrant, commit such Militia Man to the House of Correction, for any Time not less than fourteen Days, nor exceeding one Month: And if any Militia Man shall sell, pawn or lose, any of his Arms, Clothes or Accoutrements, such Militia Man, being thereof convicted in Manner aforesaid, shall forfeit and pay a Sum not exceeding three Pounds; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall, by Warrant, commit such Militia Man to the House of Correction for the Space of one Month, and until Satisfaction be made for the same; and if he shall not be of Ability to make such Satisfaction, then for the Space of three Months: And if any Militia Man shall refuse or neglect to return his Arms, Clothes and Accoutrements, in good Order, to his Captain, or to such Person as shall be appointed as aforesaid to receive the same, on the Day of Exercise, or the next Day, such Militia Man, being thereof convicted as aforesaid, shall, for every such Offence, forfeit and pay two Shillings and six Pence; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall, by Warrant, commit such Militia Man to the House of Correction for the Space of seven Days; and if any Militia Man shall refuse or neglect to return his Arms, Clothes and Accoutrements, in good Order, to his Captain, or to such Person as shall be appointed as aforesaid to receive the same, on or before the *Monday* after *Whitsun* Week, and be thereof convicted as aforesaid, such Militia Man shall forfeit and pay five Shillings; and if such Militia Man shall refuse immediately to pay such Penalty, the Justice of the Peace before whom such Militia Man shall be so convicted as aforesaid, shall, by Warrant, commit such Militia Man to the House of Correction for the Space of fourteen Days.

If the Person entrusted therewith shall not complain to a Justice within 3 Days, of any Arms or Clothing not being returned, he forfeits 20 s.

XXXVII. And be it enacted, That if the Serjeant or other Person appointed by any Captain of the Militia, to receive and keep in his Custody the Arms, Clothes and Accoutrements thereto belonging, shall refuse or neglect to complain within three Days to some neighbouring Justice of the Peace of any Militia Man's not having returned his Arms, Clothes and Accoutrements, as before directed, such Serjeant or other Person appointed as aforesaid, being thereof convicted on Oath before one of his Majesty's Justices of the Peace, shall forfeit and pay the Sum of twenty Shillings; which Penalty, if the Offender shall refuse immediately to pay the same, shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of the Justice of the Peace before whom such Offender shall

shall be so convicted as aforesaid, rendering the Overplus, if any, on Demand, after deducting the Charges of such Distress and Sale, to such Offender, upon whom such Distress shall have been made as aforesaid.

Non-commission Officer or private Man absent, without just Cause, from the annual Meeting, forfeits 10 s. per Diem.

XXXVIII. And be it enacted, That if any Non-commission Officer of the Militia, or private Militia Man, shall be absent from the annual Meeting of the Militia, to which he shall belong, without just Cause shewn, such Non-commission Officer or private Militia Man, being thereof convicted upon Oath, before one or more Justice or Justices of the Peace, shall forfeit and pay ten Shillings for each Day of such Absence; and if such Non-commission Officer or private Militia Man, shall refuse immediately to pay such Penalty, the Justice or Justices of the Peace before whom such Non-commission Officer or private Militia Man shall be so convicted, shall, by Warrant, commit such Non-commission Officer or private Militia Man to the House of Correction for the Space of one Month.

Non-commission Officer being negligent, insolent, or disobedient, forfeits any Sum not exceeding 30 s.

XXXIX. And be it enacted, That if any Non-commission Officer shall be negligent in his Duty, or insolent or disobedient to the Orders of the Adjutant, or other his Superior Officer, and be thereof convicted as aforesaid upon the Oath of the Adjutant, or other Superior Officer, before one or more Justice or Justices of the Peace, such Non-commission Officer shall forfeit and pay any Sum not exceeding thirty Shillings, at the Discretion of such Justice or Justices; and if such Non-commission Officer shall refuse immediately to pay such Penalty, the Justice or Justices of the Peace before whom such Non-commission Officer shall be so convicted as aforesaid, shall, by Warrant, commit such Non-commission Officer to the House of Correction for the Space of fourteen Days, and his Majesty's Lieutenant may discharge such Non-commission Officer out of the Militia, if he shall think fit.

If any Person shall unlawfully, buy, exchange, conceal or receive, any of the Arms or Clothing, he forfeits 5 l. for every such Offence.

XL. And be it enacted, That if any Person shall knowingly and willingly buy, take in Exchange, conceal or otherwise receive, contrary to the true Intent and Meaning of this Act, any Arms, Clothes or Accoutrements, belonging to the Militia, upon any Account or Pretence whatsoever, the Person so offending, being convicted thereof upon Oath before one or more Justice or Justices of the Peace, shall forfeit and pay for every such Offence the Sum of five Pounds; and if such Offender shall refuse immediately to pay such Penalty, the Justice or Justices of the Peace before whom such Offender shall be so convicted as aforesaid, shall, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, levy the same by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale, to such Offender upon whom such Distress shall have been made as aforesaid; and for want of such Distress shall commit such Offender to the common Gaol of the County, Riding or Place, where the Offence shall have been committed, there to remain, without Bail or Mainprize, for the Space of three Months, or shall cause such Offender to be publickly whipt, at the Discretion of such Justice or Justices.

None liable to Penalty for Absence, during the Time of going to vote for a Member, or returning.

XLI. Provided always, and be it enacted, That no Officer of the Militia, or private Militia Man, shall be liable to any Penalty for or on Account of his Absence during the Time he shall be going to vote at any Election of a Member to serve in Parliament, or during the Time he shall be returning from such Election.

Muskets to be marked with an (M) and the Name of the County, &c.

XLII. And be it enacted, That all the Muskets delivered for the Service of the Militia, shall be marked distinctly in some visible Place, with the Letter *M*, and the Name of the County, Riding or Place, to which they belong.

Serjeants to receive Orders from the Adjutant, &c. and to report to him, &c. the Misdemeanors of the Men.

XLIII. And be it enacted, That the several Serjeants shall receive all their Military Orders, with respect to the training the Militia Men under their Care, from the Adjutant, and their Superior Officers; and are hereby required to report, from Time to Time, all Crimes and Misdemeanors of the several Militia Men under their Command to their Adjutant, or Superior Officers, or to some Civil Magistrate, as the Case shall require.

All Constables and other Peace Officers, required to be assisting in Execution of the Premisses.

XLIV. Provided always, and be it enacted, That all Chief Constables, Petty Constables, Tythingmen, Headboroughs, and other Officers of Hundreds, Rapes, Laths, Wapentakes, Parishes, Tythings and Places, within that Part of *Great Britain*, called *England*, and the Dominion of *Wales*, shall, and they are hereby required to be aiding and assisting to the Justices of the Peace, and to his Majesty's said respective Lieutenants, and their Deputy Lieutenants, and to any of them, and to all to whom any Power or Authority is by this Act given, in the Execution of the Premisses.

In case of Invasion or Rebellion, &c. the King may order the Militia to be drawn out and embodied,

and put them under the Command of General Officers, and direct them to be led to any Parts of the Kingdom;

XLV. And be it enacted, That in case of actual Invasion, or upon imminent Danger thereof, or in case of Rebellion, it may and shall be lawful for his Majesty, his Heirs and Successors (the Occasion being first communicated to Parliament, if the Parliament shall be then sitting, or declared in Council, and notified by Proclamation, if no Parliament shall be then sitting or in Being) to order and direct his Lieutenants, and on their Death or Removal, or in their Absence from their respective Counties, Ridings or Places, any three or more Deputy Lieutenants, with all convenient Speed, to draw out and embody all the Regiments and Battalions of Militia of their respective Counties, Ridings or Places, herein appointed to be raised and trained, or so many of them as his Majesty, his Heirs and Successors, shall in his or their great Wisdom judge necessary, in such Manner as shall be best adapted to the Circumstances of the Danger; and to put the said Forces under the Command of such General Officers as his Majesty, his Heirs and Successors, shall be pleased to appoint over them; and to direct them to be led by their respective Officers into any Parts of this Kingdom, for the Suppression of such Invasions and Rebellions; And the said

and they are to receive like Pay as the King's Forces, and their Officers to have equal Rank with the Officers in the Army; and they are to be subject to like Rules and Articles of War;

and being maimed or wounded are equally intitled to Chelsea Hospital.

Private Men not appearing, or refusing to march according to such Order forfeit 40l.

said Officers of the Militia, and private Militia Men, shall from the Time of their being drawn out and embodied as aforesaid, and until they shall be returned again, by Order of their Commanding Officers, to their respective Parishes or Places of Abode, remain under the Command of such General Officers, and shall be intitled to the same Pay as the Officers and private Men in his Majesty's other Regiments of Foot receive, and no other; and the Officers of the Militia shall, during such Time as aforesaid, rank with the Officers of his Majesty's other Forces of equal Degree with them as the youngest of their Rank; and the Officers of the Militia, and private Militia Men, shall be hereby, during such Time as aforesaid, subjected and made liable to all such Articles of War, Rules and Regulations, as shall be then by Act of Parliament in Force, for the Discipline and good Government of any of his Majesty's Forces in *Great Britain*; any Thing herein contained to the contrary notwithstanding; and when they shall be returned again to their respective Parishes or Places of Abode, they shall be under the same Orders and Directions only, as they were before they were drawn out and embodied as aforesaid: And if any Non-commission Officer of the Militia, or private Militia Man, shall be maimed or wounded in actual Service, he shall be equally intitled to the Benefit of *Chelsea Hospital*, with any Non-commission Officer, or private Soldier, belonging to his Majesty's other Forces: And if any Militia Man so ordered to be drawn out and embodied as aforesaid (not labouring under any Infirmity incapacitating him to serve as a Militia Man) shall not appear and march in pursuance of such Order, every such Militia Man, being convicted thereof upon Oath, before two or more Justices of the Peace, shall forfeit and pay the Sum of forty Pounds; and if such Militia Man shall refuse immediately to pay such Penalty, the Justices of the Peace before whom such Militia Man shall be so convicted, shall by Warrant commit such Militia Man to the Common Gaol of the County, Riding or Place where he shall have been so convicted, there to remain without Bail or Mainprize for the Space of twelve Months, or until he shall have paid the Penalty aforesaid.

In case of Invasion, or Rebellion, the Parliament is to be summoned to meet, &c.

XLVI. And be it further enacted, That if at any Time (in case of actual Invasion, or upon imminent Danger thereof, or in case of Rebellion) the Parliament shall happen to be separated by such Adjournment or Prorogation as will not expire within fourteen Days, it shall be lawful for his Majesty, his Heirs and Successors, to issue a Proclamation for the Meeting of the Parliament, upon such Day as he or they shall thereby appoint, giving fourteen Days Notice of such Appointment; and the Parliament shall accordingly meet upon such Day, and continue to sit and act in like Manner to all Intents and Purposes as if it had stood adjourned or prorogued to the same Day.

Officers in the Militia and Army, are not to sit indiscriminately on Trials for Offences committed by the different Corps.

XLVII. And be it enacted, That no Officer serving in the Militia, when called out into actual Service, shall sit in any Court-martial upon the Trial of any Officer or Soldier serving in any of his Majesty's other Forces; nor shall any Officer serving in any of his Majesty's other Forces, sit in any Court-martial upon the Trial of any Officer or private Man serving in the Militia.

Officers and private Men, when called out to their annual Exercise, are to be quartered on Publick Houses, &c.

XLVIII. And be it enacted, That it may and shall be lawful for the Mayors, Bailiffs, Constables, Tythingmen, Headboroughs, and other Chief Magistrates, and Officers of Cities, Towns, Parishes, Tythings, Villages and other Places within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and the Town of *Berwick* upon *Tweed*, and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Parish, Tything, Village or Place, and for no others, and they are hereby required to quarter and billet the Officers and private Men serving in the Militia, at the Times when they shall be called out to their annual Exercise, in Inns, Livery Stables, Ale-houses, Victualling-houses, and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin by Retail.

In case of Invasion, or Rebellion, Justices, upon Order from the King, or Commanding Officer, &c. are to issue Warrants for Carriages for the Troops.

XLIX. And be it enacted, That in case of actual Invasion, or upon imminent Danger thereof, or in case of Rebellion as aforesaid, it may and shall be lawful for any Justice of the Peace of any County, Riding or Place, being duly thereunto required by an Order from his Majesty, or from his Majesty's Lieutenant, or from any Deputy Lieutenant of the County, Riding or Place, or from the Colonel, or other Chief Commission Officer upon the Place, of any Regiment, Company or Detachment of Militia, to issue out his Warrant under his Hand, to the Chief Constables of Hundreds, Rapes, Laths, Wapentakes or Divisions, or to the Constables, Tythingmen, Headboroughs, or other Officers of the Parishes, Tythings or Places, from, through, near, or to which any such Regiment or Company of Militia Men, or any Detachment or Troop thereof, shall be ordered to march, requiring such Chief Constables, Tythingmen, Headboroughs or other Officers, to make such Provision for Carriages of the Arms, Clothes, Accoutrements, Powder, Match, Bullets or other Warlike Materials, with able Men to drive such Carriages, as is and are mentioned in the said Order; but in case such sufficient Carriages and Men cannot be provided within any such County, Riding, Hundred, Rape, Lath, Wapentake, Division, Parish, Tything or Place, then the next Justice or Justices of the Peace shall, upon such Order as aforesaid being shewn unto him or them, issue his or their Warrant to the Chief Constables, Constables, Tythingmen, Headboroughs or other such Officers of the next County, Riding, Hundred, Rape, Lath, Wapentake, Division, Parish, Tything or Place for the Purposes aforesaid, to make up such Deficiency of Carriages; and such Lieutenant, Deputy Lieutenant, Colonel or other Chief Commission Officer upon the Place, who by virtue of the aforesaid Warrant from the said Justice of the Peace, shall demand such Carriages of such Chief Constable, Constable, Tythingman, Headborough, or other Officer, is and are hereby required at the same Time to pay down in Hand to the said Chief Constable, Constable, Tythingman, Headborough, or other Officer, for the Use of the Person who shall provide such Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horses shall travel; and the Sum of

Officer is to pay for the Use of such Carriages;

one

one Shilling for every Mile any Wain with six Oxen, or with four Oxen and two Horses, shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel; and so in Proportion for Carriages drawn by a less Number of Horses or Oxen; for which respective Sums so received, the said Chief Constable, Constable, Tythingman, Headborough, or other Officer, is hereby required to give a Receipt in Writing, to the Person or Persons paying the same; and such Chief Constable, Constable, Tythingman, Headborough, or other Officer, shall order and appoint such Person or Persons, having Carriages within their respective Hundreds, Rapes, Laths, Wapentakes, Parishes, Tythings or Places as they shall think proper, to provide and furnish such Carriages and Men according to the Warrant aforesaid; which Persons so ordered are hereby required to provide and furnish the same accordingly, for one Day's Journey, and no more; and in case the said Chief Constables, Constables, Tythingmen, Headboroughs, or other Officers, shall be at any Charges for such Carriages over and above what is so received by them of his Majesty's said Lieutenant, the said Deputy Lieutenant, Colonel, or other Chief Officer as aforesaid, such Overplus shall be borne by each County, Riding or Place where such additional Expence shall be incurred, and be repaid to them without Fee or Reward, by the Treasurer of each respective County, Riding or Place, out of the publick Stock.

for which a Receipt is to be given him,

and the Constables are to order Carriages to be furnished accordingly; for one Day's Journey; additional Expences to be repaid out of the County Stock.

L. And be it enacted, That if any such Chief Constable, Constable, Tythingman, Headborough, or other Officer, shall wilfully neglect or refuse to execute any such Warrant of any Justice of the Peace; or if any Person appointed by such Chief Constable, Constable, Tythingman, Headborough, or other Officer, to provide or furnish any such Carriage and Man, shall wilfully neglect or refuse to provide the same, every such Offender shall forfeit a Sum not exceeding forty Shillings, nor less than twenty Shillings, to the Use of the Poor of the Parish, Tything or Place where such Offence shall be committed; and every such Offence shall and may be heard and determined by two Justices of the Peace within the County, Riding or Place where such Offence shall be committed; which Justices shall, by Warrant under their Hands and Seals, cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale, to such Offender upon whom such Distress shall have been made as aforesaid.

Constables, &c. neglecting their Duty forfeit not exceeding 40 s. nor less than 20 s.

LI. Provided always, and be it enacted, That neither this Act, nor any Matter or Thing herein contained, shall be deemed or construed to extend to the giving or declaring any Power for the transporting any of the Militia of this Realm, or any way compelling them to march out of *this* Kingdom.

Militia not liable to be marched out of the Kingdom.

LII. Provided always, and be it enacted, That his Majesty's Lieutenants of the several Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Westmorland* and *Rutland*, and of every County and Place in the Dominion of *Wales*, shall respectively have the Chief Command of the Militia thereof, which shall be raised by Virtue of this Act; and in all the said Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Westmoreland* and *Rutland*, and in every County and Place within the Dominion of *Wales* respectively, there shall be five or more Deputy Lieutenants appointed (if so many qualified as herein after expressed can be therein found) and the Estates requisite for the Qualification of the respective Deputy Lieutenants and Officers of the Militia therein, shall be as follows; that is to say, They shall be seised or possessed of such an Estate as is in this Act mentioned, as a Qualification for a Deputy Lieutenant, Colonel or other Officer of the Militia, in that Part of *Great Britain* called *England*, in the Proportions following: A Deputy Lieutenant or Colonel shall be in like Manner seised or possessed of a like Estate as aforesaid of the yearly Value of three hundred Pounds, or shall be Heir Apparent of a Person who shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of five hundred Pounds; a Lieutenant Colonel or Major shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of two hundred Pounds, or shall be Heir Apparent of a Person who shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of four hundred Pounds; a Captain shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred and fifty Pounds, or shall be Son of a Person who shall be, or at the Time of his Death was, in like Manner seised or possessed of a like Estate as foresaid, of the yearly Value of three hundred Pounds; a Lieutenant shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred Pounds, or shall be Son of a Person who shall be, or at the Time of his Death was, in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of two hundred Pounds; an Ensign shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of fifty Pounds, or shall be Son of a Person who shall be, or at the Time of his Death was, in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred Pounds; one Half of all which respective Estates shall be situate or arising within the said Counties and Places respectively: And in all the said Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Westmorland* and *Rutland*, and in all the said several Counties and Places within the said Dominion of *Wales* respectively, the Penalties for acting not being duly qualified, or not having delivered in such Qualification and taken the Oaths, and made, repeated and subscribed the Declaration aforesaid, shall be, For a Deputy Lieutenant or Field Officer one hundred Pounds; and for a Captain, Lieutenant or Ensign fifty Pounds; such several Penalties to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Wager of Law or Protection, or more than one Imparlance shall be allowed; one Moiety whereof shall go to the Use of the Person who shall sue for the same, and the other Moiety to the Uses herein after directed; and any two or more Deputy Lieutenants within the said Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Westmoreland* and *Rutland*, and within all the said several Counties and Places within the said Dominion of *Wales* respectively, shall have and exercise all and every the Powers conferred by this Act on any three Deputy Lieutenants, or on any two Deputy

Lieutenants for Cumberland, Huntingdon, Monmouth, Westmorland, Rutland, and Counties in Wales, to have Command of the Militia there.

Number of Deputy Lieutenants: Deputy Lieutenant or Colonel, to have 300 l. per Annum. Lieutenant Colonel, or Major, 200 l. per Annum. Captain, 100 l. per Annum. Lieutenant 100 l. per Annum.

Ensign 50 l. per Annum.

A Moiety of the Estates to lie in the County for which they act.

Penalties for acting, not being qualified, &c. for a Deputy Lieutenant, or Field Officer 100 l. and for all under, 50 l.

Powers given to two Deputy Lieutenants.

Lieutenants, together with any one Juſtice of the Peace, or on any one Deputy Lieutenant, together with any two Juſtices of the Peace, of any County, Riding or Place within that Part of *Great Britain* called *England*.

Governor of the Iſle of Wight is to appoint his Officers, to act as Lieutenants of Counties, and appoint Deputies; who are to be qualified and act as like Officers for Wales; and the Militia is to be raiſed as in the County of Southampton, and deemed a Part thereof, &c.

LIII. And whereas the Ordering the Militia in the Iſle of *Wight*, has always been in the Governor or Lieutenant Governor of the ſaid Iſland: And whereas from the Length of Time ſince the Militia thereof was raiſed, the raiſing the ſame in Manner heretofore accuſtomed, may be attended with many Difficulties; Be it enacted, That the Governor of the ſaid Iſland ſhall appoint the Officers of the Militia to be raiſed in the ſaid Iſland, and ſhall and is hereby impowered and required to act in the Execution of this Act, in the ſame Manner as his Majeſty's Lieutenants of Counties are hereby impowered and required to act; and ſhall appoint five or more Deputies to act with him in and for the ſaid Iſland; which Deputies and Officers of the Militia ſhall be qualified in the ſame Manner, and are hereby impowered and required to act in the Execution of this Act, in the ſame Manner, and under the ſame Directions, Proviſions and Penalties, as Deputy Lieutenants and Officers of the Militia in the ſeveral Counties within the Dominion of *Wales* are by this Act ſubject to; and the Militia of the ſaid Iſland ſhall be raiſed in the ſame Manner as the Militia of the County of *Southampton*, and ſhall be deemed a Part of the Militia of the ſaid County; and after the ſame ſhall be ſo raiſed, the ſaid Governor, Lieutenant Governor, and Deputies, ſhall order and direct the training and exerciſing the ſaid Militia within the ſaid Iſland, in the ſame Manner as his Majeſty's Lieutenants, and the Deputy Lieutenants are by this Act authoriſed and directed to do in any County within that Part of *Great Britain* called *England*.

Militia of Purbeck is to be ſeparate from that of the County of Dorſet; and 80 Men are to raiſed therein, with a Field Officer, &c.

LIV. Provided always, and be it enacted, That the Militia of the Iſland of *Purbeck* ſhall remain ſeparate from that of the County of *Dorſet*, as heretofore has been uſed; and the Number of Militia Men to be raiſed for the ſaid Iſland ſhall be eighty, Part of ſix hundred and forty appointed by this Act to be raiſed for the County of *Dorſet*, with the County of the Town of *Poole*, with a Field Officer, and other proper Officers; and the ſaid Iſland ſhall, as to all the Purpoſes of this Act, be conſidered as if it were a diſtinct County of itſelf; and all the Powers given and Proviſions made by this Act with reſpect to Counties, and the Militia thereof, ſhall take Place and be in Force with reſpect to the ſaid Iſland and the Militia thereof, except only as to the ſeveral Particulars herein expreſſed, and otherwiſe provided for; that is to ſay, The Number of Deputy Lieutenants to be appointed for the ſaid Iſland ſhall be three, or more (if ſo many duly qualified can be therein found) any two of which ſaid Deputy Lieutenants ſhall have and exerciſe all the Powers conferred by this Act on any three Deputy Lieutenants of any County, or on any two Deputy Lieutenants, together with any one Juſtice of the Peace, or on any one Deputy Lieutenant, together with any two Juſtices of the Peace of any County; and the Eſtates requiſite for the Qualification of the Deputy Lieutenants and Officers of the Militia in the ſaid Iſland, ſhall be as follows; A Deputy Lieutenant and Field Officer ſhall be ſeiſed or poſſeſſed of ſuch an Eſtate, and in like Manner as is in this Act before mentioned, as a Qualification for a Deputy Lieutenant, Colonel, or other Officer of the Militia, of the yearly Value of two hundred Pounds; a Captain ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of one hundred Pounds, or be Heir Apparent of a Perſon who ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two hundred Pounds; a Lieutenant or Enſign ſhall be in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of fifty Pounds, or be Son of a Perſon who ſhall be, or at the Time of his Death was in like Manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of one hundred Pounds; one Half of all which Eſtates reſpectively ſhall be ſituate or ariſing within the ſaid Iſland; and the Penalties for acting as Deputy Lieutenants, and other Officers of the Militia of the ſaid Iſland, not being duly qualified, or not having delivered in their Qualification, and taken the Oaths, and made, repeated and ſubſcribed the Declaration as aforeſaid, ſhall be for a Deputy Lieutenant, or Field Officer, ſixty Pounds; and for a Captain, Lieutenant or Enſign, thirty Pounds; ſuch ſeveral Penalties to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Wager of Law, Protection, or more than one Imparlance ſhall be allowed; one Moiety whereof ſhall go to the Uſe of the Perſon who ſhall ſue for the ſame, and the other Moiety to the Uſes herein after directed.

Three or more Deputy Lieutenants;

Deputy Lieutenants or Field Officer to have 200 l. per Annum.

Captain 100 l. per Annum.

Lieutenant or Enſign 50 l. per Annum.

Penalties for acting, not being qualified, &c. are, for a Deputy Lieutenant or Field Officer 60 l. for all under, 30 l. *Repealed by* 31 *Geo.* 2. *c.* 26. *ſ.* 43.

The Lieutenants of Cities and Towns which are Counties within themſelves, or the Chief Magiſtrate, is to appoint Deputy Lieutenants and Officers, &c.

LV. Provided always, and be it enacted, That in all Cities or Towns which are Counties within themſelves, and have heretofore been impowered by Law, or ancient Uſage, to raiſe and train a ſeparate Militia within their ſeveral Precincts and Liberties, and which are by this Act united with and made Part of any County or Counties for the Purpoſes of this Act only, his Majeſty's Lieutenants of ſuch Cities or Towns, or where there is no Lieutenant appointed by his Majeſty, the Chief Magiſtrate of ſuch City or Town ſhall appoint five or more Deputy Lieutenants (if ſo many Perſons qualified as is herein after expreſſed, can therein be found) and ſhall alſo appoint Officers of the Militia, whoſe Number and Rank ſhall be proportionable to the Number of Militia Men which ſuch City or Town ſhall raiſe, as their Quota towards the Militia of the County to which ſuch City or Town is by this Act united for the Purpoſes aforeſaid, the Qualification of which Officers reſpectively ſhall be as is herein after mentioned; and all Powers given and Proviſions made by this Act, with reſpect to Counties at large, and the Militia thereof, and the regiſtring the Qualifications of Deputy Lieutenants and Officers, ſhall take Place and be in Force with reſpect to the ſaid Cities and Towns, and the Militia thereof, and the regiſtring the ſaid Qualifications, except only as to the Particulars herein expreſſed and otherwiſe provided for; that is to ſay, After the Number of Perſons which ſuch City or Town is to furniſh to the Militia ſhall have been appointed as aforeſaid by his Majeſty's Lieutenant, and the Deputy Lieutenants, or by the Deputy Lieutenants of the County at large, of the Militia, whereof the Militia of ſuch City or Town

Town is by this Act made a Part, any two or more of the Deputy Lieutenants within such City or Town shall have and exercise all the Powers conferred by this Act on any three Deputy Lieutenants, or on any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace of any County at large: And the Value of the respective Qualifications of the Deputy Lieutenants, and Officers of the Militia of such Cities or Towns, shall be as follows; every Deputy Lieutenant and Field Officer shall respectively be seised or possessed of such an Estate, and in like Manner as is in this Act before mentioned, as a Qualification for a Deputy Lieutenant, Colonel, or other Officer of the Militia, in Manors, Messuages, Lands, Tenements or Hereditaments, in *England*, *Wales*, or the Town of *Berwick* upon *Tweed*, of the yearly Value of three hundred Pounds, or shall be possessed of a personal Estate alone, to the Amount or Value of five thousand Pounds; and the Qualification of a Captain shall be a like Estate as aforesaid, of the yearly Value of one hundred and fifty Pounds, in Manors, Messuages, Lands, Tenements or Hereditaments, or personal Estate alone, to the Amount or Value of two thousand five hundred Pounds; and the Qualification of a Lieutenant or Ensign shall be a like Estate as aforesaid, of the yearly Value of fifty Pounds, in Manors, Messuages, Lands, Tenements or Hereditaments, or personal Estate alone, to the amount or Value of seven hundred and fifty Pounds; one Half of all which real Estates respectively shall be situate or arising within such City or Town, or within the County at large to which such City or Town is by this Act united for the Purposes aforesaid; and in all such Cities and Towns the Penalties for acting not being duly qualified, or not having delivered in such Qualification, or not having taken the Oaths, and made, repeated and subscribed the Declaration aforesaid, shall be, for a Deputy Lieutenant or Field Officer, one hundred Pounds; and for a Captain, Lieutenant or Ensign, fifty Pounds; such several Penalties to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Wager of Law, or Protection, or more than one Imparlance shall be allowed; one Moiety whereof shall go to the Use of the Person who shall sue for the same, and the other Moiety to the Uses herein after directed; and his Majesty's Lieutenants, and the Chief Magistrates of such Cities or Towns, being Counties in themselves respectively, shall, and they are hereby required to put the Powers conferred by this Act, for raising and training the Militia within such Cities or Towns, into Execution; but the Militia of such Cities and Towns as aforesaid, being by this Act declared to be Part of the Militia of the Counties to which such Cities and Towns are united for the Purposes aforesaid, the Militia of such Cities or Towns shall annually join the Militia of the County to which such Cities or Towns are so united for the Purposes aforesaid, and the whole Militia so joined together, shall be exercised together at the General annual Exercise in *Whitsun* Week, and shall then, and also in Time of actual Service, be deemed the Militia of the County to which such Cities or Towns are so united for the Purposes aforesaid.

Deputy Lieutenant and Field Officer, to have 300 l. per Ann. or 5000 l. Personal Estate.

Captain 150 l. per Ann. or 2500 l. Personal Estate.

Lieutenant or Ensign 50 l. per Ann. or 750 l. Personal Estate.

Penalties for acting if not qualified, &c. for a Deputy Lieutenant or Field Officer 100 l. for all under 50 l.

Lieutenant's and Chief Magistrates to execute this Act within the said Cities and Towns; but the Militia is to join that of the County at the General Exercise in Whitsun Week.

LVI. And be it enacted, That all Fines, Penalties and Forfeitures by this Act imposed, the Manner of Recovery whereof is not in this Act particularly provided for, shall on Proof upon Oath of the Offence before any Justice of the Peace of the County, Riding or Place where the Offence shall be committed, be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any) on Demand, after deducting the Charges of such Distress and Sale, to the Offender upon whom such Distress shall have been made; and where the Goods and Chattels of such Offender shall not be sufficient to answer such Distress, such Justice is hereby required to commit such Offender to the common Gaol of the County, Riding or Place where the Offence shall have been committed, for any Time not exceeding three Months: And all Fines, Penalties and Forfeitures by this Act imposed, the Application whereof is not otherwise particularly provided for, shall be paid to the Clerk of the Regiment or Battalion, and shall be made a Common Stock in each Subdivision wherein the same shall so arise; and the said Clerk shall give a particular Account thereof, as it shall arise, to any three Deputy Lieutenants, or to any two Deputy Lieutenants, together with any one Justice of the Peace, or to any one Deputy Lieutenant, together with any two Justices of the Peace, at their next Meeting within the several Subdivisions; and the said Deputy Lieutenants, or any three of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, shall cause Butts to be erected in some convenient Place or Places, and shall direct the Clerk of the Regiment or Battalion to buy and provide, with some Part of the Money so arising, a proper Quantity of Gunpowder and Ball, to be used at proper Times by the Militia Men in shooting at Marks, and to apply and dispose of such other Part of the Money aforesaid as they shall think reasonable, in some Prize or Prizes to be given to such Militia Man or Men as shall, by the Commanding Officer then present, be adjudged to be the best Marksman or Marksmen, and to apply the Residue thereof to other Contingencies relating to the Militia within such Subdivision; and that in all Cases when any Person shall be committed to the House of Correction by virtue of this Act, he shall, during the Time of such Commitment, be kept to hard Labour in such House of Correction.

Recovery of Penalties not otherwise provided for.

Fines and Penalties not otherwise provided for, to be paid to the Clerk of the Regiment, and made a common Stock, and to be applied in erecting Butts, and providing Powder and Ball, and in Prizes to the best Marksmen,

Persons committed to the House of Correction to be kept to hard Labour.

LVII. And be it enacted, That in every Action, Suit or Information, brought against any Person for acting as a Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, Captain, Lieutenant or Ensign, not being qualified as herein before is directed, the Proof of his Qualification shall lie upon such Person against whom the same is brought.

Proof of Qualification, in all Suits, is to be on the Defendant.

LVIII. Provided also, and be it enacted, That no Order made by any of his Majesty's Lieutenants, or by any one or more Deputy Lieutenants, or by any two Deputy Lieutenants, together with any one Justice

Orders of the Lieutenants, &c. not removeable by Certiorari,

stice of the Peace, or by any one Deputy Lieutenant, together with any two Justices of the Peace, or by any Justice or Justices of the Peace, by virtue of this Act, shall be removed by *Certiorari* out of the County, Riding, Division, Place, City or Town wherein such Order was made, into any Court; and that no Writ or Writs of *Certiorari* shall supersede Execution or other Proceedings, upon any such Order so made in pursuance of this Act, but that Execution and other Proceedings shall and may be had and made thereupon; any such Writ or Writs, or Allowance thereof notwithstanding.

nor Execution to be superseded thereby.

LIX. Provided always, and be it enacted, That where any Parish shall lie in more Counties or Ridings than one, the Inhabitants of such Parish shall serve in the Militia of that County or Riding wherein the Church belonging to such Parish is situated.

Provision where a Parish lies in two Counties.

LX. Provided always, and be it enacted, That the Inhabitants of the Town and Parish of *Wokingham* shall serve in, and be trained and exercised with, the Militia of the County of *Berks*.

Inhabitants of Wokingham to be trained with the Militia of Berks;

LXI. Provided always, and be it enacted, That the Inhabitants of the Township of *Filey*, shall serve in the Militia of the East Riding of the County of *York*; any Thing herein contained to the contrary notwithstanding.

of Filey, to serve in the East Riding of York;

LXII. Provided always, and be it enacted, That the Inhabitants of *Threapwood* shall serve in the Militia of the County of *Flint*, and shall be trained and exercised with the Militia of the Parish of *Worthenbury* within the said County.

of Threapwood, in Flint, and to be exercised with that of Worthenbury;

LXIII. Provided always, and be it enacted, That the Inhabitants of and in the Parish of Saint *Martin*, called *Stamford Baron* in the Suburbs of the Borough and Town of *Stamford*, on the South Side of the Waters there called *Welland*, shall serve in the Militia of the County of *Lincoln*.

and of Saint Martin, Stamford Baron, &c. to serve in that of Lincoln.

LXIV. Provided always, and be it enacted, That nothing in this Act contained shall extend to the Tinners in the Counties of *Devon* and *Cornwall*, but the Lord Warden of the Stannaries for the Time being, in pursuance of his Majesty's Commission in that Behalf, and such as he shall commissionate and authorize under him, may and shall have and use the like Powers, and array, assess, arm, muster and exercise the said Tinners within the said Counties, and either of them, as hath been heretofore used, and according to the ancient Privileges and Customs of the said Stannaries.

The Tinners in Devon and Cornwall to be under Lord Warden of the Stannaries.

LXV. Provided always, and be it enacted, That his Majesty's Lieutenants, who are or shall be commissioned for the Militia of the City of *London*, may and shall continue to list and levy the Trained Bands and Auxiliaries of the said City in Manner as heretofore.

Lieutenants for London to list and levy trained Bands as heretofore.

'LXVI. Provided also, and be it enacted, That whereas the Militia of the *Tower Division* in the 'County of *Middlesex*, commonly known by the Name of the *Tower Hamlets*, is and always has been 'under the Command of his Majesty's Constable of the *Tower*, or Lieutenant of the *Tower Hamlets*, for 'the Service and Preservation of that Royal Fort;' It shall be lawful for his Majesty's said Constable or Lieutenant for the Time being, from time to Time to appoint his Deputy Lieutenants, and to give Commissions to a proper Number of Officers, to train and discipline the Militia to be raised within and for the said Division or Hamlets, pursuant to this Act; and to form the same into two Regiments of seven Companies each, in such Manner as the said Constable or Lieutenant hath used to do; and to appoint a Serjeant Major, a Drum Major, and a Clerk, for the said Militia; and also that for defraying the necessary Charge of Trophies and other incident Expences of the Militia of the same Division or Hamlets, it shall be lawful for his Majesty's said Constable or Lieutenant, to continue to raise in every Year the Proportion of a fourth Part of one Month's Assessment of Trophy Money within the said Division or Hamlets, in such Manner as he hath used to do by virtue and in pursuance of an Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for ordering the Forces in the several Counties of this Kingdom*; any Thing in this Act contained to the contrary in any wise notwithstanding.

Militia of the Tower Hamlets to be under the Constable of the Tower, who is to appoint his Deputy Lieutenants, &c.

13 & 14 Car. 2. c. 3.

LXVII. And be it further enacted, That his Majesty's said Constable of the *Tower*, or Lieutenant of the *Tower Hamlets*, shall appoint a Treasurer of the said Trophy Money, for receiving and paying such Monies as shall be levied by virtue hereof, which said Treasurer shall yearly account in Writing, and upon Oath for the same, to the said Lieutenant, or his Deputy Lieutenants, or any three or more of them, which Oath they shall have Power to administer; and which Accounts for the same shall be certified to the Justices of the Peace for the said Division at their next General or Quarter-Sessions; and that the said Lieutenant shall not issue out Warrants for raising any Trophy Money, until the Justices of the Peace, or the major Part of them at such Sessions, shall have examined, stated and allowed the Accounts of the Trophy Money raised, levied and collected for the preceding Year, and certified the same under the Hands and Seals of four or more such Justices, unless in case where it shall appear to such Justices, that by reason of the Death of such Treasurer, or otherwise such Accounts cannot be passed.

and to appoint a Treasurer of the Trophy Money.

LXVIII. Provided always, and be it enacted, That the Lord Warden of the Cinque Ports, two ancient Towns, and their Members, and in his Absence his Lieutenant or Lieutenants, may and shall put in Execution within the said Ports, Towns and Members, all the Powers and Authorities given

Powers granted by former Acts to the Lord Warden of the Cinque Ports, and his Lieutenants, reserved;

and granted by any former Act or Acts; and may and shall execute and perform all and every the the Things therein contained, in like Manner as his Majesty's respective Lieutenants of Counties and their Deputy Lieutenants may do; and may keep up and continue the usual Number of Soldiers in the said Ports, Towns and Members, unless he or they find cause to lessen the same; and the Militia of the said Ports, Towns and Members, shall remain separate from the Militia of the several Counties within which the said Ports, Towns and Members are situate; any thing herein contained to the contrary notwithstanding.

and the Militia of the said Ports to remain separate from that of the County.

LXIX. Provided always, and be it enacted, That nothing in this Act contained shall extend, or be construed to extend, to subject any Persons mustered, trained and doing Duty in any of his Majesty's Docks for the Defence thereof, to the Service in the Militia; any Thing herein contained to the contrary notwithstanding.

Persons doing Duty in the King's Docks exempted.

LXX. And be it enacted, That all former Acts relating to the raising of the Militia within that Part of *Great Britain* called *England*, and the Dominion of *Wales*, shall from and after the first Day of *May* one thousand seven hundred and fifty-seven, be repealed, except in such Cases as are herein specially directed to be subject to the Provisions of the said former Acts, or any of them.

Repeal of all former Acts for raising of the Militia.

LXXI. Provided always, and be it enacted, That on the Death of any of his Majesty's Lieutenants, his Deputy Lieutenants shall continue to act and exercise all the Authorities by this Act committed to them, until his Majesty shall have appointed another Lieutenant, and until Commissions of Deputy Lieutenancy shall be by him issued.

On Death of a Lieutenant, Deputy is to act till a new one is appointed.

LXXII. Provided always, and be it enacted, That if any Suit or Suits shall be brought or commenced against any Person or Persons for any Thing done in pursuance of this Act, the Action shall be laid in the County where such Action did arise, and not elsewhere; and the Defendant or Defendants in such Action or Actions to be brought, may plead the General Issue, and give this Act and the Special Matter in Evidence; and if the Jury shall find for the Defendant or Defendants in such Action or Actions, or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action or Actions, after the Defendant or Defendants shall have appeared; or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases to recover Costs by Law.

Limitation of Actions.

General Issue.

Treble Costs.

LXXIII. Provided always, and be it enacted by the Authority aforesaid, That this Act shall continue and be in Force for the Space of five Years, and from thence to the End of the then next Session of Parliament, and no longer.

Act to be in Force for five Years.

Concerning Militia see further 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. 33 *Geo.* 2. *c.* 2, 22 & 24.

CAP. XXVI.

An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund; and applying certain Monies remaining in the Exchequer, and the Savings out of the Monies granted in this Session of Parliament for the pay of the Troops of *Hanover* for the Service of the Year one thousand seven hundred and fifty-seven; and for further appropriating the Supplies granted in this Session of Parliament; and for Relief of *Claud Johnson*, with respect to a Bond entered into by him, for securing the Duties on Tobacco imported by *George Buchanan* and *William Hamilton*.

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the Residue of the necessary Supplies which we have chearfully granted to your Majesty in this Session of Parliament, by Ways and Means the least burthensome to your Majesty's Subjects, have resolved to give and grant to your Majesty the Sums herein after mentioned; and do therefore most humbly beseech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as have arisen, or shall or may arise, and be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund, commonly called the *Sinking Fund* (after paying or reserving sufficient to pay, all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same) there shall and may be issued and applied a Sum, not exceeding three hundred thousand Pounds, for and towards the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-seven; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

Towards the Supplies in general, granted for the Service of the Year 1757.

300,000 l. is to be issued out of the Sinking Fund.

II. And be it further enacted by the Authority aforesaid, That the Sum of fifty thousand four hundred ninety-one Pounds seventeen Shillings and eight Pence Half-penny, remaining in the Receipt of the Exchequer, disposable by Parliament for the publick Service, of the Income of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the said Fund commonly called the *Sinking Fund*, for the Quarter ended the fifth Day of *April* one thousand seven hundred and fifty-seven, shall and may be in like Manner issued and applied at the said Receipt for and towards the said Supply.

50,491 l. 17 s. 8 d. 2 q. Surplus remaining in the Exchequer of the said Fund on 5 April 1757.

III. And

$49,508 l. 2 s. 3 d. 2 q. as the same shall arise into the Exchequer out of the said Fund.

III. And be it further enacted by the Authority aforesaid, That by or out of such Monies as shall hereafter from Time to Time be and remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the said Fund, commonly called the *Sinking Fund*, after paying or reserving sufficient to pay all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, there shall and may in like Manner be issued and applied a farther Sum not exceeding eight hundred forty-nine thousand five hundred eight Pounds two Shillings and three Pence Half-penny, for and towards the said Supply.

16,190 l. 5 s. 3 d. Surplus remaining in the Exchequer of the Duties on Licences for retailing Spirituous Liquors.

140,568 l. 5 s. 2 d. 2 q Overplus remaining in the Exchequer of the Grants for 1756.

IV. And be it further enacted by the Authority aforesaid, That the Sum of sixteen thousand one hundred and ninety Pounds five Shillings and three Pence remaining in the Receipt of the Exchequer, on the tenth Day of *October* one thousand seven hundred and fifty-six, of the Surplus of the Duties on Licences for retailing Spirituous Liquors; and also the Sum of one hundred forty thousand five hundred sixty-eight Pounds five Shillings and two Pence Half-penny remaining in the Receipt of the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-six; and also the Sum of nineteen thousand four hundred and sixteen Pounds fourteen Shillings and nine Pence Half-penny, being the Savings out of the Monies granted in this Session of Parliament, for the Pay of the Troops of *Hanover* in the Pay of *Great Britain*, shall and may be in like Manner issued and applied at the said Receipt for and towards the said Supply.

19,416 l. 14 s. 9 d. 2 q. Savings in the Pay of the Troops of Hanover.

On want of Money to pay the Sum of $49,508 l. 2 s. 3 d 2 q. Treasury may take in Loans on the Credit of the Sinking Fund to compleat the said Sum;

'V. And whereas it may so happen that there may be a Want of Money for carrying on the current 'Service of the Year one thousand seven hundred and fifty-seven, before Monies sufficient may have 'arisen into the Exchequer from the said Surplusses, Excesses or Overplus Monies commonly called *The 'Sinking Fund*, to satisfy and pay the said Sum of eight hundred forty-nine thousand five hundred and 'eight Pounds two Shillings and three Pence Half-penny by this Act granted;' In such Case, It shall and may be lawful to and for the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, by Warrant or Warrants under his or their Hands, to permit and suffer any Person or Persons, or Body or Bodies Politick or Corporate, to advance and lend unto his Majesty, at the Receipt of his Exchequer, so much Money as, together with the Monies then remaining in the said Exchequer, of the said Surplusses, Excesses or Overplus Monies, shall be wanting to compleat the said Sum of eight hundred forty-nine thousand five hundred eight Pounds two Shillings and three Pence Half-penny, upon Credit of the growing Produce of the said Surplusses, Excesses or Overplus Monies, and to be repaid out of the same as they shall quarterly afterwards arise, together with Interest for the Forbearance thereof, in the mean Time; any Thing herein before contained to the contrary notwithstanding.

the same to be repaid Quarterly.

Appropriation of the Supplies in general.

The Monies arising by the Land Tax, c. 3.

Malt Tax, c. 4.

Lottery Act, c. 5.

Stamp Duties, c. 19.

Million Act, c. 23.

VI. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-seven; and for discharging certain Arrears of Land Taxes incurred before the Time therein mentioned; and for the more effectual collecting of Arrears for the future*; And so much Money, if any such be, of the Tax thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon; and the Charges thereby allowable for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer, to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of Parliament of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-seven*; And concerning the Interest to be paid for Monies to be borrowed, as well on the Credit of this Act, as on the Credit of an Act of this Session of Parliament, for granting an Aid to his Majesty by a Land Tax; and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act; and all the Interest, Premium, Rate and Charges thereon; and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient reserved in the Exchequer, to satisfy and discharge the same; and also all the Monies coming into the Exchequer, by Contributions to a Lottery, granted by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty a Sum not exceeding one million fifty thousand five Pounds and five Shillings, to be raised by way of Lottery*; And also all the Monies coming into the Exchequer by Contributions for Annuities, granted by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty several Rates and Duties upon Indentures, Leases, Bonds and other Deeds; and upon News Papers, Advertisements and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to foreign Parts; and for applying, from a certain Time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of three millions, by Annuities, to be charged on the said Rates, Duties, and Sums of Money; and for making perpetual an Act made in the second Year of the Reign of his present Majesty, intituled,* An Act for the better Regulation of Attornies and Solicitors; *and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*; And also a Sum not exceeding one million, granted by one other Act of this Session of Parliament, intituled, *An Act for enabling his Majesty to raise the Sum of one million for the Uses and Pur-*

Purposes therein mentioned; And also the several and respective Sums by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say, It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding three millions two hundred eighty-three thousand nine hundred thirty-nine Pounds seven Shillings and seven Pence, for or towards the Naval Services herein after particularly expressed; that is to say, for or towards Victuals, Wages, Wear and Tear of the Navy, and the victualling thereof, performed and to be performed; and for or towards Sea Services, in the Office of Ordnance, performed and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy; and for Half-pay to Sea Officers; and for or towards maintaining eleven thousand four hundred and nineteen Marines; and for or towards the Buildings, Re-buildings and Repairs, of his Majesty's Ships, for the said Year.

and other Sums remaining in the Exchequer, &c. Viz. Out of the Aids in general, 3,283,939 l. 7 s. 7 d. towards Naval Services, herein specified.

VII. And it is hereby also enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding two hundred thousand Pounds, towards paying off and discharging the Debt of the Navy.

200,000 l. towards paying off the Navy Debt.

VIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, for or towards purchasing of Land near *Plymouth*, and carrying on the Works of an Hospital intended to be erected thereon, for the Reception of Sick and wounded Men belonging to his Majesty's Fleet.

10,000 l. for the Hospital near Plymouth.

IX. And it is hereby enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000 l. towards the Support of Greenwich Hospital.

X. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding four hundred thirty-seven thousand six hundred twenty Pounds eight Shillings and nine Pence, for the Charge of the Office of Ordnance for Land Service for the Year one thousand seven hundred and fifty-seven, performed and to be performed, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and fifty-six, not provided for by Parliament.

437,620 l. 8 s. 9 d. towards the Office of Ordnance for Land Service.

XI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding two millions five hundred sixteen thousand one hundred eighteen Pounds eleven Shillings and a Half-penny, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money not exceeding one million two hundred thirteen thousand seven hundred forty-six Pounds three Shillings and nine Pence, for defraying the Charge of forty-nine thousand seven hundred and forty-nine effective Men, including Commission and Non-commission Officers; and also four thousand and eight Invalids, for Guards, Garrisons, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding four hundred twenty-three thousand nine hundred sixty-three Pounds sixteen Shillings and ten Pence, for maintaining his Majesty's Forces and Garrisons in the Plantations, and *Gibraltar*, and for Provisions for the Garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding forty-seven thousand sixty Pounds fifteen Shillings and ten Pence, for the Pay of the General and General Staff Officers, and Officers of the Hospitals for his Majesty's Land Forces, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding thirty thousand Pounds, upon Account, for Out-Pensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding forty-six thousand twenty-two Pounds and five Shillings, for defraying the Charge of two Highland Battalions of Foot, raised or to be raised for his Majesty's Service, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding two thousand three hundred and fifty Pounds, for paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines, as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and fifty-seven; which said Sum of two thousand three hundred and fifty Pounds shall be issued to such Person or Persons as his Majesty shall by Warrant or Warrants under his Royal Sign Manual direct and appoint to receive the same, to be by him or them paid over to such Widows of Half-pay Officers, or their Assigns, according to such Establishments, Lists or other Directions, and with and subject to such Conditions, Qualifications, and other Allowances for the same, as his Majesty by such and the like Warrant or Warrants shall be graciously pleased to direct and appoint; and any Sum or Sums of Money not exceeding three thousand three hundred twenty-one Pound sixteen Shillings and three Pence, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding thirty-three thousand Pounds, upon

of which 1,213,746 l. 3 s. 9 d. for Guards and Garrisons, &c. in Great Britain, Guernsey and Jersey.

423,963 l. 16 s. 10 d. for Guards and Garrisons, &c. in the Plantations, Gibraltar, Nova Scotia, Newfoundland, and Providence.

47,060 l. 15 s. 10 d. for the Staff Officers and Officers of Hospitals of his Majesty's Land Forces.

30,000 l. for the Out-Pensioners of Chelsea Hospital.

46,022 l. 5 s. for 2 Highland Battalions of Foot.

2,315 l. for the Pensions of Officers Widows, &c.

to be issued by Order under his Majesty's Sign Manual. 3,321 l. 16 s. 3 d. to the Officers and Gentlemen of Horse Guards, &c. reduced. 33,000 l. to the reduced Officers of the Land Forces and Marines.

517 l. 1 s. 8 d. to Half-pay Staff Officers of the late Garrison at Minorca.

48,926 l. 2 s. 6 d. for Troops serving in North America, and the East Indies.

111,570 l. 19 s. 7 d. 2 q. for extraordinary Expences of Land Forces, and other Services in 1756.

57,963 l. 7 s. 1 d. for Troops hired from the Landgrave of Hesse Cassel.

135,840 l. 10 s. for German Pay to the Troops of Hesse Cassel.

Account, for the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding five hundred seventeen Pounds one Shilling and eight Pence, for defraying the Charge of Half-pay to certain Staff Officers of the late Garrison at *Minorca*, *videlicet*, To the Secretaries to the Governor of the Island of *Minorca*, the Captain of the Ports there, the Lieutenant Governor of *Fort St. Phillip*, and the Surgeon of the Garrison of *Fort Saint Philip*, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding forty-eight thousand nine hundred twenty-six Pounds two Shillings and six Pence, for defraying the Charge of four Regiments of Foot, on the *Irish* Establishment serving in *North America* and the *East Indies*, and augmenting Major General *Offarrell*'s Regiment of Foot, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding one hundred eleven thousand five hundred seventy Pounds nineteen Shillings and seven Pence Half-penny, for defrayirg the extraordinary Expences of his Majesty's Land Forces, and other Services, incurred in the Year one thousand seven hundred and fifty-six, and not provided for by Parliament; and any Sum or Sums of Money not exceeding fifty-seven thousand nine hundred sixty-three Pounds seven Shillings and one Penny, for defraying the Charge of six thousand five hundred and forty-four Foot, with the General and Staff Officers, and Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-six to the twenty-seventh Day of *May* one thousand seven hundred and fifty-seven, both inclusive; and any Sum or Sums of Money not exceeding one hundred fifty-five thousand eight hundred forty Pounds and ten Shillings, towards defraying the Charge of *German* Pay, for six thousand six hundred Foot, with the General and Staff Officers, and Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, from the twenty-eighth Day of *May* to the twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, both inclusive; towards defraying the Charge of *German* Pay, for one thousand and four hundred Horse, with the Officers of the Hospital, the Troops of the said Landgrave in the Pay of *Great Britain*, from the twenty-seventh Day of *April* to the twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, both inclusive; towards defraying the Charge of *German* Pay for three thousand three hundred Foot, with the General and Staff Officers and Train of Artillery, the Troops of the said Landgrave, in the Pay of *Great Britain*, from the twenty-second Day of *April* to the twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, both inclusive; towards defraying the Charge of *German* Pay for seven hundred Horse, the Troops of the said Landgrave of *Hesse Crssel*, in the Pay of *Great Britain*, from the twenty-third Day of *August* to the twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, both inclusive; for defraying the Charge of Remount and Levy Money for seven hundred Horse, and three thousand three hundred Foot, the Troops of the said Landgrave in the Pay of *Great Britain*, pursuant to Treaty; and for defraying the Charge of the remaining Moiety of Remount Money for one thousand four hundred Horse pursuant to Treaty, payable the twenty-seventh Day of *April* one thousand seven hundred and fifty-seven, the supposed Day when the Cavalry took the Field; and any Sum or Sums of Money, not exceeding sixty thousand seven hundred sixty-six Pounds one Shilling, to enable his Majesty to make good his Engagements with the Landgrave of *Hesse Cassel*, pursuant to Treaty; and any Sum or Sums of Money, not exceeding twenty-six thousand and seven Pounds five Shillings and six Pence Half-penny, for defraying the Charge of an advanced Subsidy, at the Rate of one hundred and fifty thousand Crowns a Year, due to the Landgrave of *Hesse Cassel*, pursuant to Treaty, from the sixth Day of *August* one thousand seven hundred and fifty-six to the twenty-seventh Day of *April* one thousand seven hundred and fifty-seven, the Day when the Cavalry enters into the Pay of *Great Britain*; and any Sum or Sums of Money, not exceeding fifty-five thousand sixty-two Pounds five Shillings and eleven Pence Half-penny, for defraying the Charge of eight thousand six hundred and five Foot, with the General and Staff Officers, the Train of Artillery, and Officers of the Hospital, the Troops of *Hanover*, in the Pay of *Great Britain*, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-six to the twenty-sixth Day of *March* one thousand seven hundred and fifty-seven, both inclusive; and of five thousand seven hundred and twenty-six Foot, with the General and Staff Officers, the Train of Artillery, and Officers of the Hospital, the Troops of *Hanover*, in the Pay of *Great Britain*, from the twenty-fifth Day of *February* one thousand seven hundred and fifty-seven, to the twenty-sixth Day of *March* following, both inclusive; and for defraying the Expences of the March in *Germany* of the said Troops, both at their coming here, and their return back; and any Sum or Sums of Money, not exceeding two hundred thousand Pounds, to assist his Majesty in forming and maintaining, during the present Year, an Army of Observation for the just and necessary Defence and Preservation of his Majesty's Electoral Dominions, and those of his Allies, and towards enabling his Majesty to fulfil his Engagements with the King of *Prussia*, for the Security of the Empire against the Irruption of foreign Armies; and for the Support of the Common Cause.

60,766 l. 1 s. to the Landgrave of Hesse Cassel, pursuant to Treaty; and 26,007 l. 5 s. 6 d. 2 q. an advanced Subsidy to the said Landgrave pursuant to Treaty.

55,062 l. 5 s. 11 d. 2 q. for Pay of Troops hired from Hanover.

200,000 l. towards forming an Army of Observation in Germany, &c.

XII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money, not exceeding seven hundred thousand Pounds, to enable his Majesty to discharge the like Sum raised in pursuance of an Act made in the last Session of Parliament, and charged upon the first Aids or Supplies to be granted in this Session of Parliament.

700,000 l. to defray the like Sum borrowed on a Vote of Credit of the last Session.

XIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million, upon Account, to enable his Majesty to defray any extraordinary Expences of the War incurred, or to be incurred, for the Service of the Year one thousand seven hundred and fifty-seven;

1,000,000 l. upon Account, to defray extraordinary Expences of the War.

and

and to take all such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of his Enemies, and as the Exigency of Affairs may require.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding twenty-eight thousand seven hundred eighty-nine Pounds five Shillings and one Penny, upon Account, for supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding fifteen thousand three hundred eighty-one Pounds and four Shillings, upon Account, for defraying the Charges incurred by supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia* in the Year one thousand seven hundred and fifty-five, and not provided for by Parliament; and any Sum or Sums of Money not exceeding three thousand five hundred fifty-seven Pounds and ten Shillings, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same from the twenty-fourth Day of *June* one thousand seven hundred and fifty-six to the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding ten thousand Pounds, to be employed in maintaining and supporting the *British* Forts and Settlements upon the Coasts of *Africa*; and any Sum or Sums of Money not exceeding twenty thousand Pounds, upon Account, to be paid to the United Company of Merchants of *England*, trading to the *East Indies*, towards enabling them to defray the Expence of a Military Force in their Settlements, to be maintained by them in lieu of the Battalion of his Majesty's Forces withdrawn from those Settlements; and any Sum or Sums of Money not exceeding fifty thousand Pounds, upon Account, to be paid to such Persons, and in such Manner, and by such Proportions as his Majesty shall direct, for the Use and Relief of his Majesty's Subjects in his several Provinces of *North* and *South Carolina*, and *Virginia*, in *America*, in Recompence for such Services, as with the Approbation of the Commander in Chief of his Majesty's Forces in *America* they respectively shall have performed, or shall perform, either by putting the said Provinces in a State of Defence, or by acting with Vigour against the Enemy; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards the further enabling the Commissioners for building a Bridge cross the River *Thames*, from the City of *Westminster* to the opposite Shore in the County of *Surry*, to purchase Houses and Grounds for the widening the Ways, and making more safe and commodious the Streets, Avenues and Passages, leading from *Charing Cross* to the two Houses of Parliament, the Courts of Justice, and *Westminster Bridge*; and any Sum or Sums of Money not exceeding two thousand five hundred Pounds, to enable the said Commissioners to widen the Street or Passage leading from *Cockspur Street* to the Passage in *Spring Garden* leading to Saint *James's Park*; and any Sum or Sums of Money not exceeding three thousand Pounds, upon Account, for repairing and finishing a Road proper for the Passage of Troops and Carriages, from the City of *Carlisle* to the Town of *Newcastle* upon *Tyne*, whereof the Sum of five hundred Pounds to be paid to the Commissioners and Trustees acting within and for the County of *Cumberland*, and the Sum of two thousand five hundred Pounds, the Residue of the said Sum of three thousand Pounds, to be paid to the Commissioners and Trustees acting within and for the County of *Northumberland*; and any Sum or Sums of Money not exceeding thirty thousand Pounds, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to receive all such Children under a certain Age to be by them limited, as shall be brought to the said Hospital before the first Day of *January* one thousand seven hundred and fifty-eight; and also towards enabling them to maintain and educate such Children as are now under their Care, and to continue to carry into Execution the good Purposes for which they were incorporated.

28,789l. 5s. 1d. upon Account, for supporting the Colony of Nova Scotia, and 15,381l. 4s. Charges incurred in 1755, for supporting the said Colony, not provided for.

3,557l. 10s. on Account for defraying the Civil Establishment of Georgia.

10,000l. towards maintaining the Forts and Settlements in Africa; and 20,000l. to the East India Company, in lieu of the King's Troops withdrawn from thence.

50,000l. on Account to the Provinces of N. and S. Carolina, and Virginia, for Services performed, and to be performed by them.

10,000l. for purchasing Houses and Grounds to widen the Streets, &c. leading from Charing Cross, to both Houses of Parliament, &c.

2,500l. to widen the Passage from Cockspur Street to the Park.

3,000l. on Account for making the Road from Carlisle to Newcastle.

30,000l. to the Foundling Hospital.

XV. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in in any other Act or Acts of this present Session of Parliament.

These Aids to be applied to no other Uses.

XVI. And as to the said Sum of thirty-three thousand Pounds by this Act appropriated, on account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Persons who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit, Civil or Military under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay.

Clauſe in an Act of 29 Geo. 2. c. 29. §. 10.

XVII. And whereas by an Act of Parliament made and paſſed in the twenty-ninth Year of his Majeſty's Reign, intituled, *An Act for enabling his Majeſty to raiſe one million for the Purpoſe therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament*, The ſeveral Supplies which had been granted to his Majeſty, as is therein mentioned, were appropriated to the ſeveral Uſes and Purpoſes therein expreſſed; amongſt which any Sum or Sums of Money not exceeding thirty-eight thouſand Pounds, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines; ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf: Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of thirty-eight thouſand Pounds, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the Rules preſcribed by the ſaid Act, to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall and may be diſpoſed of to ſuch Officers who are maimed or loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any Thing in this Act, or the ſaid former Act to the contrary notwithſtanding.

Application of the Savings out of the Sum of 38,000l. granted the laſt Seſſion towards Half-pay.

'XVIII. And whereas *Claud Johnſon* of *London*, Merchant, did on or about the twenty-eighth Day of *September* one thouſand ſeven hundred and fifty-one, at the ſpecial Inſtance and Requeſt of *George Buchanan*, and *William Hamilton*, become bound for them in a Bond, conditioned for the Payment of five thouſand ſix hundred and ſeven Pounds twelve Shillings and nine Pence Half-penny, or thereabouts, being the Duties of two hundred and fifty thouſand Pounds Weight of Tobacco imported by the ſaid *George Buchanan*, and *William Hamilton*; and the ſaid *George Buchanan*, and *William Hamilton*, as an Indemnification to him againſt the ſaid Bond, did on or about the ſixth Day of *February* one thouſand ſeven hundred and fifty-two, aſſign to him two hundred Hogſheads of Tobacco, the Marks and Numbers of which were ſpecified on the Back of ſuch Aſſignment; and the ſaid two hundred Hogſheads of Tobacco were, ſoon after the Date of the ſaid Aſſignment, conveyed away by the ſaid *George Buchanan* and *William Hamilton*, and ſold and exported by them as their Property; and they did afterwards replace ninety-nine Hogſheads of Tobacco, with different Marks and Numbers, as Part of the ſaid two hundred: And whereas the ſaid *George Buchanan*, and *William Hamilton*, did on or about the twenty-firſt Day of *April* one thouſand ſeven hundred and fifty-two, aſſign forty-two Hogſheads of Tobacco to the ſaid *Claud Johnſon*, as a further Indemnification to him againſt the ſaid Bond, the Marks and Numbers of which Hogſheads were alſo ſpecified upon the Back of ſuch laſt Aſſignment: And whereas on or about the twenty-ſeventh Day of *April* one thouſand ſeven hundred and fifty-two, an Extent was iſſued at the Suit of the Crown againſt the Effects of the ſaid *George Buchanan*, and *William Hamilton*, for Duties on Tobacco imported by them; and an Inquiſition being taken on or about the thirtieth Day of *April* one thouſand ſeven hundred and and fifty-two, one hundred and thirty-five Hogſheads of Tobacco were ſeized as the Property of the ſaid *George Buchanan* and *William Hamilton*; forty-two Hogſheads of which were the Tobacco laſt aſſigned to the ſaid *Claud Johnſon*, and the remaining ninety-three were Part of the ſaid ninety-nine Hogſheads replaced as aforeſaid, the other ſix Hogſheads being ſeized by the Warehouſe-keeper for Rent; and the ſaid *George Buchanan* and *William Hamilton* ſoon after becoming Bankrupts, the ſaid *Claud Johnſon* entered his Claim to the ſaid one hundred and thirty-five Hogſheads in the Court of *Exchequer*; and, upon a Trial in the Year one thouſand ſeven hundred and fifty-two, a Verdict was found for his Majeſty, as to the ſaid ninety-three Hogſheads, becauſe the Marks and Numbers thereof did not correſpond with the Marks and Numbers indorſed on the ſaid firſt Aſſignment, and or the Claimant, as to the ſaid forty-two Hogſheads: And whereas the Commiſſioners of the Cuſtoms, in Conſideration of the Payment of a certain Sum by the Aſſignees of the ſaid Bankruptcy, as a Satisfaction for the Monies due from the ſaid Bankrupts to the Crown, allowed the ſaid Aſſignees all the Effects ſeized upon the ſaid Inquiſition; but the ſaid Bond was not included in ſuch Agreement, the ſame not being then due: And whereas the ſaid *Claud Johnſon* has paid three thouſand one hundred ſeventy-three Pounds and ſeven Pence, or thereabouts, in Part of the ſaid five thouſand ſix hundred ſeven Pounds twelve Shillings and nine Pence Half-penny, and the ſaid ninety-three Hogſheads of Tobacco were ſold for the Sum of two thouſand ſix hundred fifty-five Pounds eight Shillings and eight Pence: And whereas there is great Reaſon to believe that if the ſaid *George Buchanan* and *William Hamilton* had continued in Credit, no Part of the ſaid Bond would have been paid in Money, but have been diſcharged by Debentures taken out upon the Exportation of Tobacco; and as the ſaid ninety-three Hogſheads were Part of the Effects which were allowed by the Commiſſioners of his Majeſty's Cuſtoms to the ſaid Aſſignees, in Conſideration of a certain Sum to be paid by them, whereby the Revenue received an Advantage, and the ſaid *Claud Johnſon* ſuſtained a Loſs more than adequate to the principal Money now due upon the ſaid Bond;' Be it therefore enacted by the Authority aforeſaid, That it ſhall be lawful for the High Treaſurer, or any three or more of the Commiſſioners of his Majeſty's Treaſury for the Time being, and he or they is and are hereby authoriſed and impowered to exonerate, acquit and diſcharge the ſaid *Claud Johnſon* of and from the Penalty mentioned in, and the Payment of any Sum or Sums of Money conditioned to be paid by the ſaid Bond, dated on or about the ſaid twenty-eighth Day of *September* one thouſand ſeven hundred and fifty-one, and all Intereſt due thereupon; and to diſcharge and vacate the ſaid Bond, in ſuch Manner as to him or them ſhall ſeem expedient; any Act or Acts of Parliament to the contrary notwithſtanding.

Treaſury to diſcharge Claud Johnſon from Payment of the Penalty and Money conditioned to be paid by his Bond of 28 Sept. 1751, for Duties on Tobacco.

CAP.

CAP. XXVII.

An Act for enlarging the Times for the first Meetings of Commissioners or Trustees for putting in Execution certain Acts of this Session of Parliament.

'WHEREAS by several Acts of this present Session of Parliament, the first Meeting of the Commissioners or Trustees for putting such Acts, or any Part or Parts thereof in Execution, hath been, or may be appointed or directed to be held before, or upon the Day of the Passing of such Acts respectively, whereby several Doubts and Difficulties may arise with respect to the due Execution of the said Acts;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Act of Parliament hath passed, or doth or shall pass, at any Time whatsoever during this present Session of Parliament, upon or after the Day specified in any such Act for the first Meeting of the Commissioners or Trustees appointed to put the same, or any Part thereof in Execution, in each and every such Case, such Commissioners or Trustees respectively, or the same Number of such respective Commissioners or Trustees as is or shall be authorised to hold such first Meeting, or any greater Number of them, shall and may hold their first Meeting upon the fourteenth Day after the Passing of this Act, at such Places as were respectively appointed in such Acts for holding the first Meetings on the Days therein specified; and all such Commissioners or Trustees, or any Number of them as aforesaid, being so assembled respectively on the said fourteenth Day after the Passing of this Act, shall and may proceed to the Execution of such Acts respectively; and then, and from time to time afterwards adjourn, and do and perform all such Matters and Things, and execute all the Powers and Authorities granted to them in the said Acts respectively, in the same Manner, and as fully and effectually to all Intents and Purposes, as if such Commissioners or Trustees had been assembled, in pursuance of, and on the respective Days specified or appointed in such Acts for holding the first Meeting of such Commissioners or Trustees; any Thing therein contained to the contrary notwithstanding.

Where any Act shall pass upon or after the Day for the first Meeting of Commissioners or Trustees to act, they shall hold their first Meeting on the 14th Day after passing this Act.
Further enlarged by 31 *Geo.* 2. *c.* 13.

CAP. XXVIII.

An Act to render more effectual the several Laws now in Being for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom.

For former Laws see 13 *Ed.* 1. *st.* 2. *c.* 5. 2 & 3 *P. & M. c.* 8. 3 *W. & M. c.* 12. 7 *Geo.* 2. *c.* 9. 8 *Geo.* 2. *c.* 20. 14 *Geo.* 2. *c.* 42. 21 *Geo.* 2. *c.* 28. 28 *Geo.* 2. *c.* 17.

'WHEREAS it hath been found that the Use of Broad Wheels does very much contribute to the Improvement and Preservation of the Turnpike Roads of that Part of *Great Britain* called *England*, and using heavy Carriages with Narrow Wheels, is very ruinous and destructive to the same; For Remedy whereof,' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That during the Time of seven Years, to be computed from the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, the Trustees appointed or to be appointed by virtue or under the Authority of any Act of Parliament made, or to be made, for making, repairing or amending Turnpike Roads, or such Person or Persons as are or shall be authorised by them, shall and may, and they are hereby required to demand and take for every Waggon, Wain, Cart or Carriage, having the Fellies of the Wheels thereof of less Breadth or Gage than nine Inches from Side to Side, at the least, at the Bottom or Sole thereof, or for the Horses or Beasts of Draught drawing the same, one Half more than the Tolls or Duties which are or shall be payable for the same respectively, by any Act or Acts of Parliament made, or to be made, for making, amending or repairing Turnpike Roads, before any such Waggon, Wain, Cart or Carriage respectively, shall be permitted to pass through any Turnpike Gate or Gates, Bar or Bars, where Tolls shall be payable by virtue of any of the said Acts.

Trustees for Turnpikes to take, for 7 Years, one Half more than the Tolls for Waggons and Carts, having the Fellies of their Wheels of less Breadth than 9 Inches.

II. Provided, That nothing in this Act shall extend, or be construed to extend, to Carts or Carriages drawn by one Horse, or two Oxen, and no more.

Carts drawn by one Horse, or two Oxen, excepted.

III. Provided always, and be it enacted by the Authority aforesaid, That during the Time aforesaid, it shall and may be lawful to and for any Cart or Carriage drawn by two Horses, or four Oxen, and no more, having the Fellies of the Wheels thereof of the Breadth or Gage of six Inches at the Bottom, from Side to Side, to pass upon any Turnpike Road, and through any Turnpike Gate or Bar, paying the Tolls or Duties required to be paid by any of the said Acts respectively.

Carts with two Horses, or four Oxen, and Fellies six Inches Broad, to pay only the common Tolls.

'IV. And whereas there are in several Acts of Parliament, made for making, amending and repairing, Turnpike Roads, Exemptions allowed from Payment of Tolls, in particular Cases therein respectively mentioned, and Liberties are allowed, in particular Cases, to pay lesser Tolls than are charged upon other Waggons, Carts and Carriages, passing through Turnpike Gates or Bars: And whereas it will tend to the Advantage and Preservation of Turnpike Roads, to confine such Exemptions, Liberties, Privileges and Advantages, to Carriages with Wheels of the Breadth or Gage of nine Inches as aforesaid;'

No Carriage to be exempted from Tolls, or pay lesser Tolls, unless the Fellies are 9 Inches broad.

'said;' Be it therefore enacted by the Authority aforesaid, That during the Time aforesaid, no Person shall, by virtue of any of the said Acts of Parliament, have, claim or take, the Benefit or Advantage of any Exemption from Tolls, or Part of Tolls, or to pay lesser Toll, for or in respect of any Waggon, Wain, Cart or other Carriage, or Horses drawing the same, than other Carriages of the like Nature ought to pay, unless such Waggon, Wain, Cart, or Carriage, have Fellies of the Wheels thereof of the Breadth or Gage of nine Inches as aforesaid; other than and except Carts and Carriages drawn by one Horse or two Oxen, and no more; and other than an except Carts and Carriages drawn by two Horses or four Oxen, and no more, having the Fellies of the Wheels thereof of the Breadth or Gage of six Inches as aforesaid; but that the Toll, together with the additional Toll hereby enacted, for or in respect of every such Waggon, Wain, Cart or other Carriage having the Fellies of the Wheels thereof of less Breadth or Gage than nine Inches as aforesaid; or for or in respect of Horses or Beasts of Draught drawing the same (except as before excepted) required by the said Acts respectively, shall be paid in the same Manner, to all Intents and Purposes, as if no Exemption or lesser Toll had been enacted or allowed by any of the said Acts respectively, and as fully as all other Waggons, Wains, Carts and Carriages and Horses drawing the same, ought respectively to pay, which are not intitled to any Exemption from Toll in the Whole or in Part, or to pay a lesser Toll than other Waggons, Wains, Carts and Carriages; any Law or Statute to the contrary notwithstanding.

Exception.

but the additional and ordinary Tolls are to be paid.

V. And be it further enacted by the Authority aforesaid, That, during the Time aforesaid, the Trustees appointed or to be appointed by Virtue or under the Authority of any Act of Parliament made or to be made for making, repairing or amending Turnpike Roads, and such Person and Persons as shall be authorized by them, shall and may, and they are hereby required to permit and suffer all Waggons, Wains, Carts and Carriages having the Fellies of the Weels thereof of the Breadth or Gage of nine Inches from Side to Side at the Bottom or Sole thereof, and drawn according to Law, to pass through any Turnpike Gate or Gates, Bar or Bars, within one hundred Miles from *London*, paying only so much Toll or Duty as shall not exceed one Half of the full Toll or Duty payable for such Waggons, Wains, Carts and Carriages respectively, or for the Horses or Beasts of Draught drawing the same, by Virtue of any Act or Acts of Parliament made or to be made for making, repairing or amending Turnpike Roads.

Waggons, &c. with broad Wheels to pay Half the Tolls within 100 Miles of London;

'VI. And whereas great Damage is done to Turnpike Roads by Waggons and Wains with broad 'Wheels drawn by Horses or beasts of Draught at length, and not in Pairs:' For Remedy whereof, Be it enacted by the Authority aforesaid, That during the Time aforesaid it shall not be lawful for any Waggon or Wain, having Fellies of the Weels thereof of the Breadth or Gage of nine Inches as aforesaid, to pass upon any Turnpike Road, or through any Turnpike Gate or Bar, unless the same be drawn by Horses or Beasts of Draught in Pairs; provided that where there is an odd Horse or Beast of Draught belonging to such Waggon or Wain, it shall be lawful for such odd Horse or Beast of Draught to draw such Waggon or Wain, together with the other Horses or Beasts of Draught drawing in Pairs as aforesaid; provided that such Horses or Beasts of Draught do not in the whole exceed the Number of Horses or Beasts of Draught allowed by Law.

but such Waggons are not to pass, unless drawn by Horses in Pairs, and not at Length;

'VII. And whereas Great Damage is done to Turnpike Roads by Waggons and Wains with narrow 'Wheels, drawn by Horses or Beasts or Draught in Pairs, and not drawn by Oxen:' For Remedy whereof, Be it enacted by the Authority aforesaid, That during the Time aforesaid it shall not be lawful for any Waggon or Wain, having the Fellies of the Weels thereof of less Breadth or Gage than nine Inches, to pass upon any Turnpike Road, or through any Turnpike Gate or Bar, if the same be drawn by Horses or Beasts of Draught in Pairs, and not by Oxen.

narrow Wheel Carriages are not to pass if drawn in Pairs, unless by Oxen.

VIII. And be it enacted by the Authority aforesaid, That if any Person or Persons shall, during the Time aforesaid, drive or cause to be driven on any Turnpike Road any common Stage Waggon, prohibited by this Act to pass along any Turnpike Road, or shall drive or cause to be driven any Waggon, Wain, Cart or Carriage on any Turnpike Road, with any greater Number of Horses or Beasts of Draught than is allowed by Law, or in any wise contrary to the true Intent and Meaning of this Act, every Person and Persons so offending, and every Master or Owner of such Waggon, Wain, Cart or Carriage so driven, shall be deemed to be guilty of a Common Nusance and Misdemeanor, and shall be punished for the same by Indictment or Information, or shall, at the Electon of the Prosecutor or Informer, for every such Offence, be subject and liable to such and the same Penalties and Forfeitures as the Owners of the Waggons and Carriages, having the Fellies of the Wheels of less Breadth or Gage than nine Inches from Side to Side, are made subject and liable to, by Virtue of an Act made in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for the Amendment and Preservation of the Publick Highways and Turnpike Roads of this Kingdom*; *and for the more effectual Execution of the Laws relating thereto*; to be paid and applied to such Uses and Purposes, and to be levied and recovered as is thereby directed.

Persons driving prohibited Waggons, or an unlawful Number of Horses,

may be punished by Indictment, or Information, &c.

Act 26 Geo. 2. c. 30.

IX. And be it enacted by the Authority aforesaid, That during the Time aforesaid it shall not be lawful for any Trustees of any Turnpike Road, to make any Composition for Tolls for or in Respect of any Waggon, Wain, Cart or Carriage, or Horses or Beasts of Draught drawing the same (except as before excepted) unless such Waggons, Wains, Carts and Carriages have the Fellies of the Wheels thereof of the Breadth or Gage of nine Inches as aforesaid.

No composition for Tolls may be made for narrow Wheel Carriages. Exception.

'X. And whereas by an Act made in the twenty-eighth Year of the Reign of his present Majesty, it is, 'amongst other Things, enacted That from and after the said twenty-fourth Day of *June* it shall and 'may be lawful for all Waggons having the Fellies of the Wheels thereof of the Breadth or Gage of six

28 G. 2. c. 17. §. 2. & §. 8. repealed.

'Inches

'Inches from Side to Side at the leaſt, at the Sole or Bottom of the Wheel, to paſs through all and every 'Turnpike Gate or Gates, Bar or Bars, with ſix Horſes; and all Carts and other Carriages having the 'Fellies thereof of the Breadth or Gage of ſix Inches from Side to Side at the leaſt, at the Sole or Bottom 'of the Wheel, with four Horſes, without paying any more Toll or Duty than is paid for Waggons now 'drawn by four, and Carts drawn by three Horſes, or for the Horſes drawing the ſame: And whereas 'by another Clauſe in the laſt-mentioned Act it is enacted, That from and after the ſaid twenty-fourth 'Day of *June* all Waggons, Wains and other four Wheel Carriages, not being Common Stage Wag-'gons or Carriages (though the Fellies of the Wheels are not of the Breadth of nine Inches or ſix 'Inches) may travel, paſs or be driven upon any Turnpike Road, with any Number of Horſes not ex-'ceeding five Horſes or Beaſts of Draught: And if any Owner or Driver of any ſuch Waggon, Wain or 'other four Wheel Carriage ſhall travel, paſs or drive any ſuch Waggon or other four Wheel Carriage 'with more than five Horſes or Beaſts of Draught, every ſuch Owner ſo offending ſhall, for every ſuch 'Offence, forfeit and pay the Sum of five Pounds; which ſaid Penalty ſhall be recovered and levied by 'Diſtreſs and Sale of the Offender's Goods and Chattels, by Warrant or Warrants under the Hands and 'Seals of the Truſtees, or any three or more of them, of ſuch Diſtrict, or any one or more Juſtice or 'Juſtices of the Peace, in or near to the Place or Places where the Offence ſhall be committed, or by 'Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record at *Weſtminſter*; 'where no Eſſoin, Protection or Wager of Law, or more than one Imparlance ſhall be allowed: And in 'caſe any Driver of any Waggon, Wain or other Carriage as aforeſaid, ſhall act contrary to the true In-'tent and Meaning hereof, ſuch Juſtice or Juſtices ſhall, by Warrant or Warrants under his or their 'Hands and Seals, commit ſuch Driver to the Houſe of Correction for the Space of one Month, there to 'remain without Bail or Mainprize;' Be it enacted by the Authority aforeſaid, That the ſaid recited Clauſes in the laſt mentioned recited Act ſhall, from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty eight, be repealed.

No Waggons with broad Wheels if wider than 5 Feet 6 Inches may paſs on Turnpike Roads.

XI. And be it further enacted by the Authority aforeſaid, That from and after the Time aforeſaid no Waggon having the Fellies of the Wheels thereof of the Breadth or Gage of nine Inches at the Bottom, ſhall paſs along any Turnpike Road, which ſhall be wider than five Feet ſix Inches from the Middle of the Fellies of the Wheels on one Side of ſuch Waggon, to the Middle of the Fellies of the Wheels on the other Side of ſuch Waggon; and the Surveyor or Surveyors, Gate-keeper or Gate-keepers of any Turnpike Road, is and are hereby authorized and required, at any Turnpike or Toll-gate, or at any other Place upon the Turnpike Road, to meaſure every ſuch Waggon from the Middle of the Fellies of the Wheels on one Side of ſuch Waggons, to the Middle of the Fellies of the Wheels on the other Side thereof; and if any Maſter or Driver of any Waggon ſhall hinder or refuſe to permit ſuch Surveyor or Surveyors, Gate-keeper or Gate-keepers, to Meaſure ſuch Waggon as aforeſaid it ſhall be unlawful for every ſuch Waggon, not permitted to be Meaſured as aforeſaid, to paſs along any Turnpike Road.

Limitation of Actions.

General Iſſue.

Treble Coſts.

XII. And be it enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done or acted in Purſuance of this Act, then and in every ſuch Caſe, ſuch Action or Suit ſhall be commenced or proſecuted within ſix Calendar Months next after the Fact committed, and not afterwards; and the ſame, and every ſuch Action or Suit, ſhall be brought in the County, Riding or Place where the Perſon againſt whom ſuch Action or Suit ſhall be commenced doth ordinarily inhabit and reſide, or in the County or Riding where the Fact was committed, and not elſewhere; and the Defendant or Defendants in every ſuch Action or Suit ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance of and by Authority of this preſent Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time herein before limited for bringing the ſame, or be brought or laid in any other County, Riding or Place than as afore-mentioned, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or diſcontinue his, her or their Action, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendanrs, ſhall and may recover treble Coſts, and have the like Remedy for recovery thereof, as any Defendant or Defendants hath or have in any other Caſes by Law.

What ſhall be deemed a Common Stage Waggon. 28 G. 2. c. 17.

'XIII. And whereas ſome Doubts have ariſen concerning the Meaning of the Words *Common Stage* '*Waggons*,' It is hereby declared, That every Waggon, Wain, Cart or Carriage travelling with or carrying Goods for Hire, is and ſhall be deemed to be a Common Stage Waggon, within the true Intent and Meaning of an Act made in the twenty-eighth Year of the Reign of his preſent Majeſty, intituled, *An Act to amend an Act in the twenty-ſixth Year of the Reign of his preſent Majeſty, intituled*, An Act for the Amendment and Preſervation of the publick Highways and Turnpike Roads of this Kingdom; and for the more effectual Execution of the Laws relating thereto.

Clauſe in Act 28 G. 2. c. 17. §. 7.

'XIV. Whereas it is in and by an Act of the twenty-eighth Year of his preſent Majeſty amongſt other 'Things enacted and declared, That if any Collector or Receiver of the Tolls or Duties at any Gate or 'Turnpike, where or near to which any Crane, Machine or Engine for weighing of Carriages ſhall be 'built or erected, ſhall permit any Cart, Waggon or Carriage, within the Deſcriptions therein mention-'ed, to paſs or repaſs through any ſuch Gate or Turnpike without weighing the ſame, ſuch Collector 'or Receiver ſhall, upon Conviction, as by the ſaid Act is directed, be liable to be committed to the 'Houſe of Correction, and there to be kept to hard Labour for the Space of one Month: And whereas

'Doubts

Collector obliged to weigh only loaded Carriages.

'Doubts have arisen whether such Collector or Receiver is not by the said Act obliged to weigh all 'Carriages whatsoever, whether loaded or unloaded; and many Difficulties have arisen thereupon;' For obviating whereof it is hereby enacted and declared, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, any Collector or Receiver of any Tolls at any Turnpike or Turnpikes erected or to be erected by Virtue of any Act of Parliament, shall and may permit all and every Person or Persons going or travelling through any Turnpike with an empty Cart, Waggon, or other Carriage, to pass and repass through the same, without weighing such empty Cart, Waggon or other Carriage, and without incurring the Penalty aforesaid; and that such Collector or Receiver shall not be obliged to weigh any Cart, Waggon or other Carriage, but those only which shall be laden; the said last above mentioned Act, or any Law now in Force to the contrary notwithstanding.

See further 31 *Geo.* 2. *c.* 34.

CAP. XXIX.

An Act to indemnify Persons who have been guilty of the unlawful importing, landing, or running of prohibited, uncustomed, or other Goods or Merchandize, upon certain Term, therein mentioned.

'WHEREAS there is a great want of Seamen for the compleatly Manning of his Majesty's Royal 'Navy: And whereas there are many Sailors, Mariners, and other Sea-faring Persons, Subjects 'of his Majesty, at this Time in Parts beyond the Seas, and in several of the Gaols of this Kingdom, 'on Account of sundry Offences by them committed in Breach of the Laws of the Customs and Excise; 'and likewise several Persons who have been or may be charged with Riding with Fire Arms, contrary 'to the Acts passed in the eighth Year of the Reign of his late Majesty King GEORGE the First, and the 'ninth Year of his present Majesty, as well as other Acts now in Force, and who have neglected to take 'the Benefit of the late Act of Indemnity, and are capable and may be inclined, or by Grace and Cle-'Clemency induced, to serve on Board his Majesty's Ships of War, provided they were certain of their 'being indemnified for their several Offences and past Misdemeanors;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That every Person, who before the first Day of *May* one thousand seven hundred and fifty-seven shall have been guilty of illegal running, landing unshipping, concealing, receiving or carrying any Wool, prohibited Goods, Wares or Merchandizes, or any Foreign Goods liable to the Payment of the Duties of Customs or Excise, the same Duties not having been paid or secured, or of aiding or assisting therein; or shall have been armed with Fire-arms, or other offensive Arms or Weapons, in order to be aiding or assisting any such Offenders, or have been guilty of rescuing such Goods, Wares or Merchandizes as aforesaid where Duties had not been paid or secured after Seizure, from the Officers of the Customs or Excise, or of any Act or Matter whatsoever whereby Persons may be deemed and taken to be Runners of Foreign Goods and Commodities, within the Intent and Meaning of any Law now in Force; or of hindering, opposing, obstructing, wounding or beating any Officer or Officers of the Customs or Excise, in the Execution of his or their Office or Duty, or of aiding or assisting therein, shall be and are by the Authority of this present Act, acquitted, indemnified, released and discharged against the King's Majesty, his Heirs and Successors, and any Officer or Officers of the Customs or Excise, and every of them, and all and every other Person or Persons of and from all and every the said Offences, concerning which no Suit, Information or Indictment shall have been commenced, filed or found, or Composition made before the said first Day of *May* one thousand seven hundred and fifty-seven, upon the following Terms and Conditions; that is to say, That he do, before he shall be apprehended or prosecuted for the same, and before the first Day of *December* one thousand seven hundred and fifty-seven, enter himself with some Commission Officer of his Majesty's Fleet to serve as a common Sailor in the said Fleet, and do for three Years at least from the Time of such Entry, unless he shall be sooner duly discharged from the Service, actually and *bona fide* serve and do duty as such in the said Fleet; and shall also before the said first Day of *December* one thousand seven hundred and fifty-seven register his Name, Employment, and usual Place of Abode, with the Clerk of the Peace of the County, Riding or Division where he resides, in a Book which is hereby directed to be kept by the said Clerk, among the Records of the Sessions for the said County, Riding or Division for this Purpose; and shall sign such Register, signifying that he claims the Benefit of this Act, and that he has entered himself with a certain Commission Officer by Name, of his Majesty's Fleet, to serve as a common Sailor, which Entry shall be made in the following Form,

Smugglers, &c. indemnified from Offences committed before 1 May 1757.

provided, before they are prosecuted, and before 1 December next, they enter, and serve on board the Navy,

and register their Names, &c. with the Clerk of the Peace,

'*A B.* of claims the Benefit of an Act of the thirtieth Year of the 'Reign of his Majesty King GEORGE the Second, and has entered himself with a Commission Officer 'of his Majesty's Fleet, and has registered his Name in the Book kept by the Clerk of the Peace of this 'County, Riding or Division, this Day of pursuant to the Directions of 'the said Act.'

For

For which Entry or Register there shall be paid to the Clerk of the Peace of such County, Riding or Division, one Shilling and no more; and that the said Clerk of the Peace shall immediately after the said first Day of *May* one thousand seven hundred and fifty-seven, from Time to Time, transmit to the Commissioners of the Customs and Excise, an exact Account of all the Persons who have, by such Entry or Register as aforesaid, intitled themselves to claim the Benefit of this Act.

Clerk's Fee 1 s. who is to transmit an Account of the Claimants to the Commissioners of the Customs and Excise.

II. Provided always, and be it enacted by the Authority aforesaid, That every Person who shall make such Entry, and claim the Benefit of this present Act as aforesaid, and shall afterwards be guilty of, or commit any of the like Offences as those herein before mentioned, or hereby intended to be acquitted, released or discharged, or shall at any Time after desert from the said Service, or within the said three Years unduly procure his Discharge therefrom, shall be subject and liable to be prosecuted, not only for or in respect of such new Offence, but shall also be subject and liable to all the same Pains, Penalties and Forfeitures as he would have incurred or been subject or liable to in case this Indemnity had never been given; any Thing herein contained to the contrary notwithstanding.

The said Persons being guilty of the like Offences afterwards, or deserting, or unduly procuring their Discharge, liable to Prosecution for the former, as well as such new Offences.

III. Provided also, That if any Officer of his Majesty's Navy shall by false Muster or Certificate, or in Consideration of a Gratuity of any Kind, or by any other collusive or evasive Ways or Means whatsoever, suffer or permit such Person to avoid the actual Service as aforesaid, such Person shall not only lose the Benefit of this Act, but every such Officer shall suffer the Penalty of five hundred Pounds.

Officer permitting any such Person to avoid actual Service, forfeits 500 l. and such Person loses the Benefit of the Act.

IV. Provided also, and be it enacted by the Authority aforesaid, That no Person who shall have made such Entry with the Clerk of the Peace as aforesaid, or receive or be intitled to any Benefit or Advantage by virtue of this present Act of Indemnity, shall be capable of maintaining any Action brought or to be brought by him, against any Officer of his Majesty's Customs or Excise, or against any Person or Persons who shall or may have been aiding or assisting to any Officer for or concerning any Matter, Cause or Thing done or committed by such Officer, or by any Person or Persons aiding and assisting him on Occasion, or for any other Matter or Thing by this Act intended to be acquitted, indemnified, released and discharged; but such Claim is and shall be deemed an absolute Discharge and Release to such Officer, who may plead the General Issue, and give a Copy of such Claim so as aforesaid entered with the said Clerk of the Peace, and this Act in Evidence, on such Action or Prosecution.

Persons so entering themselves are disabled from bringing any Action against the King's Officers, &c. for Offences intended to be discharged by this Act. General Issue.

V. Provided also, and it is hereby further enacted by the Authority aforesaid, That no Person, who shall duly enter himself to serve as a common Sailor in his Majesty's Fleet for the Term of three Years at least in pursuance of this Act, shall during such Term of three Years (unless he shall within such Space of Time desert or withdraw from such Service) be liable to be apprehended or imprisoned, or to be sued or prosecuted in any Manner whatsoever, for or on account of any of the Offences intended to be released by this Act.

Prohibition of Suits against Persons entering themselves. *Concerning Customs see further* 32 *Geo.* 2. *c.* 10.

CAP. XXX.

An Act for allowing a further Bounty on Vessels employed in the White Herring Fishery; for giving Liberty to alter the present Form and Size of the Nets used in the said Fishery; and for other Purposes therein mentioned.

'WHEREAS by an Act made in the twenty-third Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of the* British *White Herring Fishery*; it is amongst other Things enacted, That as an Encouragement to all Persons whatsoever, as well Bodies Politick and Corporate, as others, and also the Persons who should be incorporated by virtue of and under the said Act, to engage in the said White Herring Fisheries, that a Bounty of thirty Shillings *per* Ton should be paid annually out of such Sums as should be produced out of his Majesty's Customs to the Owner or Owners of all decked Vessels, from twenty to eighty Tons Burthen, which should be built after the Commencement of the said Act for the Use of the said Fisheries, and fitted out and employed in the said Fisheries, in Manner and under the Regulations in the said Act after-mentioned; such Bounty of thirty Shillings *per* Ton to be paid yearly during the Space of fourteen Years from the Commencement of the said Act, and no longer, upon conforming to the Regulations of the said Act; in which said Act it is, amongst other Things enacted, That every Buss or Vessel of the Burthen of seventy Tons, and designed for the said Fishery, should on her proceeding to Sea, have on board one Fleet of fifty Nets, each Net to be thirty Yards full upon the Rope, and seven Fathoms deep, and so in Proportion for any Vessels of a greater or lesser Tonnage; and should be provided with one other Fleet of fifty like Nets on board a Jagger or Tender to attend the said Fishery, or left on Shore in a proper Place for the Use of the said Buss or Vessel: And whereas pursuant to the Power by the said Act given to his said Majesty, a Society, by the Name of the Society of *The Free* British *Fishery*, hath been incorporated by Charter bearing Date the eleventh Day of *October* one thousand seven hundred and fifty: And whereas by another Act made in the twenty-eighth Year of the Reign of his said Majesty, *For further explaining, amending and rendering more effectual the said first-mentioned Act; and for giving further Encouragement* 23 Geo. 2. c. 24. sect. 11 & 12. 28 Geo. 2. c. 14.

'*for the carrying on the said Fishery*; *and for other Purposes therein mentioned*'; it is enacted, That the several Allowances of three Pounds *per Centum per Annum*, and the said Bounty of thirty Shillings *per* Ton granted by the said first-mentioned Act for the respective Terms therein mentioned, should be continued for the further Term of three Years, to be computed immediately from and after the Expiration of the said respective Terms, in Manner in the said Act of the twenty-eighth Year of his said present Majesty mentioned: And whereas the Bounty of thirty Shillings *per* Ton hath not been found a sufficient Bounty on the Tonnage of the Vessels employed in the said Fisheries, and the Nets by the said first mentioned Act directed to be employed in the said Fisheries, have been found by Experience, both in their Form and Depth, to be very inconvenient and unfit for the said Fisheries; and it may tend greatly to the Support of the said Fisheries, if the Vessels employed therein were permitted, during the Intervals of the two Fishing Seasons called *The Shetland and Yarmouth Fisheries*, to be otherwise employed;' Therefore be it enacted and declared, and it is hereby enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Bounty of thirty Shillings *per* Ton by the said two several Acts granted and continued for the respective Terms of Years therein respectively mentioned, shall from henceforth cease, determine and be at an End; and that in lieu thereof, a Bounty of fifty Shillings *per* Ton on the Vessels employed in the said Fisheries, shall be paid and payable for such Term and Terms of Years to the said Society, and such other Persons as would have been intitled to the said Bounty of thirty Shillings *per* Ton by virtue of or under the said two several Acts herein before recited, or either of them, in case this Act had not been made; and that such Bounty of fifty Shillings *per* Ton shall be paid and payable at such Times, in such Manner, and by such Person and Persons, and out of such Monies as the said Bounty of thirty Shillings *per* Ton is by the said two several Acts, or either of them, directed to be paid.

The former Bounty to cease.

and in lieu thereof, 50s. per Ton allowed on Vessels empoyed in the Fishery.

II. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Society, and to and for all other Person and Persons employed in the said Fisheries, in lieu of the Nets by the said first-mentioned Act directed to be employed in the said Fisheries, to make Use of such Nets in the White Herring Fisheries as they shall find best adapted to the said Fisheries.

Liberty given to use such Nets as are best adapted to the Fisheries;

III. Provided always, That each Buss or Vessel do carry to Sea the like Quantity of Netting in the Whole as such Buss or Vessel is now bound to carry by the said first-mentioned Act.

so as the like Quantity be carried on board each Buss.

IV. And it is further enacted by the Authority aforesaid, That in all Cases where it shall happen that the Nets to be employed in the said Fisheries shall, by virtue of the Liberty and Power in and by this present Act given and allowed for that Purpose, vary from the Size and Form of the Nets in and by the said first-mentioned Act directed to be employed in the said Fisheries, that so much of the Certificate in and by the said first-mentioned Act directed to be given by the Officer or Officers who shall be appointed to examine the Busses or Vessels to be employed in the said White Herring Fisheries, as relates to the Fishing Nets on board each Buss or Vessel; and also so much of the Oath by the said Act directed to be made by the Owner or Owners, or Agent appointed by them, or of a proper Officer or Agent of the said Society, and of the Master or Chief Officer of such Vessel, as relates to the Nets on board such Vessel; may and shall from henceforth be varied and made conformable to such Alterations as may be made in such Nets so employed in the said Fisheries, by Virtue of the Liberty and Power herein before for that Purpose given.

Certificates given by the Inspectors,

and the Oath made by the Owners, Agents and Masters, are to be varied conformable to the Size and Form of the Nets made use of.

V. And be it further enacted by the Authority aforesaid, That after the two Fisheries called *The Shetland* and *Yarmouth Fisheries* shall be over in every Year, it shall and may be lawful to and for the said Society, in the mean Time, and until the Commencement of the next ensuing Fishing Season, to use and employ in any other Business not prohibited by Law, such of their Busses or Vessels, and no others, as shall have been really and *bona fide* employed in the said two Fisheries then last preceding, during the whole Time of such two Fisheries; any Thing in the said first mentioned Act, or in the Charter of the said Society to the contrary notwithstanding.

Liberty given to employ the Vessels in the Intervals of the Fisheries.

29 Geo. 2. c. 23.

VI. And whereas by an Act made in the twenty-ninth Year of his said Majesty, intituled, *An Act for encouraging the Fisheries in that Part of* Great Britain *called* Scotland, it is amongst other Things enacted, That from and after the twenty-fifth Day of *June* one thousand seven hundred and fifty-eight, the Staves of all Barrels in which White Herrings and wet White Fish, in that Part of *Great Britain* called *Scotland* shall be packed or put up, shall be at least one Half-part of an Inch in thickness throughout, under such Penalty as in the said Act is mentioned: And whereas the said Society, and other Persons following the said Fisheries, have at a very great Expence provided a large Quantity of Barrels for the Packing their Fish, and no Inconvenience hath arisen from the Make of such Barrels; Be it therefore enacted and declared by the Authority aforesaid, That so much of the said Act of the twenty-ninth Year of his said Majesty, as relates to the Thickness of the Barrels to be used in the Packing and putting up of White Herrings and wet White Fish, shall not extend, or be deemed or construed to extend, to Barrels made use of or to be made use of by the said Society, or by any other Person or Persons following the said White Herring Fisheries, by virtue of or under the said Act of the twenty-third Year of his said present Majesty; any Thing in the said Act of the twenty-ninth Year of his said Majesty to the contrary thereof in any wise notwithstanding.

Regulation of the thickness of Barrel Staves not to extend to Barrels used in the Herring Fishery.

VII. And

VII. And be it further enacted by the Authority aforesaid, That the said Society, and all and every Person or Persons employed in the said Fisheries, shall have and exercise the free Use of all Ports, Harbours, Shores and Forelands in *Great Britain*, or the Islands belonging to the Crown of *Great Britain*, below the highest High Water Mark, and for the Space of one hundred Yards on any waste or uncultivated Land beyond such Mark within the Land, for landing their Nets, Casks and other Materials, Utensils and Stores, and for erecting Tents, Huts and Stages, and for the landing, pickling, curing and reloading their Fish, and in drying their Nets, without paying any Foreland or other Dues, or any other Sum or Sums of Money, or other Consideration whatsoever for such Liberty (except as herein after is excepted) any Law, Statute or Custom whatsoever to the contrary notwithstanding: And if any Person or Persons shall presume to demand or receive any Dues, Sums of Money, or other Consideration whatsoever for the Use of any such Ports, Harbours, Shores or Forelands within the Limits aforesaid, or shall obstruct the Fishermen or other Persons employed in the taking or curing of Fish, or drying their Nets in the Use of the same, every Person so offending shall for every such Offence forfeit the Sum of one hundred Pounds, to be recovered and levied in Manner herein after directed.

Free Use of all Ports and Shores, &c. below High Water Mark, and 100 Yards above on any Waste Grounds, for landing and drying Nets.

Persons obstructing such Use forfeit 100 l.

VIII. Provided always, That nothing in this Act contained shall extend to exempt the Vessels or Boats employed in the said Fisheries from the Payment of such Harbour or Pier Dues as are and by Law ought to be demanded for Ships, Vessels or Boats, in Piers or Harbours which are built or artificially made; but that such Harbour or Pier Dues shall be paid in like Manner as the same were liable to be paid before the passing of this Act.

Where Harbour or Pier Dues are demandable by Law, the Fishing Vessels are to pay the same.

IX. And be it further enacted by the Authority aforesaid, That the Penalty herein before mentioned shall and may be prosecuted and determined by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland* respectively, wherein no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance shall be allowed; and one Moiety of such Penalty shall be to the Use of his Majesty, and the other Moiety to such Person or Persons as will sue for or prosecute the same.

Penalty where and how to be sued for.

X. Provided always, and be it further enacted and declared by the Authority aforesaid, That the said Bounty of fifty Shillings *per* Ton herein before given and granted to Vessels employed in the said Fishery, shall not be paid or payable in respect of any such Vessels, until it shall have been made appear to the Satisfaction of the Commissioners of his Majesty's Customs, by one or more Certificate or Certificates, Receipt or Receipts, from the Receiver or Collector for the Time being of the Duty of six Pence *per* Man *per* Month, payable out of Seamens Wages, for the Support of the Royal Hospital at *Greenwich*, that all Monies payable on account of such Duty from any Vessel, in respect whereof such Bounty of fifty Shillings *per* Ton shall be demanded, hath been fully paid and discharged; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

The Tonnage Bounty is not to be paid, till a Certificate be produced of the Duty payable to Greenwich Hospital being duly paid.

Concerning Fishery see farther 33 *Geo.* 2. *c.* 27. *and* 2 *Geo.* 3. *c.* 15.

CAP. XXXI.

An Act to explain, amend and render more effectual an Act passed in the twenty-eighth Year of the Reign of his present Majesty, intituled, *An Act to enable the Churchwardens, Overseers and Inhabitants of the Parish of* Saint Saviour *in the Borough of* Southwark, *in the County of* Surry, *to hold a Market within the said Parish, not interfering with the High Street in the said Borough.*

'WHEREAS by an Act passed in the twenty-eighth Year of the Reign of his present Majesty, intituled, *An Act to enable the Churchwardens, Overseers and Inhabitants of the Parish of* Saint Saviour *in the Borough of* Southwark *in the County of* Surry, *to hold a Market within the said Parish, not interfering with the High Street in the said Borough*, Powers were granted to Commissioners therein named, to enter upon a certain Piece of Ground in the said Act described, and to set out such Parts thereof as they should adjudge proper for holding the said Market thereon: And whereas some Doubts have arisen about the Description of the said Piece of Ground: And whereas by the said Act it is enacted, That in case the said Churchwardens, Oversees and Inhabitants cannot agree with the Owner or Owners of the said Piece of Ground, or any Part of such Ground, or the Houses and Buildings thereon, for the Purchase thereof, that then the said Commissioners shall cause the Value of such Lands and Hereditaments to be adjusted and settled by a Jury, at any Quarter-Session of the Peace to be holden for the County of *Surry*; which Method has been found inconvenient by reason the said Session is mostly held at a considerable Distance from the said Borough: And whereas the Sum of six thousand Pounds, directed to be raised by the said Act, will not be sufficient to pay for the Purchase of the said Lands and Hereditaments, and other the Purposes in the said Act mentioned: And whereas by the said Act a Rate or Assessment is directed to be made on all Lands, Houses, Tenements and Hereditaments, to make good any Deficiencies which may happen in the Payment of the Annuities in the said Act mentioned; but sufficient Powers are not therein granted for levying the same: For remedying the said Doubts and Inconveniencies, and rendering the said Act more effectual, May it please your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Piece of Ground mentioned and described in the said recited Act, doth and shall be adjudged, deemed and taken to contain the Piece or Spot of Ground in the said former

28 Geo. 2. c. 23.

The Ground described in the recited Act, ascertained.

Act mentioned, called *The Triangle*, and all the Buildings thereon, and all the Buildings and Ground from the Warehouse of Master *Edmund Wagg*, Hop Merchant, near adjoining to the Turnstile in the said Act mentioned, abutting Eastward on *Three Crown Court*, including the West Side of the said Court, to a Piece of Ground called *Kirby Court* in *Fowle Lane*, together with *Kirby Court* and the Buildings therein, and the Buildings on the South Side of *Fowle Lane*.

'II. And whereas the Houses, Ground and Buildings called *Rochester Yard*, were by Indenture of 'Lease bearing Date on or about the nineteenth Day of *August* one thousand seven hundred and thirty, 'demised by *Samuel* Lord Bishop of *Rochester*, who was seised of the same in his Demesne, as of Fee, in 'Right of his Cathedral Church, to *John Howell* of *Lincoln's Inn* Esquire, to hold to him, his Heirs 'and Assigns, for the Term of three Lives therein named, and the longest Liver of them, at and under 'the accustomed yearly Rent of twenty Pounds, and usual Covenants: And whereas the Churchwar-'dens, Overseers and Inhabitants, or seven or more of them, in pursuance of the said recited Act, or 'under Colour thereof, did by Indenture bearing Date on or about the twentieth Day of *January* one 'thousand seven hundred and fifty-six, purchase Part of *Rochester Yard* aforesaid, in the said Indenture 'particularly mentioned and described, of the said *John Howell*, subject to the Payment of fourteen 'Pounds thirteen Shillings and six Pence, to the Bishop of *Rochester*, Part of the said yearly Rent of 'twenty Pounds, and did cause the Buildings that stood thereon to be taken down, and the Ground to 'be made Part of the Area of the intended Market, with a View of erecting divers new Dwelling-houses 'there for the Accommodation of the Butchers and others, exposing or intending to expose Provisions 'and other Goods to Sale therein; to the Intent therefore that the said former Act may be carried into 'Execution, and the Market therein mentioned may be erected, held, continued and maintained;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Right Reverend Father in God *Zachary* Lord Bishop of *Rochester*, and his Successors, and they are hereby enabled and impowered, upon the Surrender of the whole Estate called *Rochester Yard*, demised as aforesaid (reserving the Fee-simple and Inheritance of all and singular the Premisses) to regrant the same in separate Leases; that is to say, As soon as may be after the passing of this Act, to grant to the said Churchwarwardens, Overseers and Inhabitants, their Trustees or Representatives, one Lease of that Part of *Rochester Yard* aforesaid, by the said Indenture dated the twentieth Day of *January* one thousand seven hundred and fifty-six, granted and conveyed to them by the said *John Howell*, and in such Indenture particularly mentioned and described, for the Term of the Lives or Life in Being at the Ensealing and Delivery thereof as aforesaid, at and under the said yearly Rent of fourteen Pounds thirteen Shillings and six Pence, with usual Covenants; or upon the Reservation of such yearly Rent as shall be agreed upon, and shall not be less than fourteen Pounds thirteen Shillings and six Pence, payable as heretofore, with usual Covenants, it shall and may be lawful to and for the said Lord Bishop of *Rochester*, and his Successors, to grant to the said Churchwardens, Overseers and Inhabitants, their Trustees or Representatives, a Lease of that Part of *Rochester Yard* aforesaid, by the said Indenture dated the twentieth Day of *January* one thousand seven hundred and fifty-six, granted and conveyed to them by the said *John Howell*, and in the said Indenture particularly mentioned and described, to hold for any Term not exceeding sixty Years from the making thereof, and to renew the same from time to time, but in such Manner as not to grant any concurrent Lease or Leases thereof; and to grant another Lease of the other Part of *Rochester Yard* aforesaid, to the said *John Howell*, to hold to him, his Heirs and Assigns, for and during the Term of the Lives or Life in Being at the Date of such Lease, at and under the yearly Rent of five Pounds six Shillings and six Pence, and usual Covenants, without any Fine, until a further Renewal.

The Bishop of Rochester may grant separate Leases of Rochester Yard, to the Churchwardens and Inhabitants of the Parish, and to John Howell, Esquire.

III. And be it further enacted, That such several Leases, and such several Reservations of Rent for the Premisses in the Tenure of the said *John Howell*, and the said Churchwardens, Overseers and Inhabitants of the said Parish, hereafter to be had and made respectively, shall be good and available in Law, to all Intents and Purposes, as if such separate Lease or Leases, and such separate Reservations, were of Lands accustomably so demised, and as if such Reservation was the Rent accustomably yielded or paid for such separate Lease or Leases, and the Lands therein respectively to be contained; any Law, Statute, Usage or Custom, or any other Matter or Thing whatsoever to the contrary notwithstanding.

The said Leases, and Reservations of Rent, declared to be valid.

IV. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, if any Person or Persons, Bodies Politick, Corporate or Collegiate, other than and except the said *Zachary* Lord Bishop of *Rochester*, and his Successors, who are by the said recited Act, enabled to convey any Lands, Tenements or Hereditaments, within the Limits aforesaid, shall refuse or neglect to treat and agree with the said Churchwardens, Overseers and Inhabitants, it shall and may be lawful to and for the Commissioners in and by the said Act constituted and appointed, or any seven or more of them, upon Application to be made to them for that Purpose by the said Churchwardens, Overseers and Inhabitants, to give or cause to be given, to the Owner or Owners, or to the principal Officer or Officers of such Bodies Politick, Corporate, Ecclesiastical or Civil, or to leave or cause to be left, at the House of the Tenant in Possession of the Lands or Hereditaments intended to be purchased, twenty-one Days Notice, denoting and particularly describing the same; and purporting that the Value of such Lands and Hereditaments will be adjusted and settled by a Jury, at such Time and Place as shall be therein specified for that Purpose; and it shall and may be lawful to and for the said Commissioners, or any seven or more of them, upon such Application to be made to them, from time to time, to issue and direct a Warrant or Warrants, Precept or Precepts, to the Sheriff of the County of *Surry*, if the Premisses lie within the County at large, and if within the Liberty of the Borough of *Southwark*, to the Bailiff of the said Borough, who are, and each of them is hereby authorised, directed and required accordingly, to impanel, summon and return,

Where other Persons refuse to treat, Notice to be given them, that the Value of their Lands will be settled by a Jury.

Precepts to be issued accordingly for returning a Jury;

return, at such Time and Place as the said Commissioners shall nominate and appoint, twenty-four honest, substantial, and disinterested Persons, duly qualified to serve on Juries, upon the Trials of Issues at Law; and the said Commissioners then present, or any seven or more of them, shall charge a Jury of twelve of the said Persons, and cause them to be sworn, well and truly, on their Oaths, to assess the Value of the Lands or Hereditaments comprised in the said Notice, and the Damages and Recompence for the same to the respective Owner or Owners thereof, according to their respective Interest therein (which Oath the said Commissioners, or any seven or more of them, are hereby authorised and required to administer to such Jury) and to which Jury the said Churchwardens, Overseers and Inhabitants, and all Persons interested in the said Lands or Hereditaments, shall have their lawful Challenges; and after proper Evidence, upon Oath, to them the said Commissioners given, concerning the Nature, Quantity and Value of the said Lands and Hereditaments, the said Jury shall by their Verdict, assess the Damages and Recompence to be given for the said Lands and Hereditaments to the respective Owner or Owners thereof, according to their respective Interests therein; which Verdict of the said Jury, and the Judgment of the said Commissioners upon the same, shall be finally binding and conclusive to the said Churchwardens, Overseers and Inhabitants, and to all Persons interested in the said Lands or Hereditaments; and such Verdicts, and Judgments of the Commissioners upon the same, shall be transmitted to, and fairly entered and kept amongst the Records of the Quarter-Session of the Peace of the County of *Surry*; and the same, or true Copies thereof, shall be taken to be good and effectual Evidence and Proof in any Court of Law or Equity whatsoever; and shall in all Respects be as effectual as if the said Jury had been charged, and the Judgment given by the Justices of the Peace at their Session, or the Adjournment thereof.

who are to assess the Damage and Recompence, on Oath.

Jury may be challenged.

Verdict of the Jury, and Judgment of the Commissioners thereon, to be conclusive, and to be filed among the Records of the Quarter-Sessions.

V. And be it further enacted by the Authority aforesaid, That all Contracts, Agreements, Bargains, Sales, Assignments, Surrenders, and other Conveyances, made or to be made by any Person or Persons whatsoever, to or with the said Churchwardens, Overseers and Inhabitants, or any Person or Persons in Trust for them, by virtue of the said recited Act, or of this Act, shall be good and valid against all Persons whatsoever, and shall extend to be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail and Remainders, as fully and effectually as a Fine or Recovery would do, or would have done, if suffered by proper Parties in due Form of Law.

All Contracts and Sales deemed valid, and to bar all Dower, and Estate, &c.

VI. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for the said Churchwardens, Overseers and Inhabitants, or any seven or more of them, and they are hereby authorised and impowered to raise, borrow, take and receive, of and from any Person or Persons whomsoever, or any Body or Bodies Politick or Corporate whatsoever, who are willing to lend or advance the same, any further Sum or Sums of Money, not exceeding in the Whole, the Sum of two thousand Pounds, for the Payment of such Purchase-money, and for such other Purposes as are by the said Act directed; and for discharging the said further Sum or Sums of Money so to be borrowed, and for doing and completing all Things necessary for carrying the said Act into Execution, it shall and may be lawful for any Person or Persons to contribute, advance and pay into the Hands of the said Churchwardens, Overseers and Inhabitants, or any seven or more of them, any Sum or Sums of Money, not exceeding in the Whole the said further Sum of two thousand Pounds, for the Purchase of one or more Annuity or Annuities, to be paid during the natural Life of such Contributor, or of such other Person as shall be nominated by such Contributor; which Annuity or Annuities shall not exceed the Rate of eight Pounds *per Centum per Annum*, and not exceed in the Whole the Sum of one hundred and sixty Pounds *per Annum*; and shall be payable in such Manner, and at such Times and Places, and shall be publickly sold, as the Annuities appointed to be purchased by the said recited Act are appointed to be paid and sold, and shall be likewise charged upon the Rents and Profits of the Sheds, Stands, Buildings and Erections, upon the Grounds set out and appointed for the Site of the said Market, and all other the Profits of the said Market.

The further Sum of 2000*l.* may be borrowed for the Purposes of the Act,

on Annuity for Lives, at the Rate of 8*l.* per Cent. per An.

to be charged on the Rents and Profits of the Market.

'VII. And for the better and more effectual securing the Payment of the Annuities sold or to be sold, 'by virtue of the said recited Act, and also of this Act, if the Rents and Profits of the said Ground, and 'the Buildings and Erections thereon, and the Rents and Profits of the said Market, shall not be sufficient to pay the said Annuities;' It is is hereby further enacted by the Authority aforesaid, That from and after the passing of this Act, the said Churchwardens, Overseers and Inhabitants, to be chosen as by the said Act is appointed, or the major Part of them, shall from time to time make a Rate or Assessment on all Lands, Houses, Tenements and Hereditaments within the same Parish, not exceeding six Pence in the Pound, for the yearly Rent of such Lands, Houses, Tenements and Hereditaments, as the same shall be ascertained and rated to the Land Tax, for raising and levying such Sum or Sums of Money, as together with the Rents and Profits arising from the said Market shall be sufficient to pay the said Annuities; and that the said Rates or Assessments shall be charged on and paid by the Tenants or Occupiers of the said Lands, Houses, Tenements and Hereditaments, and shall be made yearly or otherwise; and such Rates or Assessments shall be allowed and signed by two Justices of the Peace for the County of *Surry*, or for the said Borough of *Southwark*, who are hereby likewise authorised and impowered to grant a Warrant or Warrants for collecting and levying the same; and the said Rates or Assessments, after the same shall be so allowed and signed by the said two Justices, shall be collected quarterly by such Person or Persons as by the said Churchwardens, Overseers and Inhabitants, or any seven or more of them shall be appointed to collect the same; and if any Person or Persons shall refuse or neglect to pay the Sum or Sums of Money which he, she or they shall be rated or assessed, for the Space of ten Days after Demand made thereof, it shall and may be lawful for the said Collector or Collectors, and they are hereby authorised and required to levy the Sum assessed, by Distress and Sale of the Goods and Chattels of such Person

Rate to be made for making good Deficiencies in the said Fund,

to be allowed and signed by the Justices, and collected quarterly;

and may be levied by Distress and Sale.

son or Persons so neglecting or refusing to pay the same; or to distrain upon the Lands, Houses, Tenements or Hereditaments so charged with any such Sum or Sums of Money; and the Goods and Chattels then and there found, and the Distress so taken, to keep by the Space of four Days; and if the Owner of such Goods and Chattels does not pay the Sum or Sums of Money so rated or assessed within the Space of four Days, then the said Distress to be appraised by two or more sufficient Persons, and to be sold by the said Collector or Collectors for Payment of the said Money, and the Charges of taking and keeping the said Distress; and the Overplus arising by such Sale (if any be) shall be returned to the Owner thereof; and if any Person shall think himself or herself aggrieved by any of the said Rates or Assessments, such Person or Persons shall or may appeal to the General Quarter-Session of the Peace for the said County, or for the said Borough, to be held next after Demand shall be made of Payment by the Collector or Collectors thereof, giving Notice of such his Appeal to the Collector or Collectors ten Days before such General Quarter-Session of the Peace; and the said Justices at their said next General Quarter-Session of the Peace, shall hear and determine the same; which Determination of the said Justices shall be final without any further Appeal therefrom.

Persons aggrieved by the Rate, may appeal to the Quarter-Sessions.

VIII. And be it further enacted by the Authority aforesaid, That the Person or Persons appointed to be Collector or Collectors of the said Rates or Assessments shall, from time to time, pay into the Hands of the said Churchwardens, Overseers and Inhabitants, or into the Hands of such Person or Persons as they, or any seven or more of them shall appoint, all such Sum and Sums of Money as he or they shall collect, levy or receive by virtue of the said Rates or Assessments; and shall also account before any two Justices of the Peace of the said County, or for the said Borough, once or oftener, in every Year, if required thereunto, for all Monies received by him by virtue of the said Rates; and shall pay unto the said Churchwardens, Overseers and Inhabitants, all such Monies as shall, upon making up such Account, appear to be remaining in his or their Hands; and in Default thereof, it shall be lawful for any two Justices of the Peace for the said County, or for the said Borough, to commit such Collector to the Common Gaol of the said County, there to remain until he hath fully accounted and paid the Money so remaining in his Hands.

Collector to pay over the Monies to the Churchwardens, or to their Order; and to account before the Justices yearly, or oftener, and pay over the Balance on making up his Accounts.

IX. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, if any Butcher or other Person, shall sell, utter or set to Sale, any Manner of Flesh, or other raw Victuals, upon or within any Stall, Shop, Cellar or Window, of any House within the said Borough, not being the Owner or Occupier of all the said House, every such Person being thereof convicted, upon the Oath of one or more Witness or Witnesses, before any one or more Justice or Justices of the Peace for the County of *Surry*, or for the said Borough (which Oath such Justice or Justices is and are hereby impowered to administer) shall, for every such Offence, forfeit and pay the Sum of forty Shillings; one Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish where the Offence shall be committed.

Penalty on Persons selling, or exposing Meat to Sale, in any House, &c. except their own.

X. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, if any Poulterer, Country Chapman, Lader, Kidder, Victualler, Gardener, Fruiterer, Fish-seller, or any other Person or Persons, shall sell, utter or put to Shew or Sale, by way of hawking, or as a Hawker, or otherwise, any Beef, Mutton, Lamb, Veal, Pork, Poultry, Butter, Cheese, Fish, Fruit, Herbs, Oatmeal, or other Victuals or Provision whatsoever, in any private House, Lane, Alley, Inn, Warehouse, Street, Stall, common Passage, or other Place or Places whatsoever, within one thousand Yards of the said Market, within the County of *Surry*, but only in his, her or their own Shop or Shops, or in the publick Market-place in the said recited Act and this Act described, and in Market Time only; every such Person being thereof convicted, upon the Oath of one or more Witness or Witnesses, before one or more Justice or Justices of the Peace for the County of *Surry*, or for the said Borough (which Oath such Justice or Justices is and are hereby impowered to administer) shall for every such Offence forfeit and pay the Sum of forty Shillings; one Moiety whereof shall be paid to the Informer or Informers, and the other Moiety shall be paid and applied to the Use of the Poor of the Parish where the Offence shall be committed.

Penalty on Persons hawking, or exposing to Sale, Meat, or other Provisions, within 1000 Yards of the Market, except in their own Shops, &c. in Market Time.

XI. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures by this Act incurred, the Manner of Recovery whereof is not particularly mentioned, shall be levied by Distress and Sale of the Offenders Goods and Chattels, by Warrant or Warrants under the Hand and Seal, or Hands and Seals of the Justice or Justices before whom the Person or Persons so incurring shall be convicted (which Warrant or Warrants such Justice or Justices is and are hereby impowered to grant) returning the Overplus, if any be, to the Owner or Owners thereof, after deducting the said Penalty or Forfeiture, and the Charges of such Distress and Sale; and in case the Person or Persons so offending and convicted, shall have no Goods and Chattels sufficient to answer such Penalty or Forfeiture, then it shall and may be lawful for such Justice or Justices, by Warrant to commit such Offender to the House of Correction, for any Time not exceeding one Month for the first Offence; and for the second, and every other Offence of the same Kind, for any Time not exceeding three Months, nor less than one Month; or until such Penalty or Forfeiture shall be fully paid.

Forfeitures may be levied by Distress and Sale;

and for want of sufficient Distress, Offender to be committed.

XII. And be it further enacted by the Authority aforesaid, That if any Person shall think him or herself aggrieved by any Act, Order or Determination, of any Justice or Justices of the Peace as aforesaid, it shall and may be lawful for such Person to appeal to the General Quarter-Session of the Peace, to be next holden for the said Borough, or for the County of *Surry*, he or she causing ten Days Notice in Writing to be given to the Person or Persons on whose Oath or Oaths such Act, Order or Judgment, shall be so done, made or awarded; which Justices at their said Session, upon Proof of such Notice being given,

Persons aggrieved by Order of Justices may appeal.

given, shall proceed in, and hear and determine the Causes and Matters of the said Appeal; and the Order and Judgment of the said Justices there shall be final and conclusive to all Parties.

XIII. And be it further enacted by the Authority aforesaid, That all the Powers, Authorities, Penalties and Clauses in the said recited Act contained, except such as are hereby particularly varied or altered, shall remain and be in full Force, and be executed for the Purposes of the said recited Act, and this Act, as fully and effectually as if the same were herein again repeated and re-enacted. Powers of the recited Act confirmed, and extended to this Act.

XIV. And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining and passing this Act, shall in the first Place be paid out of the Money raised, or to be raised by virtue of the said recited Act, and this Act. Charges of this Act to be paid out of the first Monies raised.

XV. And be it further enacted by the Authority aforesaid, That this Act shall be adjudged, deemed, and taken to be a publick Act; and shall be judicially taken Notice of as such by all Judges, Justices, and other Persons whomsoever, without specially pleading the same. Publick Act.

CAP. XXXII.

An Act for draining and preserving certain Marsh and Fen Lands and Low Grounds, in the Parish of *Wiggenhall Saint Mary Magdalen*, in the County of *Norfolk*.

'WHEREAS certain Fen Lands and Low Grounds, lying and being in the Parish of *Wiggenhall Saint Mary Magdalen*, in the County of *Norfolk*, containing in the Whole, four thousand Acres, or thereabouts, and bounded as follows; *viz.* From the East End of *Green Dyke*, next *West Fen Load*, to the Bank of the River *Ouze*, and so along under the West Side of that Bank, to *Staple Wear*; and from thence under a certain Bank upon *Wiggenhall Common*, and so along the South Side of that Bank, including the same, to and cross the *Mire Bank*, next *Marshland Fen*, as far as *Chancellor's Dyke*, and so on by *Chancellor's Dyke* Northward, as far as *Broad Fen*; and from thence along a Dyke on the North Side of a certain Bank, called *Border Bank*, to another Bank, called *Fen Bank*, and from *Fen Bank* to *Gillingroe Way*, by the *Perambulation Way*, between *Wiggenhall Saint Peter's* and *Saint Mary Magdalen's*; and from thence by *Gillingroe Way*, to the West End of *Green Dyke*, and along that Dyke to the aforesaid East End thereof; have, for divers Years last past, been, and still are, frequently overflowed with Waters, through the Defects of their Outfalls to Sea, by which Means the same are of little or no Profit to the Owners thereof: And whereas, notwithstanding the Powers and Provisions now in force, for draining and keeping dry the said Fen Lands and Low Grounds, by and under the Commissioners of Sewers, or any other Law, the same cannot be drained or kept dry, without the Aid of Parliament: To enable the Owners and Proprietors of the said Fen Lands and Low Grounds to drain, and to preserve and keep the same drained for the future, by which Means great Benefit will not only accrue to the Publick, but much Profit will arise to the said Owners;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Impropriator and Vicar of *Wiggenhall Saint Mary Magdalen* aforesaid, for the Time being, and all and every Person and Persons who is, are or shall be, Owner or Owners of fifty Acres of Land, or upwards, lying within the Boundaries aforesaid, and chargeable with the Tax hereafter mentioned, shall be, and is and are hereby appointed Commissioner and Commissioners, during the Time of such Ownership, to put this present Act, and all and every the Powers and Authorities herein after-mentioned, in Execution; and also that all and every Person and Persons, who is, are or shall be, Owner or Owners of three hundred Acres of Land or upwards, lying within the said Boundaries, and chargeable as aforesaid, shall have full Power and Authority, during the Time of such Ownership, by Writing under Hand, to be yearly certified and delivered in at one of the two General Meetings to be held on the first *Monday* in *April*, and the first *Monday* in *October*, as hereafter appointed, to nominate and appoint another Person also to be a Commissioner as aforesaid; and also that all and every Person or Persons, who is, are, or shall be, Owner or Owners of fifty Acres of Land or upwards, lying within the said Boundaries, and chargeable as aforesaid, shall have full Power and Authority, during the Time of such Ownership, by Writing under Hand, to be yearly certified and delivered in at one of the said two General Meetings, to nominate and appoint his, her or their Agent or Bailiff to be a Commissioner or Commissioners as aforesaid, in the Place and Stead of such Owner or Owners; and that all and every Person and Persons, so nominated and appointed as aforesaid, shall likewise be, and is and are hereby appointed a Commissioner and Commissioners, during such Ownership as aforesaid, of the Person or Persons respectively so appointing and nominating, to put this Act, and all and every the Powers and Authorities herein after mentioned, in Execution. Commissioners appointed.

II. Provided always, and it is hereby further enacted, That if any Person not qualified as aforesaid, shall presume to act, or shall appoint or nominate any Person or Persons to act, as a Commissioner in the Execution of this Act, he and she shall, for every such Offence, forfeit the Sum of twenty Pounds, to be recovered with full Costs of Suit, by any Person who will inform or sue for the same in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, or upon the Case, Bill, Suit or Information, wherein no Essoin, Protection, Privilege, or Wager of Law, nor more than one Imparlance shall be allowed, and in which Action or Suit it shall be only necessary for the Plaintiff or Informer to prove that the Defendant Penalty on Persons acting, if not qualified.

dant acted as a Commissioner, or nominated or appointed a Person to act as a Commissioner in the Execution of this Act; and a Verdict shall be found against the Defendant, unless he shall prove in his Defence, that he was, at the Time of his so acting, nominating, or appointing, qualified according to the true Intent and Meaning of this Act.

Commissioners Power to make Banks, &c. and to erect Engines,

III. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them are hereby authorized, and shall have full Power, from time to time hereafter, at their Wills and Pleasures to alter, remove, rebuild or repair any of the Engines, Gools, or other Works already made and erected, and to make, and cause to be made, such new Banks, Cuts, Drains, Dams, Outlets, and other Works, in and through, and to make and erect, or cause to be made and erected such Engines, Sluices, Gools, or other Works, upon the said Lands and Grounds so bounded and described as aforesaid, or any of the Banks adjoining thereto, for draining and conveying the Waters from the same Lands into the River *Ouze*, through the Banks of that River, as shall be thought fit, necessary and convenient, by the said Commissioners, or any five or more of them, at the Meeting or Meetings of the said Commissioners herein after appointed for the Purposes aforesaid.

paying for the Damage;

IV. Provided always, That if the said Commishoners shall make, or cause to be made, any Bank, Cut, Drain, Dam, Outlet, or other Work, in or through any several Grounds, or erect or make, or cause to be erected or made, any Engine or Engines, or other Work thereon, they shall pay such a reasonable Satisfaction to the Person or Persons having a Right to the said several Grounds, in or through which such Bank, Cut, Drain, Dam, Outlet, or other Work shall be made, or whereupon such Engine or Engines or other Work shall be erected, for the Damage done thereby, as shall be agreed upon between the said Commissioners, or any five or more of them, and the Party or Parties having Right to such several Grounds; and if the said Commissioners, or any five or more of them, and the said Party or Parties, cannot agree about the Value of such Damage; then, as shall be assessed and adjudged, by the Justices of the Peace, or the major Part of them, not interested in the said Parish of *Wiggenhall Saint Mary Magdalen*, at any General Quarter-Session of the Peace, or Adjournment thereof, to be held for that Division of the said County of *Norfolk*, wherein the said Parish of *Wiggenhall Saint Mary Magdalen* lies, within twelve Months next after such Damages shall be done.

and if the Parties cannot agree, the same to be adjudged by the Justices in Session.

Time and Place of Trustees Meeting.

V. And, for the better putting this Act in Execution; Be it enacted by the Authority aforesaid, That the said Commissioners herein named, or any five or more of them, shall twice in every Year, to wit, On the first *Monday* in *April*, and on the first *Monday* in *October*, or at any other Time or Times, as they shall see Cause, or think convenient, pursuant to Notice in Writing for that Purpose signed by five or more of the said Commissioners, and affixed upon the Bridge of *Wiggenhall Saint Mary Magdalen*, at least six Days before every such other Meeting, meet at some Publick House in *Wiggenhall Saint Mary Magdalen* aforesaid, *King's Lynn*, or *Watlington* in the said County, to be appointed by the said Commissioners, or any five or more of them; the first Meeting to be at the Sign of the *Dolphin* in *Wiggenhall Saint Mary Magdalen* aforesaid, on *Monday* the twentieth Day of *June* one thousand seven hundred and fifty-seven, and may adjourn themselves and meet again pursuant to such Adjournment; and, at any such original or adjourned Meetings, shall be and are hereby impowered to make Orders, and give Directions for altering, removing, rebuilding or repairing, any of the Engines, Gools, or other Works already erected, and for making such proper new Banks, Cuts, Drains, Dams, Outlets, and other Works, through the said Lands and Grounds, and for making and erecting such proper Engines and other Works, thereon and also for the better Government, and more orderly Management of the said Works, and the Maintenance thereof; and to appoint one or more Collector or Collectors, Receiver or Receivers, or such other proper Officer or Officers, with reasonable Salaries, for the making and taking care of such Works, and for collecting the Rates and Assessments which shall be made or assessed for the making and Maintenance thereof, as they the said Commissioners, or any five or more of them, shall think proper: Which said Collector or Collectors, Receiver or Receivers, or other Officer or Officers, so to be named and appointed as aforesaid, shall and may be altered and removed at the Will and Pleasure of the said Commissioners, or the major Part of them, so assembled at such Meeting or Meetings so to be held as aforesaid, who shall and may choose and appoint another or others in the Room and Stead of the Person or Persons so altered and removed, as often as Occasion shall require; and such Collector or Collectors, Receiver or Receivers, so to be named and appointed as aforesaid, before he or they shall act in the Execution of their several Offices, shall give such Security to the said Commissioners for the due Execution of such their respective Offices, and for the executing and performing the several Trusts to them committed, as the said Commissioners, or the major Part of them, shall in their Discretion, see fit and require.

Commissioners Power to make Orders, &c.

choose Officers.

Officers may be removed.

To give Security.

Commissioners to lay an equal Acre-tax, not exceeding 2 s. per Acre each Year.

VI. And be it further enacted by the Authority aforesaid, That at all and every or any of such Meeting or Meetings, so to be held by the said Commissioners, it shall and may be lawful to and for the said Commissioners, or any five or more of them, to assess, rate, tax, and charge all and every the respective Owner or Owners, Occupier or Occupiers of all and singular the said Fen Lands and Low Grounds, so bounded and described as aforesaid, by an equal and proportional Acre-tax, in any Rate or Sum not exceeding two Shillings *per* Acre in each Year, for the making, carrying into Execution, and effecting the said Works of Draining, and for maintaining the same, and for other the Purposes herein mentioned; and to limit and appoint such certain Days and Places for the respective Payments thereof, Half-yearly, to the Collector or Collectors, Receiver or Receivers, for the Time being, as the said Commissioners, or any five or more of them, under their Hands shall direct and appoint.

VII. Provided

VII. Provided always, That no Assessment, Rate or Tax, shall be made, collected or levied, upon, for or in respect of any High Lands, within the Boundaries aforesaid, not subject to Inundations; and if any Dispute shall arise, whether any of such Lands ought to be deemed High Lands, the same shall be determined by five or more of the said Commissioners, at any of their said Meetings; but in case they shall not determine such Dispute within three Months after they shall be requested so to do, or if any Person or Persons shall think himself, herself or themselves, aggrieved by such Determination of the said Commissioners, then it shall and may be lawful for him, her or them, to apply and appeal to the Justices of the Peace, or the major Part of them, at their General Quarter-Session of the Peace, or Adjournment thereof, to be holden for the aforesaid Division of the said County of *Norfolk*, within six Months after such Dispute or Determination shall happen; which said Justices shall and may adjourn such Dispute and Appeal to any other Session of the Peace for the said Division of the said County, and finally determine the same at any of the said Sessions, and give such Costs to either Party as they shall think reasonable.

High Lands not to be charged.

Justices to determine Differences.

'VIII. And forasmuch as the said Money so to be rated, levied, collected, and gathered as aforesaid, 'will not be sufficient to defray the immediate Expence of altering, removing, rebuilding, or repairing 'any of the Engines, Gools, or other Works already erected, and making such new Banks, Cuts, 'Drains, Dams, Outlets, and other Works, and erecting such Engines and other Works as will be ne-'cessary for draining, and for the speedy Improvement of the said Fen Lands, and Low Grounds;' Be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall and may, and are hereby impowered, from time to time, to borrow any Sum or Sums of Money which they shall think necessary, for altering, removing, rebuilding, or repairing the said Engines, Gools, or other Works already erected, and the making, carrying on, and preserving the said Works; and by Writing under their Hand and Seals, to assign over the said Rates, Taxes, and Sums of Money above mentioned to be assessed, rated, taxed, and charged as aforesaid, or any Part thereof (the Costs and Charges of which Assignments shall be borne and paid out of the said Tax) for any such Time or Times, or Number of Years, and in such Manner and Form, as to the said Commissioners, or any seven or more of them shall seem meet, as a Security for any Sum or Sums of Money by them to be borrowed for that Purpose, to such Person or Persons, or their Trustees, who shall advance and lend the same, to secure the Repayment thereof, with Interest, not exceeding five Pounds *per Centum per Annum*; which said Money so borrowed shall be applied, in the first Place, to pay and discharge the Charges and Expences of obtaining this Act of Parliament, and then shall be applied and disposed of in altering, removing, rebuilding or repairing any of the Engines, Gools or other Works already erected, and in making such new Banks, Cuts, Drains, Dams, Outlets and other Works, and erecting such Engines and other Works as aforesaid, for the effecting the draining and improving the said Fen Lands and Low Grounds described as aforesaid, and to be applied and disposed of to no other Use or Purpose whatsoever.

Commissioners to borrow Money on the Tax.

Money not to be borrowed but at a publick Meeting, and not by less than 7 Commissioners.

Application of the Money.

IX. And be it further enacted by the Authority aforesaid, That in case Default shall be made by any Person or Persons so assessed, rated, taxed and charged as aforesaid, in his, her or their respective Payments, so to be assessed and rated, and appointed to be made as aforesaid, by the Space of twenty Days after the Time limited for the Payment thereof, and Demand made by the Collector or Collectors, Receiver or Receivers, to be appointed as aforesaid, by leaving Notice in Writing of such Demand, at the most notorious Part of the Premisses, charged with the Sum or Sums so assessed and rated, or at the usual or last Place of Abode of the Person or Persons who is, are or ought to pay the same, or at the Door of the Church of *Wiggenhall Saint Mary Magdalen* aforesaid; it shall and may be lawful to and for such Collector or Collectors, Receiver or Receivers, or for any other Person or Persons, by Virtue of any Warrant or Precept under the Hands and Seals of any two or more of the said Commissioners (which said Warrant or Precept such Commissioners or any two or more of them are hereby impowered, from time to time to make, as Occasion shall require) to distrain any Goods, Chattels or Cattle of any Person or Persons making Default in his, her or their respective Payments as aforesaid, wherever the same shall be found; and also any Goods, Chattels or Cattle that shall be found upon the said Grounds and Premisses so charged with any such Sum or Sums of Money; and the Goods, Chattels and Cattle so distrained, to keep for the Space of five Days, at the Costs and Charges of the Owner or Owners thereof, leaving Notice in Writing of the Cause of such Distress at the Dwelling-house, or some other notorious Part of the said Grounds and Premisses, and to cause the same to be appraised and sold, as hereafter mentioned; and if the said Owner or Owners shall not pay the Sum or Sums of Money so assessed and rated, together with the Charges of making such Warrant, and taking such Distress, and keeping and maintaining the same, within the said five Days, and then the said Goods, Chattels and Cattle so distrained shall be appraised by two or more of the Inhabitants of the Parish where the same shall be taken, or other sufficient Persons, and be sold by the said Collector or Collectors, Receiver or Receivers, for Payment of the said Money so assessed and rated, and also of the said Charges, and likewise of the Charges of appraising and selling such Distress, and the Overplus coming by such Sale (if any be) over and above the Sum or Sums so rated and assessed, and the aforesaid Charges shall be returned, on Demand, to the Owner or Owners thereof; and the several and respective Occupier and Occupiers of all and singular the said Fen Lands and Low Grounds so bounded and described as aforesaid, which shall be assessed or rated by Virtue of this Act, are hereby required and authorized to pay such Sum and Sums of Money as shall be so assessed and rated upon such Fen Lands and Low Grounds; and to deduct out of the Rent so much of the said Assessment or Rate as the said Fen Lands or Low Grounds, or Occupier or Occupiers

Commissioners may distrain for Taxes.

Distress may be appraised and sold, after 5 Days.

Tenants to pay the Rates, and deduct the same out of the Rents.

cupiers in Respect thereof shall be assessed or rated at, and the Landlords, both mediate and immediate, according to their respective Interests, are hereby required to allow such Deduction and Payment, upon Receipt of the Residue of their Rents; and that every Occupier paying such Assessment or Rate, shall be acquitted and discharged for so much Money as the said Assessment or Rate shall amount unto, as if the same had been actually paid to such Person or Persons unto whom his, her or their Rent should have been due and payable.

Person neglecting to pay the Rates for 2 Months after Demand, forfeits 5s. for every 20s. he shall be in Arrear; to be levied by Distress and Sale; if no Distress be found, the Lands to remain a Security for the Tax, &c.

'X. And, to the End that the full Sum which shall be so rated or assessed, may be duly answered and 'paid; Be it enacted by the Authority aforesaid, That if any Person shall refuse or neglect to pay to the Collector the Sum with which he or she shall be respectively charged by the Space of two Months, after a personal Demand hath been made thereof by the said Collector, every such Person shall forfeit and pay the further Sum of five Shillings for every twenty Shillings which shall be in Arrear and unpaid, to be levied by Distress and Sale of his, her or their Goods and Chattels, in such Manner as any other Penalty is herein before directed to be levied; and the Money arising by such Distress and Sale, shall be applied towards carrying on the said Works of Draining, and other the Purposes of this Act.

XI. Provided always, and it is hereby enacted and declared, That in case any of the said Lands and Grounds shall at any Time hereafter be untenanted or unoccupied, or the Owner or Owners thereof shall not be found, so that no sufficient Distress can be made for levying the said Rates and Taxes, then the Lands and Grounds chargeable therewith shall always remain a Security for Payment thereof; and all Goods and Chattels which shall at any Time thereafter be found thereon, shall and may be distrained, kept, appraised and sold in Manner aforesaid, until all Arrears of the said Rates and Taxes and Charges, shall be fully paid and satisfied.

Rates liable to the Payment of the Money borrowed, &c.

XII. And it is hereby further enacted and declared, That the Rates, Taxes and Sums of Money hereby enacted to be assessed upon and paid by the Owners or Occupiers of the Lands, Grounds and Premisses aforesaid, shall be charged and chargable, in the first Place, with and for the Payment of all and every such Sum and Sums of Money so to be borrowed as aforesaid, and the Interest thereof, from Time to Time, and shall vest in the respective Creditors, upon Default of Payment of such Principal Money and Interest, until the same shall be fully paid and satisfied, together with the Costs and Charges occasioned by the Non-payment thereof.

'XIII. And, for the more effectually securing unto such Creditors as aforesaid the regular Payment of 'all Interest that shall, from Time to Time, become due unto them for or in Respect of any such Prin-'cipal Money so to be lent and advanced by them as aforesaid,' It is hereby further enacted, That when and so often as any half-yearly or yearly Payments of Interest shall become due unto any such Creditors as aforesaid, his, her or their Executors, Administrators or Assigns; and the same shall have remained in Arrear and unpaid by the Space of three Months next after the Day or Days on which the same ought to have been paid, Demand thereof having been first made of the Receiver or Collector of the said Rates and Taxes for the Time being, if there should then be any such Officer residing in or within five Miles of the said Parish of *Wiggen-hall Saint Mary Magdalen*; then, and in every such Case, it shall and may be lawful to and for every such Creditor, his, her or their Executors, Administrators or Assigns, forthwith to raise and levy by Distress and Sale of any Goods, Chattels or Cattle that shall be found upon any Part of the said Lands, Grounds and Premisses, so charged or chargeable as aforesaid, with the Payment of the said Rates and Taxes, all and every such Arrear and Arrears of Interest as aforesaid, together with the Costs and Charges of raising and levying the same, returning the Overplus to the Owner or Owners of such Goods, Chattels or Cattle so distrained and sold; and the aforesaid Commissioners, at their next Meeting which shall be held after such Distress so taken as aforesaid, shall and are hereby required, out of the said Rates and Taxes, to reimburse unto such Owner or Owners all and every such Sum and Sums of Money as shall have been so raised and levied upon him, her or them by such Creditor or Creditors as aforesaid.

Creditors may distrain for Interest, if not paid half yearly, or within 3 Months after.

Assignments transferrable without Stamp.

XIV. And it is hereby further enacted, That the said Assignments or Securities so to be made as aforesaid, under the Hands and Seals of seven or more of the said Commissioners, shall and may be assignable or transferrable by Indorsement on the original Grant or Security thereof or otherwise, without Stamp, to any Person or Persons whatsoever; and the Person or Persons to whom such Transfer or Assignment shall be made, shall from thenceforth be well and sufficiently intitled to all the Monies due and to grow due on the said original Grant or Security.

Person maliciously destroying the Works guilty of Felony.

XV. And it is further enacted, That all and every Person or Persons whomsoever, who shall at any Time or Times hereafter wilfully and maliciously cut, throw down, burn or otherwise destroy any Bank, Mill, Engine, Flood-gate or Sluice already erected or made, or which shall at any Time hereafter be making or erecting, or made or erected for the draining or improving the said Fen Lands or Low Grounds, as aforesaid, or any Part thereof, and shall thereof be lawfully convicted, shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court, by or before whom such Person shall be tried, shall and have hereby Power and Authority to transport such Felons for seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm; and if any Person or Persons shall, at any Time hereafter, maliciously destroy, stop, dam up, spoil or damage any Drain, Watercourse, Door, Dam, Bridge or other Work or Works already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected for answering the Purposes aforesaid, or shall lay or set any Nets or other Engines therein, every Person or Persons so offending, being thereof convicted before two or more Justices of the Peace for the County of *Norfolk*, who are hereby required to hear and determine the same, on the Oath of one or more credi-

Persons maliciously stopping up, &c. any Drain, &c.

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ble Witness or Witnesses, or on the Confession of the Party offending, shall forfeit for every such Offence the Sum of twenty Pounds to the said Commissioners, to be applied for the Purposes for which the said Rates and Taxes are hereby directed to be applied, and to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the said Justices before whom such Conviction shall be made; and, in Default of such Distress or Payment of the said full Sum of twenty Pounds, the Person or Persons so offending shall, by the said Justices, be committed to the House of Correction of the said County, there to be kept to hard Labour for such Time as such Justices shall order and direct, not exceeding six Months, at the Discretion of the said Justices by whom such Commitment shall be made.

Shall forfeit 20*l.*

or be kept to hard Labour.

XVI. And it is hereby further enacted, That if any Person or Persons shall at any Time make or cause to be made any Watering-place or Place of Access for Cattle to drink in any of the Mill-drains within the said Fen Lands or Low Grounds, or shall continue to use any such Watering-place or Place of Access, after Notice in Writing to the contrary thereof given to him, her or them, by any two or more of the said Commissioners, every Person or Persons so offending, being thereof convicted before one Justice of the Peace for the said County of *Norfolk*, on the Oath of one or more credible Witness or Witnesses, or on the Confession of the Party offending, shall forfeit for every such Offence the Sum of ten Shillings to the said Commissioners, to be applied as aforesaid, and to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hand and Seal of the said Justice before whom such Conviction shall be made.

Penalty for making Place for Watering at the Mill drains.

'XVII. And to the End that it may appear clearly what is raised from Time to Time, by Virtue of 'the said Assessments or Rates, and how the same hath been applied, and that all Accounts relating to 'the Monies raised and disbursed by Virtue of this Act, may be fairly examined;' Be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall cause a Book of Assessment to be made and kept, and all Rates and Assessments made as aforesaid under this Act to be fairly entered therein; and also a Book of Account to be made and kept, and an Account of all the Receipts and Disbursements relating to all Monies received or disbursed by Virtue of this Act, to be fairly entered in the same; and that no Accounts shall be passed or allowed, unless the same shall be kept and made up in such Books as aforesaid; and that once in every Year, to wit, The first *Monday* in *April*, they the said Commissioners, or any five or more of them, being the major Part of the Commissioners present at such Meeting, shall carefully inspect and examine all Receipts and Disbursements of such Monies as shall be collected, received or disbursed by Virtue of this Act, to the twenty-fifth Day of *March* then next before such Meeting, and Vouchers relating to the same; at which said Time the Collector or Collectors, Receiver or Receivers of the said Rates and Sums of Money to be raised as aforesaid, are hereby required to attend with his or their Books of Assessment, Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination of the said Accounts upon Oath, to be administered by five of the said Commissioners, and which Oath five of the said Commissioners are hereby impowered to administer, the said Commissioners, or any such five or more of them as aforesaid, are hereby impowered and ordered to allow and pass the said Account as they shall think fit, or such Part or Parts of the same as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts of them as shall be allowed by the said Commissioners, or any five or more of them as aforesaid, under their Hands, shall be fairly entered into two several Sets of Books to be kept for those Purposes; one Set whereof shall be kept by the said Commissioners, and the other Set shall remain in the Church Chest of the Parish of *Wiggenhall Saint Mary Magdalen* aforesaid; and the said Books shall and may be inspected and perused, at any Time at seasonable Hours, by any Person or Persons, being an Owner or Owners of any Part of the said Fen Lands and Low Grounds, requiring the same, without Fee or any other Reward.

Accounts how to be kept and entered.

Commissioners to take the Accounts upon Oath.

XVIII. And it is hereby further enacted by the Authority aforesaid, That all Owners and Occupiers of Lands, lying and being within the Boundaries aforesaid, shall make, and from Time to Time, and at all Times hereafter, keep all the Outring or Division Dykes or Drains belonging to their said Lands respectively, nine Feet wide and five Feet deep from the level Soil; and shall also, from Time to Time, and at all Times hereafter, cause the same Dykes or Drains to be well and effectually roaded, scoured and cleansed from Weeds and other Rubbish and Obstructions, and cause Bridges or Tunnels to be laid over the said Dykes and Drains, where the said Commissioners or the major Part of them, at any of the said Meetings, shall judge necessary for the better issuing, running and conveying away the Waters therein; and if any such Owner or Occupier shall refuse or neglect to make or keep such his or her Dykes or Drains of the Dimensions aforesaid, or to road, scour or cleanse the same from Weeds or other Rubbish or Obstructions, after fourteen Days Notice to him or her given, or left at his or her last or usual Place of Abode, in Writing under the Hands of two or more of the said Commissioners, then shall such Owner or Occupier forfeit two Pence *per* Rod for every Rod neglected to be so roaded, scoured and cleansed; and the said Commissioners, or any two or more of them, shall and may, and they are hereby authorized and required to cause the same to be done in a proper and effectual Manner; and by Warrant under their Hands and Seals, to authorize and impower their Collector or Collectors, or any other Person or Persons to levy and raise the Money expended in doing thereof, and also the said Penalty of two Pence for every Rod so neglected as aforesaid, by Distress and Sale of such Goods and Chattels as shall at any Time thereafter be found on the Lands or Grounds to which such Drains or Dykes, Bridges or Tunnels shall appertain or belong; such Penalty to be applied as is herein before directed concerning the Penalty for damaging any of the Works made or erected, or to be made or erected, by or under the Authority of this

Directions concerning Dykes and Drains,

Bridges and Tunnels.

If Owners neglect, Commissioners may order Drains, &c. to be made and scoured.

Penalty per Rod.

Money so expended to be levied with Charges.

Act; and the Person or Persons to whom such Warrant or Warrants shall be directed, shall and may levy the Money so expended, by Distress and Sale of the same Goods and Chattels, together with all incident Charges, in the same Manner as the said Rates and Taxes are herein before directed to be levied, rendering the Overplus, if any be, to the Owner or Owners thereof.

Commissioners not to prejudice the Navigation of the Ouze.

XIX. Provided also, and it is hereby further enacted and declared, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to impower the said Commissioners appointed for putting this Act in Execution, to erect or set up any Sluice or Dam across the River *Ouze*, or to do or perform any other Work or Works which may prejudice the Navigation of the said River *Ouze*, or obstruct or hinder any Waters from falling down the said River, through *Lynn* Channel to Sea.

Limitation of Actions.

XX. And be it further enacted by the Authority aforesaid, That if any Action, Suit or Information shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act, and in the Execution of any of the Powers and Authorities hereby given, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed, and not afterwards; and shall be laid and brought in the said County of *Norfolk*, and not elsewhere; and the

General Issue.

Defendant or Defendants in such Actions or Suits shall and may plead the General Issue; and if in Replevin, may justify and avow by Virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do, and give this Act and the Special Matter in Evidence, without specially pleading the same, other than as aforesaid, at any Trial to be had thereupon; and that the same was done in Pursuance and by the Authority of the said Act; and if the same shall appear to have been so done; or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought or laid in any other County; then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff shall become nonsuit, or forbear Prosecution, or discontinue his, her or their Suit or Suits; or if any Verdict shall pass against him, her or them; or Judgment be given against him, her or them, upon a Demurrer, or otherwise; then and in any of the said

Treble Costs.

Cases, the Defendant or Defendants, Avowant or Avowants shall recover treble Costs, for which he, she or they shall have like Remedy, as where Costs by Law are awarded.

Publick Act.

XXI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, taken and allowed to be a publick Act; and all Judges, Justices and other Persons are hereby required to take Notice thereof as such, without specially pleading the same.

CAP. XXXIII.

An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of *Ramsey*, *Bury*, *Wistow*, *Warboys*, *Farceitt*, *Standground* and *Water-newton* in the County of *Huntingdon*, and of *Doddington* in the *Isle of Ely* and County of *Cambridge*.

'WHEREAS certain Fen Lands and Low Grounds in the several Townships or Parishes of *Ramsey*, *Bury*, *Wistow*, *Warboys*, *Farceitt*, *Standground* and *Water-newton* in the County of *Huntingdon*, and also in the Township or Parish of *Doddington* in the *Isle of Ely* and County of *Cambridge*, containing in the Whole, by Estimation, nine thousand one hundred and eighteen Acres, or thereabouts, and which are bounded and described as follows; that is to say, Beginning at the South Bank of the *Forty Foot* River, and from thence along by the Side of the Outring Ditch of a Piece of Ground of *William Chandler*, which divides that and a Muchwood Part, called *A Thistle Green Lot*; and from thence to the Farm-yard of *Coulson Fellows* Esquire, now in the Occupation of *Abraham Staffourth*; and from thence along the Skirts of the Highlands belonging to the said Farm; and from thence along the Skirts of the Highlands of *Worlick* Farm; and from thence along by the Skirts of the Highlands of another Farm of the said *Coulson Fellowes*, in the Tenure or Occupation of *Elizabeth Salmon*, Widow; and from thence along by the Skirts of the Highlands of one other Farm of the said *Coulson Fellowes*, now in the Occupation of *Henry Brown*; and from thence along the Skirts of the Highlands adjoining to certain Fen Grounds called *The Hollow Head*; and from thence along the Highland Skirts of a Ground called *The Oak-tree Ground*, to the Skirts of the Highlands of *Simon* Earl of *Harcourt*, to the Outring Ditch that divides the Parishes of *Ramsey* and *Bury*, to the Outring Dike of a *Bury* Fen Lot belonging to *Richard Batson*, which divides that Lot from a Lot of *John Poulter*, Yeoman, to a certain Drove called *Long Drove*, and across the said Drove to the Outring Dike of a Lot of *Helen Smith*, Widow, which divides a Lot of the said *John Poulter* and a Lot of *Ann Sibley*, Widow, to the Outring Dike of *Jonathan Nicholls* Gentleman, and along the said Dike to the North End of a Piece of Land called *Willow-row*, belonging to the said *John Poulter*, and along the East and South Dike of the said *Willow-row* to a Drove called *Jack's Corner Drove*, and along the said Drove to a twenty Acre Piece of Sir *John Barnard* Baronet, and along the Division Dike, which divides a Lot of *Stephen Goslin*, Yeoman, and a Lot of the said Sir *John Barnard*, to a Division Dike, which in Part divides the said twenty Acres and *Vicar's Closes*, and thence across a Drain, which in Part divides the said *Vicar's Closes* and *Jack's Corner*, the Lands of the said Sir *John Barnard*, to a Dike which divides the Highlands of the said *Vicar's Closes* from the fenny Parts thereof, to a *Wistow* Fen Lot called *Durrant's Lot*, from thence to a Drove called *Durrant's Drove* to *Wistow Fen Long Drove*, and from thence to *Wistow Stray Pasture Drove*, and along the same to *Wistow Stray Pasture*, and along the Highland Skirts thereof to the Division Dike which divides the Parish of *Warboys* and the said *Wistow Stray Pasture*, and the Land Skirts of *Warboys Stray Pasture* next

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'the fenny Parts thereof, to the Outring Dike of the said *Stray Pasture*, which divides that and the Common called *Old Stray Pasture*, and along the said Dike to the Outring Dike of *Mary Catlin*, Widow, which divides her *Adventurers Land* and the said Common called the *Old Stray Pasture*; and from thence to *Puddock Drove*; and from thence along the said *Drove* to *Puddock Bridge*, or the South Bank of the *Forty Foot* River; and from thence along the said Bank, to that Part thereof which is opposite to the aforesaid Piece of Ground of the said *William Chandler*, adjoining to his Muchwood Part, and called *A Thistle Green Lot*; and all the Lands and Grounds lying within such Boundaries, containing by Estimation, three thousand eight hundred and fifty-seven Acres, or thereabouts, which said Lands and Grounds may be conveniently, and are therefore herein after made, the first District of the Lands and Grounds intended by this Act to be drained and preserved; and all those Lands and Grounds lying within the Fen called *Stocking Fen* or *Stocking Fen Lottery*, beginning at the House of *Robert Boyden* in the *Great White* at *Ramsey* Town's End, along the East Bank of *Ramsey High Load* to the Drove-way which runs from the said High Load opposite to the Gate of the Yard called *The Bricklin*, and thence along the Dikes which divide *Muchwood Parts*, *Bangor's Fields*, and the said *Stocking Fen*; and thence by the Dike which divides the Lands of *David Burges* and *Holiday's Closes*, to the Outring Dike which divides the Grounds called *Islington*; and by the said Dike to *Muckhill End*; and so along the Drove at the Yard's End to the Garden and House of the said *Robert Boyden*, and all the Lands and Grounds lying within such Boundaries in the said Township or Parish of *Ramsey*, containing by Estimation, two hundred and fifty Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made the second District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds lying within the said Fen called *The Bill* or *Bill Lottery*, bounded on every Side by the *Nene*, *Ramsey High Load*, and the *Bill Load*, and all the Lands and Grounds lying within such Boundaries, in the said Township or Parish of *Ramsey*, containing by Estimation, two hundred and sixty-four Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made, the third District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds bounded and described as follows; that is to say, Beginning at the Gateway upon the Bank on the North Side of the River *Nene*, between the Lands called *Plaws*, and the Corner of the Outring Dike of a Loadsend Lot of *Robert Serjeant*, along the said Bank next the River *Nene*, to *Peter Descow*'s Bridge; and then by the Side of *Ramsey Hern* next the said River, to the Corner of *Draper's Delph*; and from thence to be continued next to the Outring Dike of *Ramsey Hern*, next *Draper's Delph*, to the said River *Nene*, along the East Bank thereof, to *Dantree Style*, next the Common called *The Gore Common*; and along the same, next the Outring Dike of *Dantree Farm*; and excluding *Dantree Farm*, to a Farm of the said *Coulson Fellowes*, in the Occupation of *Hosea Taffine*; and along the said Farm, next the Outring Dike of the said *Dantree Farm*; and thence along the North Side of the Division Dike which divides the Lands of *Matthew Wyldbore* Esquire, now in the Tenure of *Johnson*, Widow, and the said *Dantree Farm*, to the Bank of the said Widow *Johnson*, next *Whittlesea Meer*, and along the same Bank, to *Bevill's* River Side; and from thence along the South West Side of a Drove-way which divides the Parishes of *Water-newton* and *Whittlesea*; and from thence across *Upwood Drove* and *Drain* near *Plumber's Bridge*, to the South West Side of *Delph Dike*, to the Division Dike which divides *Middlemore* and *Loadsend* aforesaid; and then along the Side of the same Dike to the Gateway upon the Bank on the North Side of the River *Nene*, between the Lands called *Plaws* and the Corner of the Outring Dike of a *Loadsend* Lot of *Robert Serjeant* aforesaid, containing by Estimation, two thousand nine hundred and ninety-one Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made the fourth District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds called *Loadsend* and *Longbeach*, with *Beaupre* and *Winsore Meer*, and the *Adventurers Lands* of *Robert Boyden*, in the said Township or Parish of *Ramsey*, containing by Estimation, five hundred and forty-three Acres, or thereabouts; which Lands and Grounds may be conveniently, and are therefore herein after made the fifth District of the Lands and Grounds hereby intended to be drained and preserved; and all those Lands and Grounds called *Meerside* and *Midfetter Lottery*, in the said Township or Parish of *Ramsey*, with fifty Acres, now belonging to *Francis Iberson*, and one hundred and eighty Acres to the said *Coulson Fellowes*, containing in the Whole by Estimation, one thousand two hundred and thirteen Acres, or thereabouts, and bounded as follows; that is to say, Beginning upon *Delph Dike*, opposite to the Outring Dike of *Francis Iberson's* fifty Acres, next *Glassmore*, to the Outring Dike of the one hundred and eighty Acres of the said *Coulson Fellowes*, next *Glassmore*, to a Drove called *Hunsdrove*, and along the same Drove to a Farm of the said *Coulson Fellowes*, now in the Tenure of *Isaac Hanchor*; and along the Outring Dike which divides the said Farm and *Meerside Lottery*, to a certain Stile or Heading on the Bank next the River *Nene*; from thence along the same Bank to another Farm House of the said *Coulson Fellowes*, in the Tenure of *William Brown*; and along the same Bank to *Badsey Gravel* and *Loadsend Bank*; and from thence along *Delph Dike Drove*, opposite to a certain Farm of the said *Matthew Wyldbore*, in the Tenure of *Bartholomew Ibbit*, across the *Meerside Drove*, upon *Delph Dike Bank*, to the Corner of the Outring Dike of the fifty Acres next *Glassmore*, of the said *Francis Iberson*, opposite to *Delph Dike* aforesaid; and all the Lands and Grounds within such Boundaries; which Lands and Grounds may be conveniently, and are therefore herein after made the sixth District of the Lands and Grounds hereby intended to be drained and preserved, which are subject to be overflowed, but are capable of being drained, and thereby greatly improved;' May it therefore please your Majesty, that it may be enacted, And be it enacted by the King's most Excellent

Lands divided into six Districts.

Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, this present Parliament assembled, and by the Authority of the same, That the said Fen Lands and Low Grounds shall be and are hereby divided into six Districts, in such and the same Manner as the same are herein before set forth, bounded and described, and shall be called and known by the Names of the first, second, third, fourth, fifth and sixth Districts, in such Manner as is herein before particularly mentioned.

Commissioners for the first District;

for the second District;

for the third District;

for the fourth District;

for the fifth District;

for the sixth District.

II. And be it further enacted by the Authority aforesaid, That the respective Persons herein after appointed and nominated, and their Successors, to be elected in such Manner as is herein after directed, shall be Commissioners for putting this Act, and all the Powers herein contained in Execution, within and in relation to the said several Districts; that is to say, That the Lord or Lady for the Time being of the respective Manors of *Bury* and *Wistow*, or in his or her Absence, an Agent appointed by such Lord or Lady respectively, under his or her Hand, together with *Reade Peacock*, *Robert Boyden*, *James Edwards*, *John Dixon*, *Richard Lovell*, *William Scotchbrook*, *Jonathan Nicholls*, *James Pearson*, *John Beard*, *Henry Poulter*, *Francis Overall*, *Francis Iberson*, *John Burges*, *John Cole*, *John Poulter*, *John Campion*, *William Campion*, *Barnabas Brighty*, *Robert Hotchkins*, *Stephen Goslin*, *William Goslin*, *John Waller*, *Thomas Pyke* and *William Wright*, shall be the Commissioners for the first District: That *William Chandler*, *Peter Descow*, *Francis Overall*, *Francis Iberson*, *Robert Boyden*, *John Beard*, *William Campion*, *Francis Wise*, *David Burges*, *Abraham Staffourth*, *Francis Lee*, *William Austin* and *John Burges*, shall be the Commissions for the second District: That *Francis Overall*, *Francis Wise*, *William Chandler*, *David Burges*, *Francis Phillips*, *John Dixon*, *Thomas Charter*, *John Poulter*, *Richard Leach*, *John Smith*, *John Burges*, *Owen Fann* senior, and *Barnabas Brighty*, shall be the Commissioners for the third District: That the Agent of the Right Honourable *Henry* Earl of *Lincoln*, and the Heirs or Assigns of the said Earl, being Owners of the Lands which are now possessed by him in the fourth District, together with *Peter Descow*, *Robert Butcher*, *Hungerford Keate*, *Benjamin Letall*, *Jacob Bailey*, *Roger Burges*, *Isaac Bailey* and *Matthew Wyldbore*, shall be Commissioners for the fourth District: That *John Dixon*, *Barnabas Brighty*, *James Poulter*, *John Middleton* of *Upwood*, *Richard Brown*, *Robert Serjeant*, *James Peirson*, *Richard Potts*, *Henry Hampshire*, *John Clarkson* and *John Middleton* of *Ramsey*, shall be Commissioners for the fifth District: That *Francis Iberson*, *Isaac Hanchor*, *Samuel Hawkins*, *Thomas Selby*, *Barnabas Brighty*, *John Serjeant*, *William Austin*, *John Dixon*, *George Keate* and *Matthew Wyldbore*, shall be the Commissioners of the sixth District: And that the Lord or Lady of the Manor of *Ramsey*, or in his or her Absence, an Agent appointed by such Lord or Lady, under his or her Hand, shall be one other Commissioner for each and every of the said six Districts.

Perpetual Commissioners.

III. And be it further enacted by the Authority aforesaid, That the Lords or Ladies of the said Manors for the Time being, and in their Absence the said Agents, and the Agent of the said Earl of *Lincoln*, his said Heirs or Assigns, shall be at all Times hereafter Commissioners for the respective Districts for which they are herein before appointed: And that the several other Persons nominated Commissioners for the said Districts respectively, shall continue Commissioners until the *Friday* in *Easter* Week one thousand sevy hundred and fifty-eight, or until other Commissioners shall be chosen in Manner hereafter directed.

Commissioners to be elected annually.

IV. And be it further enacted by the Authority aforesaid, That the Proprietors of Lands within the said respective Districts, being qualified as is herein after mentioned, shall assemble in the Parish Church of *Ramsey*, on the *Friday* in *Easter* Week one thousand seven hundred and fifty-eight; and between the Hours of Eleven of the Clock in the Morning and Two in the Afternoon, elect such Number of Commissioners for the Year ensuing as is herein after respectively mentioned; that is to say, For the first District, twenty-four Commissioners, thirteen of whom shall be Owners of Land within such District in the Parish of *Ramsey*; six shall be Owners of Land within such District in the Parish of *Bury*; and the remaining five shall be Owners of Land within such District in the Parish of *Wistow*: For the second District, thirteen Commissioners: For the third District, thirteen Commissioners: For the fourth District, eight Commissioners: For the fifth District, eleven Commissioners; and for the sixth District, ten Commissioners: And the said Proprietors of Lands respectively shall, in like Manner, assemble on the *Friday* in *Easter* Week in the next and every other succeeding Year, and elect Commissioners for each District; and the Persons so from time to time chosen, and being qualified as is herein after mentioned, shall act as Commissioners until the *Friday* in *Easter* Week in the succeeding Year: And the Elections for each respective District shall be made by the Majority of the Proprietors of Lands within such Districts respectively, who shall be present at such Meetings; and in case of Equality of Voices, shall be determined by the Votes of the Proprietors present, who are Owners of the largest Share of the Lands in the District for which such Meeting shall be held and such Election shall be made; and the Names of the Persons elected shall be entered by the Collectors or Receivers for such respective Districts, in Books to be kept for that Purpose: And in case the said Proprietors shall neglect to meet in any one Year, at the Time and in the Manner herein before appointed for the Choice of Commissioners for any one or more District or Districts, or being assembled, shall not make such Election, the Commissioners in the preceding Year for such respective District or Districts shall continue from time to time Commissioners for the succeeding Year, and until a new Election shall be made on the *Friday* in *Easter* Week as aforesaid.

Commissioners dying, &c. others to be chosen.

V. Provided always, and it is hereby enacted and declared, That from time to time, as often as any Commissioner hereby nominated, or hereafter to be elected in Manner aforesaid, for the said several Districts respectively, or any of them, shall die or become disqualified, it shall and may be lawful for the

Proprietors of Lands in such Districts respectively, who are qualified as aforesaid, to elect one other Commissioner in the Stead of the Commissioner so dying or becoming disqualified, from time to time as often as Occasion shall require; and every Commissioner so elected shall from time to time have the same Authority for executing this Act, as the Commissioner in whose stead he shall be elected, was invested with.

VI. Provided also, and be it further enacted by the Authority aforesaid, That no Person, hereby appointed or hereafter to be elected, except only such Lords or Ladies of such Manors, or such Agents as aforesaid, shall be enabled to meet, sit or act as a Commissioner for any of the said Districts, nor shall any Proprietor of Lands be intitled to vote at any Election of a Commissioner or Commissioners, unless such Person so appointed or to be elected a Commissioner, and such Proprietor respectively shall be qualified as is herein after mentioned; that is to say, For the first District, unless he shall be seised in Fee or for Life, of one six Acre Hollow Lot, or of one five Acre Hollow Lot, or of one *Bury* Fen Lot, or of one *Wiflow* Fen Lot, or of twenty Acres of Adventurers or other Lands within such District; nor for the second District, unless he shall be seized in Fee or for Life, of one Stocking Fen Lot within such District; nor for the third District, unless he shall be seised in Fee or for Life, of one Bill Lot within such District; nor for the fourth District, unless he shall be seised in Fee or for Life, of sixty Acres of Adventurers Lands within such District, or of twenty Acres within the Gore lying within the same District; nor for the fifth District, unless he shall be seised in Fee or for Life, of one Loadsend Lot, or of one Longbeach Lot within such District; nor for the sixth District, unless he shall be seised in Fee or for Life, of one Meerside Lot, or one Midfetter Lot, or of fifty Acres of other Land within such District; and in case there shall not be in any one District such a Number of Persons qualified to be Commissioners as is herein before authorized to be elected for such District, then and in such Case, any less Number of Persons so qualified may be elected; but the Number to be elected shall never exceed the respective Numbers herein before mentioned; and if any Person or Persons not being so qualified, shall presume to vote for, or act as a Commissioner in the Execution of this Act, every such Person shall for every such Offence forfeit the Sum of fifty Pounds, to be recovered by Action of Debt or on the Case, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, or more than one Imparlance shall be allowed; and the Person so prosecuted shall prove that he is qualified as aforesaid, or otherwise shall pay the said Sum of fifty Pounds, without any other Proof or Evidence on the Part of the Prosecutor, than that such Person has acted as a Commissioner in the Execution of this Act; one Moiety of which Forfeiture shall be paid to the Prosecutor, and the other Moiety shall be applied in such Manner as the other Penalties and Forfeitures are herein after directed to be applied.

Qualification of Commissioners.

Penalty on Persons acting, if not qualified.

VII. And be it further enacted by the Authority aforesaid, That the respective Commissioners for each of the said Districts shall twice in every Year, to wit, On the *Tuesday* next after *Trinity Sunday*, and the *Tuesday* next after *Martinmas Day*, and at such other Times as they shall think proper, meet at some convenient Place or Places in *Ramsey* aforesaid, to be appointed by such respective Commissioners for that Purpose: And the first Meeting for each of the said Districts shall be held at the House known by the Sign of the *George* in the said Town of *Ramsey*, on the *Tuesday* next after *Trinity Sunday* in the Year one thousand seven hundred and fifty-seven: And the Commissioners so respectively assembled, shall proceed to the Execution of this Act; and shall then, and from time to time afterwards adjourn themselves, to meet at such other Time and Times, and Place or Places in the said Town of *Ramsey*, as they shall think fit: And the Commissioners for the said respective Districts shall also meet at any other Time and Times in the said Town of *Ramsey* as often as shall be necessary, and be required by any three or more of the Commissioners for such Districts: But three Days Notice at the least, shall be first given in the Parish Church of *Ramsey*, on the Lord's Day in the Forenoon, immediately after Divine Service; and a Copy of such Notice affixed on the West Door of the said Church, of every such Meeting which shall not be held by Adjournment, or on the Days appointed by this Act: And that all Meetings in pursuance of this Act shall be held in the Town of *Ramsey*, and at no other Place; and no more than the Sum of one Shilling shall be expended, at any one Meeting of the Commissioners for the said respective Districts, out of the Monies to arise by virtue of this Act.

Meetings of Commissioners.

VIII. And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts shall be and are hereby fully impowered at their Wills and Pleasures, from time to time to make, support, alter and maintain, or cause to be made, supported, altered and maintained, such Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Stamps and Outlets, in, through and upon the said Fen Lands and Low Grounds in such respective Districts; and to make, erect, remove, alter, repair and maintain such Works and Engines thereupon; and if any Works or Engines are already made or erected in such Districts, to remove, alter, repair or continue the same, in such Manner as they the said respective Commissioners shall from time to time think necessary or convenient for draining and preserving the said Lands and Grounds; and also to make such Orders, and give such Directions for carrying on, and for the better and more orderly Government of the said Works, and for executing the Purposes of this Act, as they the said respective Commissioners shall think proper.

Commissioners to make and maintain Works.

IX. Provided always, and be it hereby further enacted and declared by the Authority aforesaid, That nothing in this Act contained shall extend or be construed to extend, to give the Commissioners for putting this Act in Execution, or any of them, any Right, Power or Authority, to exclude the Waters pas-

Waters passing from High lands, &c. in first and second Districts, not to be excluded from the proper Outlets, &c.

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fing from the Lands that ſhall be adjudged Highlands, within the firſt and ſecond Diſtricts, or other Highlands adjoining thereto, by any Banks, Dams, or other Works to be made, from the proper Runs and Outlets for the Waters draining from of the ſaid Lands; any thing in this Act to the contrary thereof notwithſtanding.

Satisfaction to be made.

X. Provided alſo, That if any ſuch Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Stamps, Outlets, Works or Engines, ſhall be made and erected in, through and upon any ſeveral Lands in the ſaid reſpective Diſtricts, or if any Land ſhall be cut, and Earth taken therefrom, for the Purpoſe of imbanking, or any other of the Purpoſes of this Act, ſuch reaſonable Satisfaction ſhall be made to the Owner or Owners of ſuch Lands, for the Damages he, ſhe or they ſhall thereby ſuſtain, as ſhall be agreed upon between ſuch reſpective Commiſſioners and ſuch Owner or Owners; and in caſe of Difference concerning the ſame, ſuch Difference ſhall be determined and ſettled, in ſuch and the ſame Manner as Diſputes whether Land ſhall or ſhall not be deemed Highlands, are herein after directed to be determined and ſettled.

In caſe of Difference Damages to be ſettled at the Quarter-Seſſions.

If any private Mill is taken down, Commiſſioners to make Satisfaction to the Owner.

XI. Provided alſo, That no private Mill ſhall, by the Order or Direction of the Commiſſioners for any of the ſaid reſpective Diſtricts, be taken down, removed or altered, or be employed for the Purpoſes of this Act, until ſuch Recompence and Satisfaction ſhall be made to the Owner or Owners of every ſuch Mill ſo to be taken down, altered or employed, as ſhall be agreed upon between ſuch reſpective Commiſſioners and Owner or Owners, and not otherwiſe, which Recompence or Satisfaction ſuch reſpective Commiſſioners ſhall cauſe to be paid to ſuch Owner or Owners out of the Monies to be raiſed by virtue of this Act within, or in relation to ſuch reſpective Diſtrict; any thing herein before contained to the contrary notwithſtanding.

Commiſſioners may appoint Officers, and allow them Salaries.

XII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners for the ſaid reſpective Diſtricts ſhall be and are hereby impowered from time to time to appoint ſuch Collector or Collectors, Receiver or Receivers, and ſuch other Officer or Officers for executing or taking care of ſuch Works, and for collecting the Taxes or Aſſeſſments which ſhall be rated or aſſeſſed in each of the ſaid Diſtricts; and to allow them ſuch Wages or Salaries for their Trouble and Pains therein, as they the ſaid reſpective Commiſſioners ſhall think reaſonable; and ſuch Collectors or Receivers ſhall, before they act in the Execution of their reſpective Offices, if the ſame ſhall be required by any one or more of the Commiſſioners for the reſpective Diſtrict, give ſuch Security for the due Execution of their ſeveral Offices, and for performing the Truſts to them committed, as the ſaid reſpective Commiſſioners ſhall think fit.

Officers to give Security.

Commiſſioners not to hold a Place of Profit.

XIII. Provided always, That no Perſon whatever ſhall act as a Commiſſioner during the Time he ſhall hold any Office of Profit in or relating to the Execution of this Act.

The Acre Tax for the reſpective Diſtricts.

XIV. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Commiſſioners for the ſaid reſpective Diſtricts, aſſembled at their firſt and at any general half-yearly Meeting or Meetings, to aſſeſs, rate and tax, all and every the Owner and Owners, Occupier and Occupiers of all and ſingular the Fen Lands and Low Grounds in ſuch reſpective Diſtricts, by an equal and proportionable Acre Rate or Tax, not exceeding in any one Year the reſpective Sums following; that is to ſay, Not exceeding one Shilling for every Acre in the firſt and fourth Diſtricts; not exceeding three Shillings for every Acre in the ſecond Diſtrict; not exceeding five Shillings for every Acre in the third Diſtrict; nor exceeding two Shillings for every Acre in the fifth and ſixth Diſtricts; and to appoint under their Hands, ſuch certain Days and Places for the Payment of ſuch Taxes to the reſpective Collectors or Receivers, as they the ſaid Commiſſioners ſhall think proper.

Ramſey Hern, &c. exempt from all Taxes.

XV. Provided always, That *Ramſey Hern*, and all other Commons within the ſeveral Diſtricts, be exempt from all Taxes to be aſſeſſed by virtue of this Act.

Taxes to be levied by Diſtreſs and Sale.

XVI. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſo rated or aſſeſſed as aforeſaid, ſhall refuſe or neglect to pay the Tax or Aſſeſſment charged upon him, her or them reſpectively, within the Space of twenty-one Days after the reſpective Times of Payment to be appointed as aforeſaid, publick Notice thereof being affixed upon the Weſt Door of the Pariſh Church of *Ramſey*, on Demand made by the reſpective Collector or Collectors, Receiver or Receivers, or by any other Perſon or Perſons authorized by him or them reſpectively for that Purpoſe; it ſhall be lawful for ſuch Collector or Collectors, Receiver or Receivers, or ſuch other Perſon or Perſons, by virtue of any Warrant or Precept under the Hands and Seals of two or more of the Commiſſioners for the reſpective Diſtrict (which Warrant or Precept ſuch Commiſſioners, or any two or more of them are hereby impowered and required from time to time to make as Occaſion ſhall require) to levy the Sum or Sums ſo rated or aſſeſſed, and all the Arrears thereof, by Diſtreſs of the Hay, Corn, or other Goods and Chattels which ſhall be found upon all or any the Grounds and Premiſſes, for or in reſpect whereof ſuch Taxes or Aſſeſſments ſhall be due; and ſuch Corn, Hay, and other Goods and Chattels, to keep for the Space of five Days, at the Charge of the Owner or Owners thereof; and if ſuch Owner or Owners ſhall not within the ſaid Space of five Days pay the Sum or Sums ſo rated or aſſeſſed, the Goods and Chattels ſo diſtrained ſhall be appraiſed by two or more Inhabitants of the Pariſh or Place where the ſame ſhall be taken, or other ſufficient Perſons, and ſhall be ſold by the Perſon or Perſons making ſuch Diſtreſs; and the Overplus remaining, after the Rates or Aſſeſſments, and the reaſonable Charges of making, detaining, and ſelling ſuch Diſtreſs are ſatisfied, ſhall be returned to ſuch Owner or Owners upon Demand: And the Tenant and Tenants of all and ſingular the ſaid Lands and Grounds which ſhall be aſſeſſed or rated by virtue of this Act, is and are hereby required and authorized to pay the Sum and Sums ſo aſſeſſed or rated, and to deduct

Tenants may pay Taxes, and deduct them from their Rent;

deduct the same out of his, her or their Rent; and every Tenant who shall make such Payment, shall be acquitted and discharged for so much Money as such Tax or Assessment shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands and Grounds, except only where there is a Lease for three or more Years to come from the passing of this Act; in which case the Proportion of the Tax or Assessment which the Tenant ought to bear and pay in Consideration of the Benefit he or she receives by such Lease, shall be adjusted and awarded by the Commissioners for the District wherein the Lands and Grounds so leased shall be situate.

except where there is a Lease of three Years to come.

XVII. Provided also, and it is hereby further enacted by the Authority aforesaid, That in case any of the said Lands or Grounds shall at any Time hereafter be untenanted or unoccupied, so that no sufficient Distress can be found whereon to levy the said Taxes or Assessments, then the Lands and Grounds charged with such Taxes or Assessments shall always remain a Security for Payment thereof; and all Corn, Hay, and other Goods and Chattels which shall at any Time thereafter be found thereon, shall and may be distrained, kept, appraised and sold in Manner aforesaid, until all Arrears of such Taxes or Assessments, and the Charges of such Distress and detaining, keeping and selling the same, shall be fully paid and satisfied.

Grounds unoccupied to remain a Security for the Taxes.

XVIII. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the Quantities of such of the Lands so to be rated and taxed as aforesaid within the said respective Districts, as have not been heretofore divided by Lot to the several Proprietors, shall on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, be given in to the Receivers or Collectors for such respective Districts, by the Owners, Proprietors or Occupiers of such Lands; and if any of the Owners, Proprietors or Occupiers of Land within any such District or Districts, shall neglect or refuse to give in to any such respective Receivers or Collectors a particular Account of the Number of Acres contained in their several Lands; or in case there shall be reason to suspect the Number of Acres is not truly stated in any such Account, it shall be lawful for the Commissioners for the District wherein such Lands are situate, to order a Survey to be made of any of the said Lands by an able Surveyor, not being a Proprietor of any Lands in the District, upon Oath, which Oath any two of the Commissioners of the respective Districts are hereby impowered to administer; and the Survey which shall be so made, shall be a sufficient Warrant and Authority to the said Commissioners to ascertain and determine the Quantities of such Lands; and the Charge of surveying the Lands of such Person or Persons, as shall neglect or refuse to give in such Account, or delivering in a false Account, shall be paid by such Person or Persons respectively; and in case of Non-payment thereof, shall be recovered in such Manner as the Penalties are herein after directed to be recovered; and in case it shall appear upon any such Survey, that the Number of Acres was truly stated in any such Account, the Charge of such Survey shall be defrayed out of the Monies arising by virtue of this Act within the respective District wherein the Survey shall be so made; and that the Quantities of such of the Lands, commonly called *Lottery Lands*, within the said respective Districts, as were heretofore divided by Lot to the several Proprietors of commonable Houses, shall be rated and taken by the said respective Commissioners, according to the usual estimated Quantity of such Lands respectively.

The Quantity of ratable Lands to be given in by the Owners.

XIX. Provided always, That no Tax or Assessment shall be rated, charged or levied, for or in respect of any Lands being Part of the Lands bounded and described as aforesaid, which are known and distinguished by the Name of *Highlands*, and have not been damaged by Inundations; and if any Dispute shall arise, whether any such Lands shall or shall not be deemed *Highlands*, the same shall be determined upon View, on or before the first Day of *September* one thousand seven hundred and fifty-seven, by any four Commissioners appointed by or elected in pursuance of this Act, not having any Property in the District where such Lands shall lie; two of which said four Commissioners shall be nominated by the Commissioners for the District wherein such Dispute shall arise, and the other two Commissioners by the Proprietor or Proprietors of the Lands in Dispute; and such four Commissioners shall before they proceed to determine such Dispute, choose one other Commissioner, not having Property in such District, as an Umpire to determine such Dispute, in case such four Commissioners should be equally divided in their Opinions; and all such Commissioners, before they proceed to determine such Dispute, shall take an Oath well and truly, to the best of their Judgment and Knowledge, to determine whether such Lands shall or shall not be deemed *Highlands* (which Oath any one or more of the Commissioners are hereby impowered to administer) and such Commissioners shall set forth their Determination in two distinct Writings, and shall sign the same, one of which Writings shall be delivered to the Owner or Owners of such Lands, and the other of such Writings shall be deposited and kept in the said Parish Church of *Ramsey*.

Highlands not to be charged.

Manner of determining which are Highlands.

XX. Provided always, and be it enacted, That no Assessment or Tax shall be made, collected or levied, for or in respect of one hundred and eight Acres of Adventurers Lands belonging to the said *Matthew Wyldbore*, now in the Occupation of *Bartholomew Ibbet*, within the said sixth District, for so long Time only as the Owner or Owners, Occupier or Occupiers of those Lands, shall keep and maintain the Banks, now kept and maintained by him the said *Matthew Wyldbore*, of a sufficient Height and Strength to keep the Waters (except those Waters shall overflow by a Breach of the Corporation Banks) draining from the Lands which are defended by the said Banks, from flowing into the said District.

Mr. Wyldbore's Lands not to be taxed while the Banks are supported.

XXI. And it is hereby further enacted, That it shall be lawful for the Commissioners for the said respective Districts to borrow, take up and receive any Sum or Sums of Money that they shall think proper; and by Writing under their Hands and Seals, to mortgage, charge, assign and convey, or incumber the Taxes or Assessments so to be assessed and levied within such respective Districts, with and for the Repay-

Taxes may be assigned for Money borrowed.

ment of the Sums so borrowed, with such Interest, at such Times, and with such Provisoes and Conditions of Redemption as shall be agreed on, so as the Interest for such Monies do not exceed the Rate of five Pounds *per Centum per Annum*.

Mortgages may be assigned:

XXII. And it is hereby further enacted, That the said Mortgages and Mortgage-monies shall and may be assignable or transferrable, by Indorsement on the original Grant or Security thereof, or otherwise, without Stamp, to any Person or Persons whatsoever; and the Person or Persons to whom such Transfer or Assignment shall be made, shall from and after the Time that the same is entered in a Book or Books to be kept for that Purpose for each respective District, be well and sufficiently intitled to such Mortgage-monies and Interest, and all the Monies due and to grow due thereon, which Entry is hereby required to be made upon Request, and producing such Assignment, and paying two Shillings and six Pence for every such Entry.

And Assignments transferred.

XXIII. And it is hereby further enacted, That such Assignee or Assignees, and every After-assignee and Assignees shall and may in like Manner, by Indorsement or otherwise, without Stamp, assign and make over such Mortgage or Mortgages, and Mortgage-monies, so assigned as aforesaid; and so *toties quoties* as Occasion shall require, every such Assignment being entered in such Book as aforesaid.

The Sums to be borrowed in each respective District.

XXIV. Provided always, and be it further enacted by the Authority aforesaid, That no more than the respective Sums following shall be borrowed or owing at any one Time upon the Credit or Security of the Taxes or Assessments in the said respective Districts; that is to say, In the first District, seven hundred and fifty Pounds; in the second District, two hundred Pounds; in the third District, three hundred Pounds; in the fourth District, six hundred Pounds; in the fifth District, three hundred Pounds; and in the sixth District, two hundred Pounds: And that the Taxes or Assessments in each respective District, shall not, during the Time any Principal or Interest-monies shall be due on the Security thereof, be less than the respective Sums herein before authorized to be rated, charged and assessed on such Districts; and that when no Principal or Interest-monies shall be due or owing, such Taxes or Assessments shall not exceed, in any one Year, the respective Sums following; that is to say, In the first and fourth Districts, eight Pence for every Acre; in the second and third Districts, two Shillings for every Acre; and in the fifth and sixth Districts, one Shilling for every Acre.

Taxes to be Security for Monies borrowed.

XXV. Provided always, and it is further enacted and declared, That the Taxes or Assessments within the said respective Districts, shall be charged and chargeable with the Payment of the principal Money so to be borrowed by the Commissioners for such Districts respectively and the Interest of such Money, from Time to Time; and shall vest in the respective Creditors, upon Default of Payment of such Principal and Interest, until the same shall be fully paid and satisfied, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors, their Executors, Administrators and Assigns respectively, shall have the same Powers, Rights and Privileges of assessing, raising and recovering the several Taxes or Assessments payable by the several Owners and Occupiers of Lands and Grounds within such Districts respectively, for and in Respect of such Principal Money and Interest, in case of Default of Payment thereof, as the said Commissioners and their Collectors could have had, in case such Principal and Interest had been regularly and fully satisfied and paid.

Application of the Monies.

XXVI. And it is hereby further enacted, That all the Taxes or Assessments which shall be rated, charged and raised by Virtue of this Act, in each of the said Districts, and the Monies borrowed on the Credit of such Taxes or Assessments respectively, shall be applied and expended in defraying such Proportions of the Expences of obtaining this Act as is herein after-mentioned, and in making, performing, erecting, providing and maintaining the Works for draining, imbanking and preserving the Lands in each District respectively, and in executing and performing such other Works as by this Act are directed or authorized to be done and performed by the respective Commissioners for such Districts, and in defraying the other necessary Expences of executing this Act, and in Discharge of the Principal and Interest of the Monies borrowed in Relation to and upon Account of every such District respectively; and to no other Use or Purpose whatsoever.

Charges of the Act to be paid in equal Parts by each District.

XXVII. And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining this Act shall be, in the first Place, fully paid and satisfied out of the Taxes or Assessments to be raised within the said respective Districts, or the Monies to be borrowed on the Credit thereof, in equal Parts and Proportions; that is to say, One sixth Part of all such Charges and Expences shall be paid out of the Taxes or Assessments, or Monies borrowed on the Credit thereof, in each of the said six Districts.

Annual Meetings for passing Accounts.

XXVIII. And be it further enacted by the Authority aforesaid, That once in every Year, to wit, on the first *Monday* in *July* for the first District; on the first *Tuesday* in *July* for the second District; on the first *Wednesday* in *July* for the third District; on the first *Thursday* in *July* for the fourth District; on the first *Friday* in *July* for the fifth District; and on the first *Saturday* in *July* for the sixth District; the Commissioners for the said respective Districts shall assemble; and the Commissioners so respectively assembled shall, together with such Proprietors of Lands in the said Districts as shall then attend, inspect the Receipt and Expenditure of the Monies which shall have been raised by virtue of this Act, within or in Relation to such respective Districts, for the Space of one whole Year then last past; and all Accounts relating to the same shall be then made up and settled by the said Commissioners and Proprietors, or the major Part of them so assembled; and at such respective Meetings, the several Collectors or Receivers of the Taxes or Assessments in each of the said Districts, are hereby required to attend with the Books of Accounts of their Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination of such Accounts, and of all other Accounts of the Receipt and Expenditure of the Monies

nies raised and received by Virtue of this Act, within or in Relation to such respective Districts (and upon Oath, if the same shall be required by such Commissioners or Proprietors, or any one or more of them, which Oath any one of such Commissioners is hereby impowered to administer) the said Commissioners and Proprietors, or the major Part of them so assembled, are hereby impowered to allow and pass under their Hands the said Accounts, or such Part or Parts of the same, as shall appear to them to be just and reasonable; and such Account or Accounts, or such Part or Parts thereof, shall be fairly entered in two distinct and separate Books, to be kept for each District for that Purpose; whereof one Set shall be kept by the Treasurer or Treasurers, or such other Person or Persons for each District respectively, as the said respective Commissioners shall appoint, and the other Set thereof shall be deposited in the Vestry Room of the Parish Church of *Ramsey*; and the last-mentioned Set of Books shall and may be inspected and perused at any Time, at seasonable Hours, by or at the Request of any Person or Persons rated or taxed, in pursuance of this Act, within such respective District, without Fee or Reward; and in case of any Disagreement between the said Commissioners and Land-owners of the said respective Districts, so that a Plurality of Voices cannot be obtained for the passing of such Account or Accounts, or any Part or Parts thereof, that then such Account or Accounts, and the Matters in Difference relating thereto, shall be heard and determined by any two of his Majesty's Justices of the Peace for the said *Isle of Ely* or County of *Huntingdon* respectively, who are hereby impowered and required to examine such Collectors or Receivers upon Oath, if necessary, and to hear and finally determine the Matters in Difference; and such of the said Accounts as shall be so passed and allowed by the said two Justices, shall be entered and registered, and inspected and perused, in such Manner and Form as aforesaid.

Officers to account on Oath.

XXIX. Provided always, and be it further enacted by the Authority aforesaid, That this Act shall not extend to restrain the Owners of Lands in the said second District, or in *Bury Fen*, from erecting Stanches on their respective Lands, so as that no such Stanch or Stanches be erected in *Wistow Fen Drain* or *Ash Drain*.

Certain Owners may erect Stanches.

XXX. And be it further enacted by the Authority aforesaid, That the Commissioners for the first District shall, and they are hereby required to erect and place a Mill on the *Forty Foot* River, between *Dawson*'s Mill and *Puddock*'s Drove; and they are hereby required to erect and place two Mills at or near the Opening of the Drain called *Ash Drain* into the *Forty Foot* River, whether such Opening shall remain where it now is, or be made into any other Part of the said *Forty Foot* River, or shall be sufficient for throwing out and discharging the Waters from such Drain into the said *Forty Foot* River, and from Time to Time, and at all Times hereafter, to support and maintain such Mills at such respective Opening aforesaid; and to cause the same to be worked in such Manner, and as often as shall be necessary for discharging the Waters out of the said Drain, and for preventing the Overflowing of the adjacent Lands; and the said Commissioners, with the Consent or Allowance of the Corporation of *Bedford Level*, shall from Time to Time raise, strengthen and support, and keep imbanked, the Banks on both Sides the said *Ash Drain*, from the *Forty Foot* River to *Wistow Fen Drain*; and also the Banks on both Sides any new Cut which shall be made from the said *Ash Drain*, near the present or any future Opening of the said *Ash Drain* into the *Forty Foot* River; and also the Bank on the Lands of *Barnabas Brighty*, from the East Bank of *Ash Drain* next *Wistow Fen*, to *Puddock's Drove*; and also the Bank on the *Hollowhead Lots*, from the West Bank of the said *Ash Drain* next *Wistow* and *Bury Fen* to a Highland Close of *John Beard*, called *A Hollowhead Lot*; and shall scour out and maintain the said *Ash Drain* fourteen Feet wide at the Top, ten Feet at the Bottom, and not less than five Feet deep, from the Surface of the adjacent Lands; and *Wistow Fen Drain*, twelve Feet wide at Top, nine Feet at Bottom, and not less than four Feet deep from the Surface of the adjacent Lands; and also shall scour out and maintain the Drain which divides the Parishes of *Ramsey* and *Bury*, and the Drain called *Bury Fen Drain*, from the Lands called *Willow-row*, by the *Adventurers Land* of *Jonathan Nicholls*, through *Bury Fen*, to the Drain which divides the said Parishes of *Ramsey* and *Bury*, ten Feet wide at Top, eight Feet at the Bottom, and not less than four Feet deep from the Surface of the adjacent Lands; and that four Tunnels be fixed in the most convenient Places, to be appointed by the Commissioners of *Bury*, at the general Expence of the first District.

A Mill or Mills to be placed at the Opening of Ash Drain into Forty Foot River.

Ash Drain and Wistow Fen Drain to be kept open with Consent of the Corporation of Bedford Level.

XXXI. And be it further enacted by the Authority aforesaid, That if the Bank, called *Northey Bank*, shall not, at any Time hereafter, be effectually repaired and maintained by the Corporation of the Great Level of the Fens, called *Bedford Level*, it shall be lawful for the Commissioners for the said first District, with the Consent of the said Corporation, from Time to Time, to heighten, strengthen and support the said Bank, in such Manner as they shall think proper; and to defray the Expence thereof out of the Taxes arising within such District.

Northey Bank may be repaired.

XXXII. And be it further enacted by the Authority aforesaid, That the Commissioners for the fourth District shall be, and are hereby impowered to imbank the said Common called *Ramsey Hern*, in such Manner as they shall think proper, so as such Bank be made within the Space of four Poles from the said River *Nene*, and the Outring Dike next *Draper's Delph*.

Ramsey Hern to be imbanked.

XXXIII. And be it further enacted by the Authority aforesaid, That the Commissioners for the third District shall and are hereby impowered to erect and build a Bridge over the *Bill River* where the old Bridge lately stood, and from Time to Time to repair, maintain and support such Bridge, in such Manner as the said Commissioners shall think necessary.

Commissioners may build a Bridge.

XXXIV. And it is hereby further enacted by the Authority aforesaid, That all Owners and Occupiers of Lands lying and being within the said Districts, shall from Time to Time, and at all Times hereafter, keep or cause to be kept, all the Outring or Division Dikes or Drains belonging to them respectively, except such as are herein before directed to be done by the Commissioners, of a sufficient

Outring and Division Dikes to be kept open by the Proprietors.

Depth, and of the Breadth or Wideneſs of eight Feet at the leaſt; and ſhall alſo from Time to Time, and all Times hereafter, cauſe the ſame Drains or Dykes to be well and effectually roaded, ſcoured and cleanſed from Weeds, and other Rubbiſh and Obſtructions; and cauſe Tunnels to be laid therein, where neceſſary, for the better iſſuing, running and conveying away the Waters therein: And if any ſuch Owner or Occupier ſhall not, within fourteen Days (except at the Times of Hay and Corn Harveſt) next after notice and Direction in that Behalf, in Writing under the Hands of two or more of the Commiſſioners for the Diſtrict where ſuch Lands lie reſpectively, ſhall be given to him or her, or left at the uſual Place of Abode of the Occupier of ſuch Lands, or affixed on *Ramſey Bridge* (in caſe ſuch Place of Abode be above the Diſtance of ſeven Miles from ſuch Lands, or ſhall not be known) cauſe and procure ſuch Drains or Dikes to be roaded, ſcoured, cleanſed, deepened and widened reſpectively; and ſuch Tunnels to be laid in Purſuance of and according to ſuch Notice and Direction; the Commiſſioners for ſuch reſpective Diſtrict wherein ſuch Work is directed to be done as aforeſaid, or any two or more of them, ſhall and may, and they are hereby authorized and required to cauſe the ſame to be done in a proper and effectual Manner; and, by Warrant or Precept under their Hands and Seals, or the Hands and Seals of any two or more of them, to authorize and impower their Collector or Collectors, Receiver or Receivers, or any other Perſon or Perſons, to levy and raiſe the Charge and Expence of doing thereof by Diſtreſs and Sale of ſuch Goods and Chattels as ſhall at any Time thereafter be found on the Lands to which ſuch Drains or Dikes, Bridges or Tunnels, ſhall appertain or belong; rendering the Overplus, if any, to the Owner or Owners thereof; and every ſuch Owner or Occupier, for every ſuch Neglect, ſhall forfeit the Sum of three Pence for every Rod of the Drain or Dike ſo neglected to be depthened, widened, roaded, ſcoured or cleanſed.

No Cut to be made in whole Lands.

Exception.

XXXV. Provided always, and it is hereby enacted by the Authority aforeſaid, That no Mill Drains for conveying the Water to any Mill ſhall be cut in the whole Lands of any Perſon or Perſons within the ſaid Fen Lands or Low Grounds, except in ſuch Parts thereof as are Adventurers Land or other Grounds which contain ten Acres and upwards; nor ſhall any ſuch Cut or Drain be made in *Bury Fen*, but that the Water ſhall be iſſued and conveyed through the Outring or Diviſion Ditches only.

Penalty on making Sock-dikes, &c.

XXXVI. And it is hereby further enacted, That if any Perſon or Perſons ſhall make any Sock-dike, or Sock-gripple, on any of the ſaid Fen Lands and Low Grounds, within the Diſtance of ten Feet, in the firſt, ſecond, third, fifth or ſixth Diſtricts, or within ſixty-ſix Feet in the fourth Diſtrict, from any of the Banks which now are, or hereafter ſhall or may be made for keeping off the Waters from any of the ſaid Fen Lands and Low Grounds, or more than one Foot deep in any of the ſaid Diſtricts; every ſuch Perſon ſo offending ſhall forfeit and pay the Sum three Pence for every Foot in Length of ſuch Sock-dikes or Sock-gripples, for every Month during which the ſame ſhall be continued.

All Mills to diſcharge the Water either into Bevill's River, River Nene or WhittleſeaMeer.

XXXVII. And be it further enacted by the Authority aforeſaid, That all the Mills which ſhall be erected or employed by Virtue of this Act, for diſcharging the Waters from the fourth Diſtrict, ſhall be erected and placed in ſuch Manner as to diſcharge ſuch Waters directly into *Bevill*'s River, the River *Nene*, *Whittleſea Meer* or *Upwood Drain*, from the *Gore* Mill to *Bevill*'s River, and not otherwiſe; any Thing herein before contained to the contrary notwithſtanding.

Certain Works to be drained ſeparately.

XXXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That no Communication ſhall be made between the Waters draining from the Lands in *Middlemore* and the *Steads*, and the Waters draining from the Lands called the *Gore Farms*, the Lands belonging to the Earl of *Lincoln*, *Edward Knipe* and *Matthew Wyldbore*, Eſquires; but that the ſaid Waters draining from *Middlemore* and the *Steads* ſhall be ſeparately and diſtinctly drained from the Waters draining from the Lands called the *Gore Farms*, the Lands belonging to the Earl of *Lincoln*, *Edward Knipe* and *Matthew Wyldbore*, Eſquires.

Delph Dike to remain dammed up.

XXXIX. Provided always, That a certain Dike, called *Delph Dike*, ſhall be and remain, for ever hereafter, dammed up as it now is; and the Commiſſioners for the fourth Diſtrict ſhall, from Time to Time, make and maintain ſuch Banks as ſhall be neceſſary for keeping the ſame ſo dammed up; and if any Perſon or Perſons ſhall make or cauſe to be made any Opening or Openings in the ſaid Dike, whereby any of the Lands within the fourth Diſtrict ſhall be prejudiced, every ſuch Perſon ſhall, for every ſuch Offence, forfeit the Sum of five Pounds, and ſhall alſo make full Compenſation and Satisfaction to all and every Perſon and Perſons who ſhall be injured thereby, for the Damage ſuch Perſon or Perſons ſhall thereby ſuſtain; which Compenſation and Satisfaction ſhall be recovered, together with full Coſts of Suit, in ſuch Manner as is herein after preſcribed for Recovery of Damages ſuſtained by the Working of any Horſe Mill or other Device.

Lands which ſhall not be cut.

XL. Provided always, That no Part of the ſeveral Lands in the *Bill*, *Stocking Fen*, *Long Beech*, *Beaupre*, *Winſore Meer*, *Midfetter*, *Mereſide* or *Loadſend* ſhall be cut for the Purpoſes of Banking, at any Time whatſoever; nor ſhall the Lands in the firſt Diſtrict be cut for the Purpoſes of making or repairing any Banks along the *Forty Foot* River.

No Trees to be planted within 20 Poles of any Mill.

XLI. Provided always, and be it further enacted by the Authority aforeſaid, That from and after the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-ſeven, no Trees or Holts ſhall be planted nearer to any Mill which ſhall be erected or employed for the Purpoſes of this Act than twenty Poles; and if any Perſon or Perſons ſhall plant any Tree or Holt within the Space aforeſaid, every ſuch Perſon ſhall forfeit the Sum of one Shilling for every Tree, and five Pounds for every Holt ſo planted; and ſuch Trees and Holts ſhall and may be taken up and carried away, by ſuch Perſon or Perſons as ſhall be authorized for that Purpoſe by the Commiſſioners for the Diſtrict wherein ſuch Offence ſhall be committed; and it ſhall be lawful for ſuch Perſon or Perſons as ſhall be authorized for that Purpoſe by the reſpective Commiſſioners, to cut down any Trees or Holts which ſhall be growing within the Diſtance of twenty

twenty Poles from any Mill erected or employed for the Purposes of this Act, at the Time such Mill shall be so erected or first used; making such Satisfaction to the Owner of such Trees or Holts as shall be agreed upon between such Owner and the Commissioners for the respective District; or in case of Difference, as shall be ascertained by the Justices of the Peace at any Quarter-Session which shall be held for the County or Place wherein such Trees or Holts were so cut down, within six Months after the cutting down thereof.

Persons discharging Water by any Engine, except into the River Nene, &c.

XLII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall erect, set up, use or work any Horse-mill, Gigg or other Engine or Device whatsoever, for draining or discharging Water from any Lands in any of the said Districts, through or upon the Lands of any other Person or Persons within such Districts, or in any other Manner than directly and immediately from the Lands of the respective Owner of such Mill, Gigg, Engine or Device, into the River *Nene*, *Whittlesea Meer*, *Bevill's Leam*, *Ramsey High Load*, the *Bill Load*, the *Forty Foot River*, or the new Cut or River on the North Side of *Ramsey Meer*; or that Part of *Upwood Drain* where the *Gore Mill* now stands; every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds to any Person who will sue for the same; and the Owner of such Mill, Gigg, Engine or Device shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage such Person or Persons shall thereby sustain; and such Penalty, Compensation and Satisfaction shall be recovered, together with full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

shall forfeit 50 l.

No private Bank, &c. to be altered till new ones are made.

XLIII. Provided always, and be it further enacted by the Authority aforesaid, That no Banks, Dams or other Works, which were lawfully erected by private Persons in any of the said Districts, shall be cut, taken away or altered, until the several Mills in their respective Districts are ready to work.

Allowance to be made from the 4th to the 5th District.

XLIV. And whereas the making and maintaining the Outring Banks in the said fifth District, will be of Utility to the Lands in the said fourth District; Be it therefore enacted by the Authority aforesaid, That the Commissioners for the said fourth District shall, and they are hereby required to pay, or cause to be paid, to the Commissioners for the said fifth District, or to such Person or Persons as they shall appoint, the Sum of twenty Shillings in every Year, for and in Consideration of their making and maintaining the said Banks; the first of which Payments shall be made on or before the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight; and such Payments shall continue to be made on or before such Day in every succeeding Year.

Persons damaging the Works,

to forfeit 100 l.

and for want of Distress, to be committed.

XLV. And be it further enacted by the Authority aforesaid, That if any Person or Persons whatsoever, at any Time or Times hereafter, shall wilfully or maliciously cut, or otherwise damage, any of the Banks, Works, Mills or Engines, already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported or maintained, for answering any of the Purposes of this Act, or by any Means obstruct, divert or lay open, any of the Banks, Cuts, Drains, Dams, Outlets, or other Works made, or which shall at any Time hereafter be making or made, supported or maintained, for draining or improving the said Fen Lands or Low Grounds in pursuance of this Act, and shall be convicted thereof, upon Oath, before any two or more Justices of the Peace for the County or Place wherein the Offence shall be committed, or the Offender shall reside; every such Person or Persons shall forfeit for every such Offence the Sum of one hundred Pounds, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, by Warrant under the Hands and Seals of any two of the Justices before whom such Conviction shall be made, to be applied and laid out in carrying on the Works, and executing the Purposes of this Act, within the respective District, wherein or in relation whereunto, the Offence shall he committed; and for want of sufficient Distress, such Offender and Offenders shall by the said Justices be committed to the Common Gaol of such County or Place, there to remain for any Time not exceeding twelve Calendar Months, without Bail or Mainprize, at the Discretion of the said Justices; and shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage such Person or Persons shall thereby sustain; which Compensation and Satisfaction shall be recovered, together with full Costs of Suit, in such Manner as is herein before prescribed for the Recovery of Damages sustained by the Working of any Horse Mill, or other Device: And if any Person or Persons shall wilfully and maliciously set fire to, burn, or otherwise destroy, any of the said Mills or Engines already made or erected, or which shall be making or erecting, or made or erected, supported or maintained, for answering any of the Purposes of this Act, and be thereof lawfully convicted, such Person or Persons shall be adjudged guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in any other Cases of Felony; and the Court by or before whom such Person or Persons shall be tried, shall, and have hereby Power and Authority to transport respectively such Felons for seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm.

Persons destroying Mills, &c.

to suffer as Felons.

Mills to be insured.

XLVI. And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts shall cause each and every Mill or Mills, which shall be erected or employed by virtue of this Act, to be insured against Fire at some publick Office or Offices, and from time to time to pay the Expence attending such Insurances out of the Monies arising by virtue of this Act, in or upon account of such respective Districts.

Allowances for enabling Moiety.

XLVII. And be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts may, and are hereby impowered, out of the Monies arising in or upon account

account of such Districts respectively, to make such Allowances for the catching or destroying of Moles in the Banks or Lands belonging to such Districts, as they the said respective Commissioners shall think proper.

Proceedings to be entered in Books;

XLVIII. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That all Orders and Proceedings of the Commissioners for the said respective Districts shall be entered in a Book or Books to be kept for that Purpose; and such Orders, so entered, shall be signed by three or more of such respective Commissioners, assembled at such Meetings; and such Orders so signed shall be deemed and taken to be Originals; which said respective Books, and also the Books hereby directed to be kept for registring the Securities, Assignments, and Transfers aforesaid, shall and may be produced and read in Evidence in all Cases of Suits or Actions touching any Thing done in pursuance, and by the Authority of this Act.

Books may be produced and read in Evidence in Cases of Appeals.

Quorum of Commissioners of the several Districts.

XLIX. And be it further enacted by the Authority aforesaid, That all the Powers and Authorities herein before contained for assigning the Taxes or Assessments for Money borrowed in the first District, shall and may be executed by any nine or more of the Commissioners for such District; and in the second and third Districts, shall and may be executed by any seven or more of the Commissioners for such respective Districts; and that all other Powers and Authorities by this Act granted to the Commissioners respectively for such Districts, shall and may, in all Cases where no particular Quorum or Number is appointed by this Act, be executed by any five or more of such respective Commissioners, in all Matters relating to such Districts; and that any five or more of the Commissioners for the fourth, fifth and sixth Districts, shall and may, in all Cases where no particular Quorum or Number is herein appointed, execute all the Powers and Authorities of this Act, in relation to such Districts respectively.

No Order made by the Commissioners shall be altered, &c. unless 10 Days Notice be first given.

L. Provided always, and be it enacted by the Authority aforesaid, That no Order which shall be made by the said respective Commissioners, or any of them, by Virtue of this Act, at any of their respective Meetings, shall be altered, annulled or made void, at any subsequent Meeting, unless ten Days Notice at the least be first given of every such Meeting two following Lord's Days, in the Forenoon, immediately after Divine Service, in the said Parish Church of *Ramsey*; in which said Notice the Intent and Design of such Meeting shall be declared.

All Proceedings to be at a Meeting.

LI. Provided always, That no Orders, or other Proceedings of the said Commissioners, or any of them, shall be valid, unless done at a Meeting to be held in pursuance of this Act; except only as to the granting of Precepts or Warrants for levying Taxes or Penalties, which shall and may be granted and signed by such Commissioners whenever the same shall be necessary, and be required.

Penalties and Forfeitures how to be recovered and applied.

LII. And be it further enacted by the Authority aforesaid, That all the Penalties and Forfeitures by this Act inflicted and imposed, the Recovery whereof is not herein before particularly directed, shall be recovered and levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant from any one or more Justice or Justices of the Peace for the County or Place wherein the Offence was committed, or the Offender shall reside; which Warrant such Justice or Justices is or are hereby required to grant, upon Proof of the Offence by one or more credible Witness or Witnesses upon Oath (which Oath such Justice or Justices is or are hereby impowered and required to administer without Fee or Reward) and the Overplus remaining, after such Penalties and Forfeitures, and necessary Charges are deducted, shall be returned to such Offender; and such Penalties or Forfeitures, when recovered, if not otherwise directed to be applied by this Act, shall be paid into the Hands of the Treasurer for the District wherein, or in Relation whereunto, such Offence was committed, and applied for the Use of such District.

This Act not to interfere with the Conservators of Bedford Level.

LIII. Provided always and it is hereby further enacted and declared, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to impower the Commissioners appointed to put this Act in Execution, to have, use or exercise, any Power or Authority over, or to intermeddle with any of the Rivers, Banks, Sewers, Cuts, Drains, Dams, Sluices Tunnels, or other Works whatsoever, already made, or hereafter to be made, by the Governor, Bailiffs, Conservators, and Commonalty of the Great Level of the Fens called *Bedford Level*, by virtue of an Act made in the fifteenth Year of the Reign of his late Majesty King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens called* Bedford Level, or by virtue of any other Act, Statute, or Power whatsoever, or to invalidate, lessen, diminish, alter or take away, any the Rights, Powers, or Authorities, vested in the said Governor, Bailiffs, Conservators and Commonalty, or in the said Governor, Bailiffs and Conservators; but that all Rights, Powers, and Authorities whatsoever, which by virtue of the said Act, passed in the fifteenth Year of the Reign of King CHARLES the Second, or any other Act, Statute or Power whatsoever, are now vested in the said Governor, Bailiffs, Conservators and Commonalty, or in the said Governor, Bailiffs, and Conservators, or any of them, shall for ever hereafter remain, continue, and be, in the said Governor, Bailiffs, Conservators and Commonalty, and in the said Governor, Bailiffs and Conservators, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

15 Car. 2. c. 17.

Reservation of Rights to Commissioners for preserving the Navigation of Salter's Load Sluice, &c.

LIV. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter, or take away, any of the Rights, Powers and Authorities, vested in the Commissioners appointed in and by an Act of Parliament passed in the twenty-seventh Year of the Reign of his present Majesty, intituled, *An Act for improving and preserving the Navigation from* Salter's Load Sluice, *in the County of* Norfolk, *to* Standground Sluice, *in the County of* Huntingdon; *and from* Flood's Ferry, *in the* Isle

27 Geo. 2. c. 12.

Isle of Ely, *in the County of* Cambridge, *to* Ramsey High Load, *in the said County of* Huntingdon; *and also the Navigation from from* Old Bedford Sluice, *in the said County of* Norfolk, *to the River* Nene, *in the Parish of* Ramsey, *in the said County of* Huntingdon; But that all Rights Powers and Authorities whatsoever, which by virtue of the said Act passed in the twenty-seventh Year of the Reign of his present Majesty, now are vested in the said Commissioners, thereby appointed, or any of them, shall for ever hereafter remain, continue and be in the said Commissioners, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

Reservation of Rights to Lords of Manors.

LV. Provided always, and be it hereby enacted, That all such Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred or Half-hundred, have heretofore had within his or their respective Manor or Manors, Liberties, Hundred or Half-hundred, within or without the said several Districts or Divisions, or any of them, to Waifs, Estrays, Felons Goods, Privileges of Arrests, Escheats, and all other Royalties, not prejudicial to the Draining, be hereby saved to them, their Heirs, Successors and Assigns severally and respectively; any Thing in this Act to the contrary thereof notwithstanding.

Limitation of Actions.

LVI. And it is hereby further enacted by the Authority aforesaid, That if any Action, Suit or Information shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in Pursuance of this Act, or in Execution of any of the Powers or Authorities hereby given, every such Action, Suit or Information, shall be commenced or made within six Calendar Months next after the Fact be committed, and not afterwards; and shall be laid or brought in the County of *Huntingdon* or *Cambridge*, and not elsewhere: And the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, Not guilty; and if in Replevin, may justify and avow by Virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do; and give this Act and the Special Matter in Evidence, without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon; and that the Fact alledged to have been done, was done in Pursuance and by Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear a Prosecution, or discontinue his, her or their Suit or Suits, or if any Judgment shall be given against him, her or them; upon a Demurrer, or otherwise; then in any of the said Cases, the Defendant or Defendants, Avowant or Avowants shall recover double Costs, for which he, she or they shall have like Remedy as where Costs by Law are awarded.

General Issue.

Double Costs.

Publick Act.

LVII. And be it further enacted and declared, That this Act shall be deemed a publick Act; and all Judges, Justices and other Persons are hereby required to take Notice thereof as such, without specially pleading the same.

CAP. XXXIV.

An Act to enable the Commissioners for building *Westminster Bridge*, to widen the Street or Avenue leading from *Cockspur Street*, to the Passage in *Spring Garden*, near Saint *James*'s Park.

'WHEREAS Commissioners for building a Bridge cross the River *Thames*, from the *Woolstaple*, or thereabouts, in the Parish of Saint *Margaret*, in the City of *Westminster*, to the opposite Shore in the County of *Surry*, are by virtue of several former Acts of Parliament passed in the Reign of his present Majesty, or by virtue of some or one of them, impowered to make, open, design, assign, and lay out, such new Ways, Streets and Passes, as they shall find proper to be opened and made on each Side the River *Thames*, to and from the said Bridge, the Courts of Justice, both Houses of Parliament, and the Parts adjacent; and to agree for and purchase such Houses and Grounds as they shall find necessary for them to be possessed of, and to be removed, rebuilt, pulled down, or employed for those Purposes, comprized within certain Bounds and Limits particularly mentioned and described in the said respective Acts, or some or one of them: And whereas the Way, Street or Avenue, leading from *Cockspur Street*, in the Parish of Saint *Martin in the Fields*, in the Liberty of *Westminster*, to the Passage in *Spring Gardens* leading to Saint *James*'s Park, and from thence to both Houses of Parliament, *Westminster Hall*, and the Courts of Justice, and *Westminster Bridge*, might be rendered more open, safe and commodious, for the Ease of Passengers and the publick Benefit, than the same now is, in case the said Commissioners were enabled to open and widen the said Way, Street or Avenue, and to purchase, pull down and remove such Buildings and Houses, and to take Possession of such Grounds and Estates as they shall think proper and necessary for those Purposes; Wherefore for the promoting a Design so useful and beneficial to the Publick, May it please your most Excellent Majesty, that it may be enacted,' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Commissioners, or any five or more of them, shall have full Power and Authority to open and widen the Way, Street or Avenue, now leading from *Cockspur Street*, in the Parish of Saint *Martin in the Fields*, in the Liberty of *Westminster*, to the Passage in *Spring Garden*, leading to Saint *James*'s Park, in such Manner as they shall think proper.

9 *Geo.* 2. c. 29.
10 *Geo.* 2. c. 26.
11 *Geo.* 2. c. 25.
12 *Geo.* 2. c. 23.
13 *Geo.* 2. c. 26.
14 *Geo.* 2. c. 40.
15 *Geo.* 2. c. 28.
17 *Geo.* 2. c. 32.
18 *Geo.* 2. c. 29.
29 *Geo.* 2. c. 38.

Commissioners impowered to widen the Avenues leading from Cockspur Street, to the Passage in Spring Garden,

II. And

and to purchase Houses and Grounds to be made use of for that Purpose;

II. And for the better Performance and Execution thereof, Be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall have full Power and Authority to agree with the Owner or Owners, and Occupier or Occupiers, for the Purchase of the Freehold and Inheritance of all and every such Building or Builings, House or Houses, Grounds and Estates, as they the said Commissioners, or any five or more of them shall think necessary for them to be possessed of, or to be removed, rebuilt, pulled down, disposed of, or employed for the Purposes of this Act, comprized within the Bounds and Limits following; that is to say, Situate, standing, lying or being upon, near or adjoining to the said Way, Street or Avenue, on the East Side thereof, as far as a certain Messuage or Building, Messuages or Buildings, now in the Occupation of *Robert Taylor* Statuary, his Undertenants or Assigns, and abutting North on *Cockspur Street*, and South on *Spring Gardens*; and also to purchase and become possessed of the Freehold and Inheritance of all such Buildings, Houses, Grounds and Estates, and of all Rent Charges, Annuities, Mortgages, Terms of Years, or Incumbrances whatsoever affecting the same; any Thing in the said several former Acts of Parliament, or any of them, contained to the contrary thereof in any wise notwithstanding.

'III. And whereas it may happen that some Person or Persons, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Femes Covert, and their Husbands in the Right of such Femes Covert respectively, Trustees or Feoffees in Trust, Guardians, and Committees for Lunaticks and Ideots, Executors and Administrators, or other Trustees or Guardians for Femes Covert, Infants, Issue unborn, or other Cestuique Trusts, or for some charitable or other Use or Uses, or others who are themselves, or whose respective Wards or Cestuique Trusts, are seised, possessed of, or intitled unto some of the Buildings, Houses, Grounds or Estates, which may be thought necessary to be purchased, removed, pulled down, disposed of, or employed by the said Commissioners, within the Bounds and Limits, and for the Purposes mentioned and prescribed in and by this Act, or of some Estate or Interest therein, or of some Charge or Incumbrance affecting the same, may be willing to treat for and agree to sell such Buildings, Houses, Grounds, or Estates, in order to perfect the useful and beneficial Works intended by this Act, but are incapable of granting or conveying the same, by Reason of some Disability, or not being under any Disability may refuse to treat, agree for, or sell the same;' Be it therefore enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall and may, in order to purchase and become possessed of the several Buildings, Houses, Grounds and Estates, to be purchased by virtue of, and under this Act, take, use and follow all or any such Ways, Means, Methods and Proceedings, and observe such Rules and Directions, as by any Act or Acts of Parliament heretofore passed in the Reign of his present Majesty, they are enabled to take, use, follow, and observe, in order to purchase, or be possessed of any other Houses, Grounds and Estates; and that all and every the Powers and Authorities, Clauses, Rules, Forms and Directions, prescribed, mentioned, expressed and contained, in each and every of the said Act and Acts of Parliament heretofore passed in the Reign of his present Majesty, in any wise relating to the said Commissioners purchasing or becoming possessed of any other Houses, Grounds or Estates whatsoever, or to any Body or Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, or any other Person or Persons whatsoever, selling, disposing of, or conveying any Houses, Grounds or Estates, by any of the said last mentioned Act or Acts directed to be sold, purchased and conveyed; or for obliging the High Bailiff of *Westminster* to summon Juries, and for obliging such Juries to assess the Value of any such Houses, Grounds or Estates, or any Interest therein, in case any Person or Persons having or claiming to have any such Estate or Interest, shall refuse to sell or convey the same to the said Commissioners, or to manifest a sufficient Title thereto; or in case the Person or Persons intitled to any such Estate or Interest therein, cannot be found, or to the disposal, paying, depositing, or vesting of any Sum or Sums of Money thereby directed to be disposed of, paid, deposited or vested, as the Considerations for the Purchase of, or Value assessed for any of the said Houses, Grounds or Estates, or to the obliging Persons to produce Title Deeds, Books, Papers or Writings, for Inspection and Perusal, or to the obliging any Persons to appear, and be examined on Oath as Witnesses; and every other Rule, Clause, Matter and Thing, in each and every of the said last mentioned Act and Acts of Parliament mentioned and contained, and now being in Force, shall and are hereby declared to be of full Force and Effect, to all Intents and Purposes, for enabling the said Commissioners, or any five or more of them, to purchase the Freehold and Inheritance, and to become possessed of, and to pull down and remove any of the Buildings, Houses, Grounds and Estates within the Bounds and Limits mentioned and prescribed in this present Act; and shall extend, and be in all respects deemed and construed to extend, to all and every the said last mentioned Buildings, Houses, Grounds and Estates, and to all Bodies Politick, Corporate and Collegiate, Corporations Aggregate and Sole, Femes Covert, and their Husbands, Trustees, and Feoffees in Trust, Guardians and Committees for Lunaticks and Ideots, Executors, Administrators, and all other Trustees and Guardians, whether for Femes Covert, Infants, Issue unborn, or other Cestuique Trusts, or for any charitable or other Use or Uses; and to all other Persons whatsoever having or claiming to have, either in their own Right or otherwise howsoever, any Estate, Right, Title or Interest, in, to or out of the said last mentioned Buildings, Houses, Grounds and Estates; and to the Methods and Proceedings, for conveying and absolutely issuing the same to the said Commissioners or their Trustees, with good Titles, usual and reasonable Covenants, and free from Incumbrances; and for barring, docking, and cutting off all Estates Tail, Dower, and Right of Dower; and also to bar the Right of all and every Person and Persons, who shall not enter their said Claim or Claims, and prosecute the same with Effect, in the Manner, and within the Times prescribed and limited by the said Acts of Parliament, or some or one of them,

and in order thereto, they may take such Measures, as by any former Acts they are impowered to do in like Cases.

Clauses in the several former Acts still in force, extended to the Purchases, &c. to be made under this Act.

as

as fully and effectually as if the said Powers and Authorities, Rules, Forms, Directions, Clauses, Matters and Things, mentioned and contained in each of the said Acts of Parliament heretofore passed in the Reign of his present Majesty, were particularly and at large repeated and enacted in the Body of this present Act.

'IV. And whereas by Means of the Purchases which the said Commissioners are hereby impowered 'to make, they may be possessed of one or more Piece or Pieces of Ground, over and above what may be 'necessary for the opening and widening the Way, Street or Avenue;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, to lett, sell or dispose of any such Piece or Pieces of Ground, either together or in Parcels, as they shall find most advantageous and convenient, to any Person or Persons who shall be willing to contract, agree for, or purchase the same; that it shall and may also be lawful to and for the said Commissioners, or any five or more of them, to design, assign and lay out, in what Manner any new Houses shall be erected and built on any of the said Piece or Pieces of Ground which they may be possessed of as aforesaid, over and above what may be necessary for the opening and widening of the said Way, Street or Avenue; and likewise of what Breadth and Extent such Way, Street or Avenue shall be; and also to sell and dispose of the Materials of such House or Houses, Building or Buildings, as they the said Commissioners, or any five or more of them, shall purchase and cause to be pulled down by virtue of this Act.

They may also lett or dispose of any Piece of Ground purchased by them, not necessary for widening the Street, and design in what Manner any new Houses shall be built thereon; and the Breadth and Extent of the Street; and sell the old Materials.

V. Provided always, That the Money arising by the Sale or Letting of such Grounds, and selling the Materials of the Houses and Buildings to be purchased and pulled down as aforesaid, shall be employed, paid and disposed of, by the said Commissioners, or any five or more of them, towards defraying the Charges and Expences of executing the Powers and Trusts hereby in them reposed.

Money arising thereby to be applied in defraying the Charges of the Trust.

'VI. And in order to preserve the said Way, Street or Avenue, hereby intended to be opened and wi-'dened, when the same shall be so opened and widened; and also the Houses and Buildings that shall be 'erected on any of the Grounds which shall be let or sold by the said Commissioners by virtue of this 'Act, free from Nuisances and Annoyances, and to preserve the Uniformity and Beauty thereof;' Be it further enacted by the Authority aforesaid, That a certain Act of Parliament passed in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act for granting further Powers to the Commissioners for building a Bridge cross the River* Thames, *from the City of* Westminster, *to the opposite Shore in the County of* Surry; *and for the better enabling them to finish the said Bridge, and to perform the other Trusts reposed in them*; and all and every the Powers, Authorities, Clauses, Matters and Things therein mentioned and contained, which are now in Force, shall extend to and be deemed and taken to be to all Intents and Purposes in full Force, with respect to the said last mentioned Way, Street or Avenue, when the same shall be so opened and widened as aforesaid; and to the Owners and Occupiers of such Houses and Buildings, as shall be let or sold by the said Commissioners by virtue of this Act, for effectually impowering and enabling them the said Commissioners, or any five or more of them, from time to time, to perform, use and exercise all and every the like Powers and Authorities for preserving the said Way, Street or Avenue, and the said last mentioned Houses and Buildings, free from Nuisances and Annoyances, or for abating any such Nuisances, and for preserving the Uniformity and Beauty of such Houses and Buildings; and for a better and more effectual enforcing the Covenants, Conditions, Agreements, Limitations and Restrictions, under which the said Commissioners shall let or sell any Pieces of Ground or Buildings by virtue of this Act, as are expressed and contained in the said Act of the eighteenth Year of the Reign of his present Majesty, with respect to the several Streets and Premisses therein mentioned, as fully as if the said several Powers, Authorities, Clauses, Matters and Things, in that Act mentioned and contained, were particularly and at large repeated and re-enacted in the Body of this present Act.

Powers and Clauses in Act 18 Geo. 2. c. 29. extended to the Street to be widened under this Act,

for keeping the same free from Nusances,

and preserving the Uniformity and Beauty of the Buildings, &c.

VII. And be it further enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies granted to his Majesty, for the Service of the Year one thousand seven hundred and fifty-seven, there may and shall be applied and paid to the said Commissioners for building the said Bridge, or any five or more of them, or to such Person or Persons as shall be appointed under the Hands and Seals of the said Commissioners, or any five or more of them, to receive the same, the Sum of two thousand five hundred Pounds without Account (other than as is herein after directed) to be applied towards purchasing Houses and Grounds for widening the said Way, Street or Avenue, and for making the same more commodious and useful to the Publick, and for the Payment of other incidental Charges and Expences attending the Execution of this Act, in such Manner, and at such Times, as the said Commissioners, or any five or more of them, shall from Time to Time direct.

2,500 l. granted to the Commissioners for the Purposes aforesaid.

VIII. And be it also enacted by the Authority aforesaid, That the said Commissioners for building the said Bridge, shall lay an Account of the Application, as well of the said Sum of two thousand five hundred Pounds, as of all other Monies raised by Virtue of this and the said former Acts, and by them applied and expended, before both Houses of Parliament, within twenty Days after the opening of every Session of Parliament, in the same Manner as they are directed to do by the said former Acts.

Account of the Application thereof, &c. to be laid before the Parliament.

IX. And be it further enacted by the Authority aforesaid, That all such Costs and Charges as shall be expended in obtaining, or by reason of passing this present Act, and such Monies as shall become due to any Person or Persons employed in pursuance hereof, shall be paid out of the Monies to be raised by virtue hereof.

Charges of passing this Act to be paid out of the said Monies.

'X. And whereas Part of the Lands and Grounds intended to be purchased by Virtue of this Act, are the 'Freehold and Inheritance of the Right Reverend Doctor *Zachary Pearce*, the present Lord Bishop of *Rochester*:

'*Rocheſter*: And whereas a Survey and Eſtimate of the Value of the ſaid Lands and Grounds, and of the 'Buildings and Erections thereon, has been had and made by two indifferent Perſons, with the Conſent 'of the ſaid Lord Biſhop, who have valued and eſtimated the ſame at the Sum of one thouſand three hun-'dred and forty-five Pounds: And whereas the ſaid Lord Biſhop is willing to accept of the ſaid Sum of 'one thouſand three hundred and forty-five Pounds, in full Satisfaction for all his Right, Title and In-'tereſt whatſoever, in the ſame, and the Street adjoining;' Be it therefore enacted by the Authority aforeſaid, That if the ſaid Lord Biſhop of *Rocheſter*, or the Perſon or Perſons who ſhall be reſpectively intitled to the ſaid Lands and Grounds, with the Buildings and Erections thereon, now belonging to the ſaid Lord Biſhop of *Rocheſter*, ſhall on or before the firſt Day of *Auguſt* one thouſand ſeven hundred and fifty-ſeven, ſignify to the ſaid Commiſſioners in Writing, his, her or their Conſent, to accept the ſaid Sum of one thouſand three hundred and forty-five Pounds, for his, her or their Intereſt in the ſaid Premiſſes, and ſhall do, perform and execute, all and every Matter and Thing as ſhall be neceſſary and required by the ſaid Commiſſioners, or any five or more of them, for completing and perfecting his, her or their Title to the ſaid Premiſſes, and for conveying the ſame to the ſaid Commiſſioners, in ſuch Manner as they or any five or more of them, ſhall direct and appoint; then, and in ſuch Caſe, the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby impowered and required, out of the ſaid Sum of two thouſand five hundred Pounds, to pay and apply the Sum of one thouſand three hundred and forty-five Pounds, to the ſaid Lord Biſhop of *Rocheſter*, or to ſuch Perſon or Perſons as ſhall be reſpectively intitled to the ſaid Premiſſes, in ſuch and the like Manner, as any Sum or Sums agreed for by the ſaid Commiſſioners are directed to be paid by virtue of any former Acts.

The Commiſſioners to pay to the Biſhop of Rocheſter 1,345 l. for the Purchaſe of Lands, &c. his Property, on his making out a Title, and proper Conveyance.

XI. Provided always, and be it enacted, That when the ſaid Way, Street or Avenue, ſhall be opened and widened, the Foot Way on the Weſt Side thereof ſhall be raiſed ſix Inches at leaſt, above the Carriage Way, and be paved with good Flagg Stone, and be made in the narroweſt Part, not leſs than nine Feet wide; and that the ſaid Carriage Way ſhall not thereafter be altered, ſo as to raiſe the ſame nearer the Surface of the ſaid Foot Way, than the ſame ſhall be left, when finiſhed, in purſuance of this Act.

The Foot Way of the Streets to be raiſed ſix Inches above the Carriage Way, and to be paved with Flagg Stone.

XII. Provided alſo, That in the making the ſaid Foot Way, Care be taken not to obſtruct the Lights of the Cellar Story adjoining to the ſaid Foot Way.

Lights of the Cellar Story not to be obſtructed thereby.

XIII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, and each and every other Perſon or Perſons authorized by the ſaid Commiſſioners, or any five or more of them, to do any Act in Execution of any of the Powers intended to be hereby veſted in the ſaid Commiſſioners, are and ſhall be hereby indemnified for what they ſhall do in purſuance of this Act; and that if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons, for any Thing done in purſuance of this Act, or in relation to the Premiſſes herein before-mentioned, every ſuch Action or Suit ſhall be laid or brought within ſix Calendar Months after the Fact done; and ſuch Action ſhall be laid in the County of *Middleſex*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit, ſhall and may be at Liberty to plead the General Iſſue, and give this Act and the Special Matter in Evidence without ſpecially pleading the ſame.

Commiſſioners, and Perſons acting under them, indemnified for what they ſhall do.

Limitation of Actions.

General Iſſue.

CAP. XXXV.

An Act for draining and preſerving certain Fen Lands lying in the *South Level*, Part of the Great Level of the Fens, commonly called *Bedford Level*, between *Brandon River* and *Sams's Cut Drain*; and for impowering the Governor, Bailiffs and Commonalty, of the Company of Conſervators of the ſaid Great Level, to ſell certain Lands within the ſaid Limits, commonly called *Inveſted Lands*.

'WHEREAS certain Fen Lands and Low Grounds, in that Part of the Great Level of the Fens cal-'led the *South Level*, lying and being in the Townſhip of *Feltwell*, and in the ſeveral Pariſhes of '*Helgay*, *Southery*, *Hockwold* and *Methwold* in the County of *Norfolk*, containing ſeven thouſand Acres, 'or thereabouts, and which are bounded as follows; that is to ſay, From the North Bank of *Brandon* '*River*, about two Furlongs below *Redmoor Houſe*, along a certain Drain or Ditch, called the *Twelve* '*Foot Drain*, to a decayed Sewer, called *Stake Load*, and by the ſaid Load to the Drain called *Sam's Cut*, 'and along the South Side of the ſaid Drain to the Eaſt Bank of the River *Ouze*, and then along the ſaid 'Bank to *Brandon Creek's End*, and from thence along the North Bank of *Brandon River* to the *Twelve* '*Foot Drain* aforeſaid, have for ſeveral Years paſt been, and ſtill are very much annoyed with Waters, 'through the Defect of their Outfalls to Sea, by which Means the ſaid Fen Lands and Low Grounds 'are rendered of little or no Value, to the Loſs of the Publick, as well as the great Damage and Impo-'veriſhment of the Owners of ſuch Lands, and of the Inhabitants of the ſeveral Pariſhes and Places in 'which the ſame do lie: And whereas the ſaid Fen Lands and Low Grounds cannot be drained and pre-'ſerved, without the Aid of Parliament;' Therefore may it pleaſe your Majeſty, that it may be enacted, and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Lord or Lords, Lady or Ladies of the ſeveral and reſpective Manors of *Feltwell*, *Helgay*, *Southery* and *Methwold* for the Time being, or in their Abſence, their ſeveral and reſpective Deputies appointed by Writing under their Hands, a Perſon appointed by the Truſtees of *Feltwell* School, a Perſon appointed by the Fen Reeves of *Methwold* for the Time being, every Perſon who for the Time being

Who ſhall be Commiſſioners for putting the Act in Execution.

shall be *bona fide* seised or possessed in his or her own Right of three hundred Acres of Land, which are or shall be taxed by virtue of this Act, or in the Absence of such Person or Persons, his, her or their Deputy, appointed under their Hands as aforesaid, and such other Persons as are hereby appointed and directed to be chosen for the Townshiip of *Feltwell*, and the several Parishes of *Helgay*, *Southery* and *Methwold*, shall be Commissioners for putting this present Act, and all the Powers and Authorities herein after-mentioned in Execution; and that *Thomas More* Esquire, *Jonathan Page*, *John Templeman* and *John Canham*, shall be the first Commissioners for the said Township of *Feltwell*; and that *Thomas Brassett* and *Thomas Weasenham* shall be the first Commissioners for the said Parish of *Helgay*; and that *Joseph Gorden* Gentleman, *Thomas Chesterton*, *Edward Scotting* and *William Osler*, shall be the first Commissioners for the said Parish of *Southery*; and that *James Fortrey* Esquire, and *William Tokelove*, shall be the first Commissioners for the said Parish of *Methwold*; and that these Persons shall continue Commissioners for the said Township and Parishes respectively, until the last *Wednesday* in *March* in the Year of our Lord one thousand seven hundred and fifty-eight; and that all such Persons as are *bona fide* seised or possessed in their own Right of ten Acres of Land, taxed by virtue of this Act, lying within the said Township of *Feltwell*, shall meet in the Parish Church of Saint *Mary* in *Feltwell*; and all such Persons as are *bona fide* seised or possessed in their own Right of ten Acres of like taxable Lands, lying in the several Parishes of *Helgay*, *Southery* and *Methwold*, shall meet in their respective Parish Churches, upon the last *Wednesday* in *March* in the Year of our Lord one thousand seven hundred and fifty-eight, and upon the last *Wednesday* in *March* in every succeeding Year, and shall respectively chuse so many Persons to be Commissioners for the said Township and Parishes, as shall, together with the Persons seised or possessed of three hundred Acres of taxable Lands as aforesaid, make in the whole one Commissioner for every three hundred Acres of Land taxed by Virtue of this Act, lying within the said Township and Parishes respectively; and in case the Persons who are to chuse Commissioners for the said Township, or for any of the said Parishes, shall neglect to meet in any Year at the Time appointed for such Elections, or shall not chuse Commissioners accordingly, then the Persons who were Commissioners for the said Township or Parishes for the preceding Year, shall continue Commissioners for the same, until other Commmissioners shall be chosen as aforesaid, upon the last *Wednesday* in *March* in the next or some succeeding Year.

First Commissioners for Feltwell, Helgay, Southery and Methwold.

Proprietors to meet in March annually, to chuse Commissioners,

If no Election shall be made in any Year, the Commissioners for the preceding Year to be continued.

II. Provided always, and be it further enacted, That no Person shall be enabled to act, sit or meet as a Commissioner for any of the Purposes of this Act, unless he shall be the real Owner of forty Acres of Land taxed by Virtue of this Act, except the Deputy of the Trustees of *Feltwell* School, the Deputy of the Fen Reeves of *Methwold*, and the Deputies of such Persons as shall be seised or possessed of three hundred Acres of like taxable Lands as aforesaid.

Qualification of Commissioners.

III. And be it further enacted, That the said Commissioners or their Successors, or any five or more of them, shall twice in every Year, to wit, On the first *Wednesday* in *April*, and the second *Wednesday* in *October* or oftner, as they shall see Cause, meet at some publick House in *Feltwell* or *Southery*, to be appointed by the said Commissioners, or any five or more of them; the first General Meeting to be at the *Cock* in *Feltwell*, upon the third *Wednesday* after the passing of this Act; and the Meeting upon the second *Wednesday* in *October* to be at *Southery*; and the succeeding Half-yearly Meetings to be at *Feltwell* and *Southery* alternately; and at such Meetings shall have Power and Authority to make Orders, and give Directions, for the better and more orderly Management of the Work of draining the said Fens and Low Grounds, and for making proper Banks, Cuts, Drains, Dams, Tunnels and Outlets through the same; and for making and erecting proper Works and Engines thereupon, and for the Maintenance thereof; and also to appoint one or more Collector or Collectors, Receiver or Receivers, or such other proper Officer or Officers as they the said Commissioners shall think fit, for taking Care of such Works, and for collecting the Rates or Assessments made or assessed by virtue of this Act; and to allow and appoint to be paid to such Officers, out of the said Rates and Assessments, such yearly or other Wages and Salaries for their Trouble and Pains in their respective Offices, as the said Commissioners, or any five or more of them, present at any such Meeting, shall think reasonable; which said Collector or Collectors, Receiver or Receivers, or other Officer or Officers to be appointed as aforesaid, may be altered or removed at the Will and Pleasure of the said Commissioners, or any five or more of them, assembled at such Meeting or Meetings to be held as aforesaid, and another, or others, chosen and appointed in his or their Room and Stead as Occasion shall require; and such Collector or Collectors, Receiver or Receivers to be named and appointed as aforesaid, shall before they act in the Execution of their several Offices, give such Security for the due Execution of such their respective Offices, and for performing the several Trusts to them committed, as the said Commissioners, or any five or more of them then present, shall in their Discretion think fit.

Commissioners to meet Half-yearly, or oftner.

Their first General Meeting to be held at Feltwell.

Subsequent Meetings where.

Commissioners to make Orders for Draining, &c. and to appoint proper Officers.

Collectors to give Security.

IV. Provided always, and it is hereby further enacted, That towards defraying the Expences of the said Commissioners upon Account of their Attendance at any of the Meetings to be held as aforesaid, for putting this Act in Execution, the Sum of one Shilling, and no more, shall be paid by the Collector or Receiver of the said Rates and Taxes to each of the said Commissioners present at any such Meeting, and shall be allowed in the Accounts of such Collector or Receiver, as so much Money paid for the Purposes of this Act; any Thing herein contained to the contrary notwithstanding.

1 s. to be paid to each Commissioner for his Attendance at any Meeting.

V. And be it further enacted, That the said Commissioners, or any five or more of them, or their Successors, shall have full Power and Authority, from Time to Time hereafter, at their Wills and Pleasures, to scour out, cleanse, rode, repair or make such Banks, Cuts, Drains, Dams, Tunnels and Outlets through the said Fen Lands and Low Grounds, or any Part thereof so bounded and described as aforesaid; and to erect such Works and Engines thereupon for draining and conveying the Waters from the same,

Commissioners impowered to scour and make Cuts, Drains and other Works.

as shall be thought fit, necessary and convenient by the said Commissioners, or any five or more of them, at their Meeting or Meetings to be held as herein before is appointed for the Purposes aforesaid.

The Waters to be thrown off into the Ouse and Brandon.

VI. Provided always, That the said Commissioners shall not erect any Engine for draining or throwing the Waters from off the said Fen Lands and Low Grounds into the Drain called *Sam.'s Cut*, nor into any other Ditch or Drain, but shall throw the same into the Rivers of *Ouse* and *Brandon* only.

Satisfaction to be made for Damages done in erecting new Works.

VII. Provided also, That if the said Commissioners shall make, or cause to be made, any Cut, Drain, Dam, Tunnel or Outlet through any of the several Grounds, or erect any new Work or Works thereupon, then they shall pay a reasonable Satisfaction to the Person or Persons who hath or have a Right to the Soil through which such Cut, Drain, Dam, Tunnel or Outlet shall be made, or whereupon such Work or Works, Engine or Engines shall be erected, for the Damages such Person or Persons shall sustain, as shall be agreed upon between the said Commissioners, or any five or more of them, and the Person or Persons having such Right as aforesaid; and if the said Commissioners, or any five or more of them, and such Person or Persons cannot agree about the Amount of such Damage, that then the same shall be assessed, adjudged and finally determined by the Justices of Peace, or the major Part of them, at the next General or Quarter-Sessions of the Peace to be held at *Lynn* or *Swafham* for the said County of *Norfolk*.

Differences to be settled by the Justices at their Quarter-Sessions.

Acre Rates to be made for defraying the Expences.

'VIII. And for carrying on and effecting the said Work of draining, and securing the Repayment of 'such Sum and Sums of Money as shall be borrowed for that Purpose;' Be it enacted, That all and singular the Fen Lands and Low Grounds bounded and described as aforesaid, and all and every the respective Owner and Owners, Occupier or Occupiers of such Lands and Grounds, shall be, and the same are hereby assessed, rated, taxed and charged with the yearly Sum of one Shilling for every Acre of the said Fen Lands and Low Grounds, so long as any Money which shall have been borrowed for the Purposes of this Act, or the Interest thereof, shall remain unpaid; and when there shall be no such Debt remaining, it shall and may be lawful for the said Commissioners, or any five or more of them, at any such half-yearly Meeting to be held as aforesaid, to assess, rate, tax and charge all and singular the said Fen Lands and Low Grounds, and all and every the respective Owner or Owners, Occupier or Occupiers thereof, with such yearly Sum, not exceeding one Shilling *per* Acre, as they shall judge necessary for compleating and maintaining the said Works.

Highlands not subject to be rated.

IX. Provided always, That no Assessment, Rate or Tax shall be made, collected or levied upon any Highlands within the said District, which have not been subject to Inundations; and if any Dispute shall arise concerning any Lands being to be deemed, or not demed Highlands, the same shall be determined upon View, by five or more of the said Commissioners no ways interested in the Lands in Question.

Hod and Turf Pools not rateable for seven Years.

X. Provided also, That no Assessment, Rate or Tax, shall during the first seven Years after the making this Act, be made, collected or levied upon any Lands which are now so dug out into Hod or Turf Pools, that they cannot be let for the Amount of such Taxes.

Decoy of Robert Clough may be imbanked, and is not rateable.

XI. Provided also, That it shall and may be lawful for *Robert Clough* Esquire, notwithstanding any thing in this Act contained, to make and maintain such Bank round his Decoy, upon his own Lands, as he shall think proper, to prevent the Waters draining out of the same; and that no Assessment, Rate or Tax shall be made or levied upon the said Decoy.

Two Persons to be appointed to set out the Commissioners Portion of Common, to be enjoyed in Severalty, and to vest in the Commissioners in Trust, &c.

'XII. And whereas the Inhabitants of *Methwold* and *Southery*, or one of them, have Common without 'Stint, in a certain Parcel of Land within the said District, bounded by *Stake Load* South, the *Adventure* '*Land* East, and *Feltwell Drove* North, by reason whereof the same cannot conveniently be charged with 'an Acre Tax;' Be it therefore enacted by the Authority aforesaid, That two Persons indifferently ap-'pointed, one by the Fen Reeves of *Methwold*, and the other by five or more of the Commissioners for putting this Act in Execution, shall on or before the Feast Day of St. *Michael* the Archangel one thousand seven hundred and fifty-seven, set out by Metes and Bounds one fourth Part of the said Common, to be enjoyed in severalty by the said Commissioners; and the said fourth Part, immediately after it shall be so set out, shall vest, and the same is hereby vested in the said Commissioners and their Successors for ever, in Trust nevertheless, for the Benefit and Advantage of the Proprietors of all the taxable Lands within the Limits above mentioned, and so that the Rents and Profits thereof shall be from time to time applied in common with the Taxes on the other Lands, for the Erection and Maintenance of the Works necessary to drain the said Fen Lands and Low Grounds: And in case the two Persons to be appointed pursuant to this Act, shall not agree in setting out such Part of the said Common, then they shall attend the Justices at the next General Quarter-Sessions of the Peace to be held at *Lynn* or *Swafham* for the County of *Norfolk*, which said Justices, or the major Part of them then present, shall finally determine the said Dispute.

The Fen Reeves neglecting, the Justices are to appoint a proper Person.

XIII. Provided always, and be it enacted, That if the said Fen Reeves shall not, on or before the first Day of *July* next after the passing of this Act, appoint a Person to set out such Part of the said Common, then it shall be lawful for the Justices of the Peace, or the major Part of them assembled, at the Quarter-Sessions of the Peace then next following, to be held at *Lynn* or *Swafham* as aforesaid, to appoint a Person for that Purpose, who shall have like Power and Authority as if he had been appointed by the said Fen Reeves.

XIV. And

XIV. And to the End that a sufficient Sum of Money may be speedily raised for the Purposes of this Act; Be it enacted, That the said Commissioners, or any nine or more of them, shall have Power and Authority at any of their Meetings as aforesaid, from time to time, to borrow any Sum or Sums of Money which they shall think necessary; and by Writing under their Hands and Seals, to assign over the said yearly Rates and Taxes hereby charged or to be charged upon the said Fen Lands and Low Grounds, and every or any Part thereof (the Costs and Charges of such Assignment to be paid out of the said Tax) as a Security for the Payment of such Sum or Sums with Interest, not exceeding five Pounds *per Centum per Annum*, to the Person or Persons, his, her or their Trustee or Trustees, who shall advance or lend such Sum or Sums; and that the Expences of obtaining this Act of Parliament, shall in the first Place be paid and discharged out of the Money so borrowed, and the Residue of the Money shall be applied and disposed of in making such Drains, Dams, Banks, Tunnels and Outlets, erecting such Works and Engines, and doing such other Works as shall be necessary for draining and improving the said Fen Lands and Low Grounds, and to no other Use or Purpose whatsoever.

Commissioners may borrow Money on the Rates, with Interest. Application of the Money borrowed.

XV. Provided always, That the principal Money to be borrowed shall never exceed in the Whole the Sum of four thousand Pounds.

Principal not to exceed 4000 l.

XVI. And be it further enacted and declared, That the Rates, Taxes and Sums of Money, assessed and to be assessed by virtue of this Act, upon the said Fen Lands and Low Grounds, shall be charged and chargeable in the first Place with the Payment of the Principal Money so to be borrowed, and the Interest of such Money from time to time, and shall vest in the respective Creditors, upon Default of Payment of such Principal and Interest, until the same shall be fully satisfied and paid, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors, their Executors, Administrators and Assigns respectively, shall have the same Powers, Rights and Privileges of raising and recovering the several Taxes and Sums of Money payable by the several Owners and Occupiers of the said Fen Lands and Low Grounds, for and in respect of such Principal Money and Interest in case of Default of Payment thereof, as the said Commissioners or their Collectors could have had in case the said Principal and Interest had been regularly and fully satisfied and paid.

Rates charged with the Principal and Interest, and on Non-payment to vest in the Creditors.

XVII. And be it further enacted, That every Person to whom any Assignment of the said Rates and Taxes shall be made for securing any such Sum or Sums of Money lent as aforesaid, or who shall be intitled to the Money thereby secured, shall have full Power from time to time, by Indorsement on the original Grant or Security, without Stamp, to assign or transfer the same to any Person or Persons whomsoever; and such Transfer or Assignment, from and after the Time that the same is entered in a Book to be kept by the said Commissioners for that Purpose (which Entry their Clerk or Treasurer is hereby required to make upon producing such Assignment, and Payment of one Shilling for the said Entry) shall intitle such Assignee or Assignees, his, her or their Executors, Administrators or Assigns to the said principal Sum, and all Interest due and to grow due thereupon; and such Assignee or Assignees may in like Manner assign again, and so *toties quoties* as Occasion shall require, every such Assignment being entered as aforesaid.

Assignments may be transferred. Entry to be made thereof.

XVIII. And be it further enacted, That if any Person or Persons so rated and taxed as aforesaid, shall refuse or neglect to pay the Rates or Taxes charged upon him, her or them respectively, for the Space of twenty-one Days after the respective Times of Payment to be appointed by the said Commissioners (publick Notice thereof being affixed upon the Door of the Parish Church where such Lands shall lie, by the Collector or Receiver for the Time being) it shall be lawful for such Collector or Receiver respectively, or for any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of five or more of the said Commissioners (which Warrant or Precept such Commissioners, or any five or more of them, are hereby impowered and required from time to time to make as Occasion shall require) to levy the Sum or Sums so assessed and rated, by Distress and Sale of such Goods and Chattels as shall be found upon all or any of the Grounds and Premisses so charged with any Sum or Sums of Money (if any Distress can be found thereon) and the Goods and Chattels so distrained to keep, by the Space of five Days, at the Costs and Charges of the Owner or Owners thereof; and if such Owner or Owners shall not within the said Space of five Days pay the Sum or Sums so assessed or rated, that then the Goods and Chattels so distrained, shall be appraised by two or more of the Inhabitants of the Township or Parish where the same shall be taken, or other sufficient Persons, and be sold by the said Collector or Collectors, Receiver or Receivers, for Payment of the said Money; and the Overplus (if any) after the Sum or Sums so rated and assessed, and the Charges of taking, keeping and selling the said Distress are deducted, shall be returned to the Owner or Owners thereof upon Demand; and the several and respective Tenants of all and singular the said Fen Lands and Low Grounds bounded and described as aforesaid, which are or shall be rated or assessed by virtue of this Act, are hereby required and authorized to pay the Sum or Sums of Money so assessed and charged upon such Fen Lands and Low Grounds, and to deduct out of the Rents so much of the said Assessment or Rate, as the said Fen Lands or Low Grounds, or the Tenant or Tenants in respect thereof, are or shall be assessed or rated at; and the Landlords both mediate and immediate, according to their respective Interests, are hereby required to allow such Deduction and Payment upon Receipt of the Residue of their Rent; and every Tenant paying such Assessment or Rate, shall be acquitted and discharged for so much Money as the said Assessment or Rate shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands or Grounds, except where there is a Lease of three or more Years to come from the Commencement of this Act; in which Case the Proportion of the Assessment or Rate, which the Tenant ought

Rates on Non-Payment, after Notice, may be levied by Distress and Sale. Tenants to pay the Rates, and deduct the same out of the Rent. Exception.

to bear and pay in Consideration of the Benefit he receives, shall be adjudged and awarded by five or more of the said Commissioners for putting this Act in Execution.

Where no Distress can be found, the Lands are to remain a Security;

XIX. Provided always, and be it enacted and declared, That in case any of the said Fen Lands and Low Grounds shall at any Time hereafter be untenanted or unoccupied, so that no sufficient Distress can be found for levying the said Rates and Taxes, then the Lands and Grounds chargeable therewith, shall always remain a Security for Payment thereof; and all Goods and Chattels which shall at any Time hereafter be found thereon, shall and may be distrained, kept, appraised and sold in Manner aforesaid, until all Arrears of the said Rates and Taxes, and the Charges of such Distress shall be fully paid and satisfied; and if any Owner or Owners of any of the said Fen Lands, shall at any Time hereafter dig up, or permit such Lands or any Part thereof, to be dug up into Hods or Turf, whereby the said Lands shall lie unoccupied and waste; then the Taxes charged thereupon shall and may be levied by Distress and Sale of any Goods and Chattels of such Owner or Owners, wheresoever such Goods or Chattels shall be found, by virtue of any Warrant or Precept under the Hands or Seals of any five or more of the said Commissioners, which Warrant or Precept such Commissioners, or any five or more of them, are hereby impowered and required to make as Occasion shall require.

and if Lands shall be dug up into Hods or Turf, Taxes are to be levied on Owner's Goods wheresoever found.

Horse-mills and other Engines may be erected on arable Lands, to drain the same.

XX. Provided also, and be it further enacted, That it shall be lawful for the Owners and Occupiers of such Parts of the said Fen Lands and Low Grounds as are arable, and produce Winter Crops, to erect Horse-mills, or other small Engines thereon, in order to drain the said Land, so as to preserve the said Crops; and for no other Purpose whatsoever.

Owner neglecting to rode, &c. the leading Dikes and lay proper Tunnels, Collectors to cause the same to be done, and levy the Expence.

XXI. And be it further enacted, That if the Owner or Owners, Occupier or Occupiers of any of the said Fen Lands or Low Grounds, to which any Leading, Outring or Division Dike doth or shall belong, hath or have filled up, or shall fill up or make any Way over the same, without laying a sufficient Tunnel under such Way, or shall neglect or refuse sufficiently to rode, scour, cleanse, open or repair such Leading, Outring or Division Dike, after twenty-one Days Notice given to him, her or them for that Purpose by the respective Collector or Collectors, Receiver or Receivers for the Time being, appointed by Virtue of this Act; then it shall be lawful for such Collector or Collectors, Receiver or Receivers, to cause such Dike to be roded, scoured and cleansed in a sufficient Manner; and where there is not a sufficient Tunnel under such Way, to cause those Ways to be taken up, and made so wide and deep as the Dike ought to be; and by Warrant or Precept under the Hands and Seals of five or more of the said Commissioners (which Warrant or Precept such Commissioners, or any five or more of them are hereby impowered and required from time to time to make, as Occasion shall require) to levy the Charge thereof upon the Goods and Chattels of such Owner or Owners, Occupier or Occupiers, by Distress and Sale of his, her or their Goods and Chattels, upon the Grounds and Premisses to which such Dike or Dikes, Way or Ways doth or do, or shall respectively belong, (over and above the other Rates and Taxes charged or to be charged upon the same Grounds and Premisses by Virtue of this Act) rendering the Overplus, if any, to such Owner or Owners, Occupier or Occupiers respectively, when demanded, after all Charges paid.

Penalty on Persons making Watering-places for Cattle in Mill drains, or driving Waggons on the Banks.

XXII. And be it further enacted, That if any Person or Persons shall make or cause to be made any Watering-place for Cattle to drink at, in any Mill-drain which shall be made within the said Fen Lands or Low Grounds, or shall drive or cause to be driven any Waggon, Cart or other Carriage, upon any Bank which shall be made or maintained by Virtue of this Act (unless such Bank be made upon a common Drove-way, and a sufficient Passage shall not be left along the Side of the said Bank) and be thereof lawfully convicted before any Justice of Peace for the said County of *Norfolk*; such Person so offending shall, for every such Offence, forfeit to the Use of the Person giving Information thereof, the Sum of ten Shillings, to be levied by Distress and Sale of the Goods and Chattels of the Offender, by Warrant under the Hand and Seal of the Justice before whom he or she shall be so convicted.

Penalty of destroying the Banks, or other Works, &c.

XXIII. And be it further enacted, That if any Person or Persons shall at any Time or Times hereafter wilfully or maliciously cut, throw down or destroy any of the Banks, Works or Engines so to be made or erected as aforesaid, or by any Ways hinder, obstruct or lay open any of the Cuts, Drains, Dams or other Works to be made for draining or improving the said Fen Lands and Low Grounds as aforesaid, and shall be convicted of such Offence, by the Oath of one or more credible Witness or Witnesses, or by the Confession of the Party, before two Justices of the Peace for the said County of *Norfolk*; every such Person so convicted shall forfeit for every such Offence the Sum of one hundred Pounds, to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the said Justices before whom such Conviction shall be had, to be employed in carrying on the Works and Improvements in and upon the said Fen Lands and Low Grounds; and for want of such sufficient Distress, such Offender or Offenders shall by the said Justices be committed to the common Gaol of the said County of *Norfolk*, there to remain without Bail or Mainprize for any Time not exceeding twelve Calendar Months, at the Discretion of the said Justices; and if any Person shall wilfully or maliciously set Fire to, burn or otherwise destroy any of the said Engines to be erected as aforesaid, and be thereof lawfully convicted, such Person shall be adjudged guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person shall be tried, shall and have hereby Power and Authority to transport such Felons for seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm.

XXIV. And

'XXIV. And to the End it may appear clearly what Money has been raised, from time to time, by 'Virtue of this Act, and that the Owners and Occupiers of the said Fen Lands and Low Grounds may 'be satisfied that the Monies so raised have been duly applied;' Be it further enacted, That once in every Year, on one of the Days herein before appointed for the Meeting of the said Commissioners, Inspection shall be had by the said Commissioners, or any five or more of them, of the Receipts and Disbursements of such Money as shall have been raised by Virtue of this Act, to the twenty-fifth Day of *March* then next preceding; and all Accounts relating to the same shall be then, or within ten Days after, made up and settled by the said Commissioners, or any five or more of them, then assembled at such Meeting as aforesaid; at which Time the respective Collector or Collectors, Receiver or Receivers of the said Rates and Sums of Money to be raised as aforesaid, are hereby required to attend with proper Books of Accounts of their respective Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination thereof upon Oath (which Oath any one of the said Commissioners is hereby impowered to administer) the said Commissioners, or any five or more of them, are hereby impowered to allow and pass the said Accounts as they shall think fit, or such Part or Parts of the same as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts of them as shall be so allowed by the said Commissioners, or any five or more of them, under their Hands, shall be fairly entered in three several Books to be kept for that Purpose; one whereof shall remain with the said Commissioners, one shall be kept in the Parish Church of Saint *Mary* in *Feltwell*, and the other in the Parish Church of *Southery* aforesaid; and any of the said Books shall and may be inspected and perused without Fee or any other Reward, at any Time at seasonable Hours, by any Person requiring the same, being an Owner of any of the said Fen Lands and Low Grounds.

Accounts of Receipts and Disbursements to be audited annually; and the Vouchers to be produced, &c.

Accounts when allowed to be entered in three Books, &c.

XXV. Provided always, and be it further enacted, That this Act, or any Thing herein contained, shall not extend or be construed to extend to invalidate, lessen, diminish, alter or take away any of the Rights, Powers and Authorities vested in the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, called *Bedford Level*, or in the said Governor, Bailiffs and Conservators, by Virtue of an Actmade in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens, called* Bedford Level; or by Virtue of any other Act or Statute whatsoever; but that all Rights, Powers and Authorities whatsoever, which by Virtue of the said Act of the fifteenth of King CHARLES the Second, or of any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators, or in any of them, shall for ever hereafter remain, continue and be in the said Governor, Bailiffs and Commonalty, and in the said Governor, Bailiffs and Conservators, and every of them, as fully and amply, to all Intents and Purposes as if this Act had never been made.

Rights of the Conservators of Bedford Level reserved to them.

'XXVI. And whereas by the said Act of the fifteenth Year of King CHARLES the Second it was, 'amongst other Things enacted, That the Governor, Bailiffs and Conservators of the said Great Level 'should have Power to lay Taxes upon the ninety-five thousand Acres of Land (allotted as a Recompence for the Draining of the said Great Level) for the Support, Maintenance and Preservation of the 'said Great Level, and to levy the same, with Penalties for Non-payment; and that the said Governor, 'Bailiffs and Conservators should have Power to sell so much of such Parts and Proportions of the said 'ninety-five thousand Acres, upon which any Taxes should be in Arrear, or Penalties, in such Proportions as the said Governor, Bailiffs and Conservators should judge to be sufficient to raise such Taxes 'and Penalties: And whereas several Parcels of the said ninety-five thousand Acres of Land, lying within the said Bounds herein before described, were at different Times, put up to Sale in Pursuance and 'according to the Directions of the before recited Act of the fifteenth of King CHARLES the Second, 'and of one other Act passed in the twentieth Year of the said King, intituled, *An Act for the Taxing and Assessing of the Lands of the Adventurers within the Great Level of the Fens*; in order to raise the Taxes 'and Penalties in Arrear, for and in respect of the said Lands; but the same not being thought worth the 'Taxes and Penalties due thereon, such Lands could not be sold, so as to raise such Penalties and 'Taxes; and the said Governor, Bailiffs and Conservators having directed their Officers, from time to 'time, to bid for such Lands as could not be sold for the Amount of the Taxes and Penalties respectively due thereon, they the said Officers became the Purchasers of such Lands, and have either conveyed the same to the said Governor, Bailiffs and Commonalty, or declared such Purchases to have 'been made in Trust for the said Corporation; and the Lands so purchased have remained vested in the 'said Corporation, and are called *Invested Lands*, and have been annually rated and assessed to the Taxes 'laid upon the said ninety-five thousand Acres, according to their respective Proportions, in Pursuance 'of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second; but such Taxes 'not having been raised or paid, the said Corporation have, from time to time, let such Invested Lands, 'or such Parts of them as they could find Tenants for, at such Rents as could be procured for the same; 'but the Profits arising from the Lands so let, have been very small and inconsiderable, and much less 'than the Taxes with which such Lands have been assessed: And whereas it will be for the Benefit of 'the said Corporation, that the said Invested Lands should be sold for the best Price that can be gotten 'for the same, discharged of all Arrears of Taxes assessed or to be assessed thereon, before the said Lands 'shall be sold, by Virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the 'Second; but subject nevertheless, in like Manner as the rest of the said ninety-five thousand Acres, to 'the Taxes to be assessed by Virtue of the said Acts, after the said Lands shall be so sold; and that in 'the mean Time, and until such Lands can be sold, the said Corporation should be enabled to pay the

15 Car. 2. c. 17.

20 Car. 2. c. 8.

'Rates

'Rates and Taxes to be assessed, by Virtue of this Act, upon the said Lands, for draining the same;' Be it therefore further enacted, That the Receiver for the Time being of the said Corporation shall, out of the Taxes and Revenues of the South and Middle Levels (Part of the said Great Level) pay, upon Demand, to the Collector or Collectors to be appointed by the said Commissioners, all such Rates and Taxes as are or shall be charged by Virtue of this Act upon the said Invested Lands, or any Part thereof, until the same shall be sold, as herein after is directed; and such Receiver shall be, and he is hereby absolutely discharged and indemnified of and for the Sums so by him paid to the said Collector or Collectors, as if such Sums had been paid to and by the Order and Direction of the said Corporation.

The Corporation's Receiver is to pay out of the Taxes of the South and Middle Levels, the Rates chargeable hereby on the Invested Lands, until the said Lands are sold.

XXVII. Provided always, and be it further enacted, That the said Governor, Bailiffs and Conservators, or any five or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, shall have full Power and Authority to appoint annually, at their *April* Meeting, one Commissioner for every three hundred Acres of the said Invested Lands, for which the Taxes to be imposed by Virtue of this Act shall be paid as aforesaid, for so long Time as three hundred Acres of the said Lands shall remain invested.

Commissioners to be appointed annually for the Invested Lands.

XXVIII. And be it further enacted, That it shall be lawful for the said Governor, Bailiffs and Conservators or any seven or more of them, whereof the said Governor or Bailiffs or any of them, to be two, to cause the said Invested Lands to be publickly sold by Auction, either all together or in Lots as they now lie, to the best Bidder or Bidders, at the Shire-house in *Ely*, at any *April* Meeting of the said Corporation; of which Sale or Sales publick Notice shall be given in the *London Gazette*, and also in the *Cambridge* and *Ipswich Journals*, if such News Papers shall then continue to be published; and shall also be affixed in Writing, under the Seal of the said Corporation, at or upon the said Shire-house, one Month at the least before the Time of such Sale; and that after any of the said Lands shall be so sold, the said Governor, Bailiffs and Conservators, or any seven or more of them as aforesaid, shall grant or convey, under the Seal of the said Corporation, the Lands so sold, to the respective Purchaser or Purchasers thereof, freed and discharged of and from all Rates and Taxes which, at any Time before such Sale, shall have been rated or charged upon the said Lands by Virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second, or of any other Act or Acts of Parliament now in Force relating to the said Great Level; and every such Grant or Conveyance shall be valid and effectual, to all Intents and Purposes, as if such Lands had been sold for Non-payment of Taxes, pursuant to the said Acts of the fifteenth and twentieth Years of King CHARLES the Second.

The said Lands may be sold by Auction, giving Notice of such Sale.

Corporation to make a Conveyance thereof to the Purchasers.

XXIX. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Corporation to discharge the said Invested Lands, or any Part thereof, from any Rates or Taxes which the same shall, after Sale thereof as aforesaid, be liable to be rated or assessed with by Virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second, or by Virtue of any other Act or Acts of Parliament whatsoever, relating to the said Great Level; but that the said Invested Lands, after they shall be so sold, shall be liable to be rated and assessed in the same Manner as they were before the making of this Act; any Thing herein before contained to the contrary notwithstanding.

The said Lands are liable to be rated after Sale, as they were before.

XXX. And be it further enacted, That if any Action, Suit or Information, shall be commenced or prosecuted against any Person or Persons, for any Thing done or to be done in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed; and shall be laid or brought in the said County of *Norfolk*, and not elsewhere; and the Defendant or Defendants in such Action or Suit, shall and may plead the General Issue; and if in Replevin, may justify and avow by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do; and may give this Act and the Special Matter in Evidence, without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon; and that the Fact alledged in such Action or Suit to have been done, was done in pursuance and by the Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution, or discontinue his or their Suit or Suits; or if any Verdict shall pass against him, her or them upon a Demurrer, or otherwise; then or in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover treble Costs, for which he, she or they shall have like Remedy as where Costs by Law are awarded.

Limitation of Actions.

General Issue.

Treble Costs.

XXXI. And be it further enacted and declared, That this Act shall be deemed and allowed to be a publick Act; and all Judges, Justices and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

Publick Act.

CAP.

CAP. XXXVI.

An Act for draining and preserving certain Fen Lands, Low Grounds and Commons in the Townships or Hamlets of *March* and *Wimblington*, and in the Parish of *Upwell* in the *Isle of Ely* and County of *Cambridge*.

'WHEREAS certain Fen Lands, Low Grounds and Commons, lying and being in the several Townships or Hamlets of *March* and *Wimblington*, and in the Parish of *Upwell*, in the *Isle of Ely* in the County of *Cambridge*, containing in the whole eleven thousand Acres, or thereabouts, and which are bounded as follows; that is to say, From *March Bridge* North-eastward, along the South-east Bank of the River *Nene*, to the Lands belonging to *James Collier* Esquire, and from thence Eastward by the Bank belonging to the said *James Collier* Esquire, to the East Side of *Well* or *March Pingle*, and from thence Southward by the said Bank, to a Piece of Land called *March Town Piece*, and from thence Eastward by the said Bank, to a certain Drain called *Thurloe's Drain* or *The Sixteen Foot*; and along that Drain on the West Side thereof, to the Bank on the Northward Side of the Lands belonging to the said *James Collier*, now or late in the Occupation of *Robert Glenton*, and by that Bank to Lord *Townshend*'s Lands, and by the said Bank on the Side of Lord *Townshend*'s Lands to *Horsemore Severals*, called *The Thirties*; and from thence by the East Side of *Horsemore Thirties* and *Horsemore Fifties*, to the Lands lately belonging to *Thomas Revel* Esquire; and from thence Westward, between *Horsemore Fifties* and the Lands lately belonging to the said *Thomas Revel* to *Wimblington Lots*; and from thence Southward, between *Wimblington Lots* and the said Lands lately belonging to the said *Thomas Revel*, and *Barber's Lot* to the *Gravel Bank*, and by that Bank on the North Side thereof, to a Place called *The Hook*; and from thence along the Common on the North Side of *Dorrell's Bank* to Sir *Thomas Peyton's Dole*, and so to *Mill Hill*; and from thence along the Edge of the low Parts of the Commons and Greens called *Stow Fen* and *Town End Green*, to the South Bank of the said River *Nene*; and along the said Bank Westward, to a certain antient Sewer called *The Hith* or *Hive*; and from thence by the Edge of the *Hardlands* to *Ransonmoor Bank*; and along the North Side of that Bank to Master *Collier's Bank*; and along the East Side of that Bank, to the River *Nene* aforesaid; and along the South Side of that River to *March Bridge*; and from thence on the North Side of the said River *Nene* Westward, to Lands belonging to *Eleanor* and *Sarah Hake*; and from thence, excluding those Lands, to *Shaw's Dike*; and along *Shaw's Dike* to *Bevil's Leam*; and along the said Leam to *Hob's Drain*; and along *Hob's Drain* to *Moor's Drain*; and from thence Eastward, along the said Drain to the said River *Nene*; and from thence South Eastward, along the North Bank of the said River to *March Bridge*, are frequently very much annoyed with Waters, through the Defect of their Outfalls to Sea, to the great Damage and Impoverishment of the Owners of such Lands, and to the Loss of the Publick: And whereas the said Fen Lands, Low Grounds and Commons, cannot be drained and preserved without the Aid of Parliament;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That for the better and more effectual Execution of the Purposes of this Act, the said Fen Lands, Low Grounds and Commons, shall be and are hereby divided into six Districts: And that the Lands and Grounds which are bounded and described as follows; that is to say, From *March Bridge* North Eastward, along the South East Bank of the River *Nene*, as far as the Lands belonging to *James Collier* Esquire; and from thence Eastward, by the Bank belonging to the said *James Collier*, to the East Side of *Well* or *March Pingle*; and from thence Southward, by the said Bank, to a Piece of Land called *March Town Piece*; and by the West End of such Piece of Land to the *Outring Ditch*, between *Bynnimoore Common* and the *Bedlam Lands*, and along the West Side of such Ditch to *Horsemore Severals* called *The Thirties*; and from thence, by the East Side of *Horsemore Thirties* and *Horsemore Fifties*, to the Lands lately belonging to *Thomas Revel* Esquire; and from thence Westward, between *Horsemore Fifties* and the Lands lately belonging to the said *Thomas Revel* to *Wimblington Lots*; and from thence Southward, between *Wimblington Lots* and the said Lands lately belonging to the said *Thomas Revel*, and *Barber's Lot*, to the *Gravel Bank*, and along the said *Gravel Bank*, on the North Side thereof, and excluding the same Bank, to a Place called *The Hook*; and from thence along the Common on the North Side of *Dorrell's Bank*, excluding the said Bank, to Sir *Thomas Peyton's Dole*, including the said Dole; and along the South Side of the said Dole, to a Place called *Mill Hill*, and from thence along the Edge of the low Parts of the Commons and Greens called *Stow Fen* and *Town-end Green*, with the *Great* and *Little Hurst*, *Wich Fen* and *Joan Saddshole*, including the said low Parts of the said Commons and Greens, and so to the South Bank of the said River *Nene*, and to *March Bridge*; and all the Lands and Grounds lying within the said Boundaries, containing in the whole two thousand five hundred Acres, or thereabouts, shall be deemed the first of the said Districts: And that the Lands and Grounds which are bounded and described as follows; that is to say, From the South East Corner of the Lands belonging to the said *James Collier* Esquire, late *Naylor*'s, along the West Side of the said Drain called *Thurloe's Drain* or *The Sixteen Foot*, to the Bank on the Northward Side of the Lands belonging to the said *James Collier* Esquire, now or late in the Occupation of *Robert Glenton*, and by that Bank to Lord *Townshend*'s Lands, and by the said Bank on the Side of Lord *Townshend*'s Lands to *Horsemore Drove*, and on the East Side of such Drove by Lord *Townshend*'s Lands, *Owen Gray*'s Lands, *John Eaton*'s Lands, *Christopher Adamson*'s Lands,

Lands to be divided into six Districts.

The first District.

Second District.

Lands, and *March Town* Lands, including all the said Lands, to another Bank belonging to the said *James Collier*, by that Bank on the West and North Sides of *March Town* Lands, and the North Side of the Earl of *Anglesea*'s Lands, including those Lands to the said Drain called *Thurloe*'s or *The Sixteen Foot*; and all the Lands and Grounds lying within the said Boundaries, containing in the whole one thousand two hundred Acres, or thereabouts, shall be deemed the second of the said Districts: And that the Lands and Grounds which are bounded and described as follows, that is to say, From *March Bridge* Westward, on the South Side of the River *Nene* to the *Hythe*; and from thence by the Edge of the *Hardlands* of *Sumps Common*, to the *Hardlands* on *Burrowmore Common*; and from thence by the Edge of the *Hardlands* to *Ranjonmoor Bank*; and along the North Side of that Bank, excluding the same, to Master *Collier's* Bank, excluding the said last mentioned Bank; and along the East Side of that Bank to the River *Nene*; and along the South Side of the said River to the *Hythe* aforesaid, and so to *March Bridge*; and all the Lands and Grounds lying within the said Boundaries, containing in the whole seven hundred Acres, or thereabouts, shall be deemed the third District: That the Lands and Grounds which are bounded and described as follows; that is to say, From *March Bridge*, by the North Side of the River *Nene* Westward, to Lands belonging to *Eleanor* and *Sarah Hake*; and from thence, excluding those Lands, to *Shaw's Dike*; and along *Shaw's Dike* to *Bevill's Leam*; and along the said Leam to *Hob's Drain*; and along that Drain to a certain publick Highway called *The New Road*; and along that Road, excluding the same, to *Norwood Common*; and by the Edge of the *Hardlands* of the said Common, to a Lane called *Brook's Lane*, excluding the said Lane, and so to *March Bridge*; and all the Lands and Grounds lying within the said Boundaries, containing in the whole six thousand Acres, or thereabouts, shall be deemed the fourth District: That the Lands and Grounds which are bounded and described as follows; that is to say, From *March Bridge* on the North Side of the River *Nene*, to the Edge of the *Highlands* lying against *Pouts-hirn*; and along that Edge, to a certain Farm called *Estepher Farm*, belonging to the Master, Fellows and Scholars of Saint *John's College* in *Cambridge*, and now in the Tenure of *Thomas Hunt*, including the Low Lands in the said Farm; and so by the Edge of a Piece of Land called *The New Piece*, to the *Hardlands*, of a Place called *Hundred-acres Hirn*; and along that Hirn, to the *Old Chain*; and from thence Eastward, along *Moor's Drain*, as far as the River *Nene*; and from thence South West, along the North Bank of the River *Nene*, including the said Bank, to *March Bridge*, and all the Lands and Grounds lying within the said Boundaries, containing in the whole eight hundred Acres, or thereabouts, shall be deemed the fifth District: And that the Lands and Grounds which are bounded and described as follows; that is to say, From that Part of the said new Road which lies on the South Side of *Moor's Drain*, along by the said Drain to a Place called *The Old Chain*; and from thence to *Norwood Common Green*, and so by the Edge of the *Hardlands* of the said Common, to the new Road aforesaid; and by the East Side of such Road, to *Hob's* or *Moor's Drain*; and all the Lands and Grounds lying within the said Boundaries, containing in the whole seven hundred Acres, or thereabouts, shall be deemed the sixth District.

Third District.

Fourth District.

Fifth District.

Sixth District.

Commissioners for 1st, 3d, 5th, and 6th Districts.

II. And be it further enacted by the Authority aforesaid, That the Lord or Lords, or Lady or Ladies for the Time being, of the Manor of *Dodington*, with the Members, or, in his, her or their Absence, an Agent appointed by such Lord or Lords, Lady or Ladies, under his, her or their Hand or Hands, the Rector of *Dodington* for the Time being, the Town Bailiff of *March* for the Time being, the Burser of Saint *John's College* in *Cambridge* for the Time being, and the Tenant or Occupier of *Estepher Farm* for the Time being, together with such Owners of Lands respectively as are herein after-mentioned; that is to say, Each and every real Owner for the Time being respectively, of forty Acres or more of several Lands, subject to be taxed by Virtue of this Act, lying within the first, third, fifth and sixth Districts, or within all, any or either of such Districts; and also each and every real Owner for the Time being respectively, of two or more Lots or Doles, to which two or more Rights of Common do belong, on the Commons and commonable Parts within all, any or either of the said first, third, fifth and sixth Districts; and also each and every real Owner for the Time being respectively, of two or more Lots or Doles lying within the said Hamlet of *Wimblington*, during such Time as such respective Ownerships shall continue, shall be and are hereby appointed joint Commissioners, at all Times hereafter, for putting in Execution this Act, for and in Respect to the said first, third, fifth and sixth Districts.

Commissioners intitled but to one Vote.

III. Provided always, That this Act shall not extend to impower any Person who shall be intitled to act as a Commissioner by Virtue of all or any of the Qualifications aforesaid, to give any more than one Vote in relation to any Question which may arise touching the Execution of this Act.

Commissioners for the second District.

IV. And be it further enacted by the Authority aforesaid, That all such Persons as are for the Time being respectively, the real Owners of twenty Acres or more, of several Lands, subject to be taxed by Virtue of this Act, and lying within the said second District, during the Time such respective Ownerships shall continue, together with such Persons as shall be nominated in Manner herein after mentioned, shall be and are hereby appointed Commissioners, at all Times hereafter, for putting in Execution this Act, for and in respect to the said second District; and that every Person respectively, who shall be the real Owner of fifty Acres or more, of Lands subject to be taxed by Virtue of this Act, over and above such twenty Acres as aforesaid, and lying within the said second District, may, and every such Person is hereby authorized to nominate and appoint, by Writing under his Hand, one Commissioner for every fifty Acres of the said Lands which such Person shall be so possessed of or intitled to, over and above such twenty Acres as aforesaid; and every Person so appointed, during the Time such Appointment shall continue, or the Person making the same, shall be possessed of the Lands, in respect whereof such Appointment was made, shall and may act as a Commissioner for the said second District, as fully and effectually

to

to all Intents and Purposes, as if such Person was the real Owner of twenty Acres of taxable Lands within such District.

Fourth District.

V. And be it further enacted by the Authority aforesaid, That Sir *John Bernard* Baronet, *Matthew Wyldbore*, *Maximilian Walsham*, *Robert Foster*, *Hutton Perkins*, *Armsted Parker*, Esquires; *Simon Goodman*, *Matthew Walton*, *Thomas Spring*, *Thomas Boker*, *Simon Hardy*, *John Wrangle*, the Reverend *John Wakelin*, *Thomas Waddington*, *John Goostrey*, *Nevil Goodman*, *Charles Brown*, *James Boyce*, *Richard Smith*, *Robert Barker*, and the Steward for the Time being of *Wade*'s Charity, shall be, and they and their Successors, to be elected in Manner herein after mentioned, are hereby appointed Commissioners for putting in Execution this Act, for and in respect to the said fourth District.

Election of Commissioners for fourth District.

VI. And be it further enacted by the Authority aforesaid, That upon the Death, Disqualification, Resignation or Refusal to act, of any Commissioner herein before named, or hereafter to be elected for the said fourth District, except the said Steward for the Time being for *Wade*'s Charity, it shall be lawful for the surviving or remaining Commissioners for such District, or any five or more of them, assembled at a Meeting to be held for that Purpose, whereof twenty-one Days Notice shall be given in Writing, to be affixed on *March Bridge*, to chuse and elect from time to time one other Person, being qualified as herein after mentioned, a Commissioner, in the Place of the Person who shall die, resign, become disqualified, or refuse to act as aforesaid; and every such new Commissioner shall have the same Power and Authority for putting this Act in Execution, as if he had been herein named a Commissioner for such District.

Qualification.

VII. Provided always, That no Person hereby appointed, or hereafter to be chosen a Commissioner for the said fourth District, shall be enabled to act as a Commissioner for such District, except the said Steward of *Wade*'s Charity, unless he shall be the real owner of three or more Lots or Doles, to which three or more Rights of Common, on the Commons and commonable Parts, do belong, within the said fourth District, or the real Owner of sixty Acres or more, of several Lands, subject to be taxed by virtue of this Act, and lying within such fourth District.

Agents may be appointed.

VIII. Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for any Commissioner for the said first, third, fifth and sixth Districts, who for the Time being, is the real Owner respectively of eighty Acres or more, or such several Lands as aforesaid, or four or more such Lots or Doles as aforesaid; and also for any Commissioner for the said second District, who for the Time being shall be a Commissioner in his own Right, as the real Owner respectively of twenty Acres or more, of such several Lands as aforesaid; and also for any Commissioner for the said fourth District, who for the Time being, is the real Owner respectively of one hundred Acres or more, of such several Lands as aforesaid; and every such respective Commissioner is hereby authorized to appoint, by Writing under his Hand from time to time, and for such Time as he shall think proper, an Agent to act in his Absence as a Commissioner; and such Agents shall and may in the Absence of the Persons respectively by whom they shall be appointed, act as Commissioners in the Execution of this Act, in such and the same Manner, and as fully to all Intents and Purposes, as such Commissioners respectively might act and do, if they were personally present; but no Commissioner appointed by any Owner of Lands in the said second District, in respect of such Owner's being possessed of fifty Acres or more as aforesaid, shall be enabled to appoint an Agent.

For qualifying Persons jointly possessed of Estates.

IX. Provided also, and be it further enacted by the Authority aforesaid, That every Person who shall be Joint Owner with any other Person or Persons of several Lands, subject to be taxed by virtue of this Act, or of any such Lots or Doles aforesaid, and the Interest or Property of such Person in such Lands, or in such Lots or Doles, shall be equal to, or exceed the respective Quantities of several Lands, or the Numbers of such Lots or Doles as are herein before respectively mentioned for the Qualification of Commissioners to act, or to appoint Agents to act in their Absence in the said respective Districts, or to appoint Commissioners in the said second District, every such Person shall be and is hereby respectively impowered to act as a Commissioner for such District or Districts respectively, and to appoint an Agent as aforesaid, and to appoint a Commissioner or Commissioners for the said second District as aforesaid, in the same Manner, and as fully and effectually, to all Intents and Purposes, as if such Person was distinctly and separately possessed of such Interest or Property in such respective District or Districts; any thing herein before contained to the contrary notwithstanding.

Meetings for the respective Districts.

X. And be it further enacted by the Authority aforesaid, That the respective Commissioners for the said District, or any five or more of such respective Commissioners, shall hold two General Meetings in every Year, in Manner following; that is to say, Such Meetings of the Commissioners for the first, third, fifth and sixth Districts, shall be held on the Day after the first *Monday* in *May*, and the Day after the first *Monday* in *October*; the Meetings of the Commissioners for the second District shall be held on the third *Monday* in *May*, and the first *Monday* in *November*; and the Meetings of the Commissioners for the fourth District shall be held on the first *Monday* in *May* and the last *Monday* in *October*; and the said respective Commissioners, or any five or more of them, may meet at such other Time or Times as they shall think proper; and the first Meeting of such respective Commissioners shall be held at the House known by the Sign of the *White Hart* in the Town of *March*, on the Days following; that is to say, The Commissioners for the first, third, fifth and sixth Districts shall meet on the fourteenth Day of *June* one thousand seven hundred fifty-seven; for the second District on the thirtieth Day of *June* one thousand seven hundred and fifty-seven; and for the fourth District on the first Day of *July* one thousand seven hundred and fifty-seven; and the respective Commissioners assembled at the said first Meeting, or at any General Meeting, shall and may then, and from time to time afterwards, adjourn themselves to meet at such other

Time and Times as they, or any five or more of them respectively shall think fit; and such respective Commissioners, or any five or more of them, may also meet at such other Time and Times, as any five or more of them respectively shall think necessary to appoint, by Notice in Writing under their Hands, to be affixed on *March Bridge*, in respect to all such Meetings as shall be so summoned for the first, third, fifth and sixth Districts, and the said fourth District; and upon *March* and *Upwell Bridges* for all such Meetings as shall be so summoned for the said second District, seven Days at the least before the holding any such Meeting respectively; and the said respective Commissioners, at all the Meetings to be held by virtue of this Act, shall defray their own Expences.

Where to be held.

XI. Provided always, That all the General Meetings, and all the Meetings which shall be held by Adjournment, or shall be summoned in Manner as aforesaid, for the first, third, fifth and sixth Districts, and also for the said fourth District, shall be held at such convenient Place or Places in the said Town of *March*, as the Commissioners, or the major Part of them, assembled at the previous Meeting which shall be held by Adjournment, shall appoint, or as shall be specified in the Notice for summoning such Meetings respectively, and not elsewhere; and that in like Manner, every third Meeting for the said second District shall be held at the Town of *Upwell*; and the other Meetings for such District at the said Town of *March*, and not elsewhere.

Commissioners to make and maintain Works;

XII. And be it further enacted by the Authority aforesaid, That the respective Commissioners for the said Districts, or any five or more of such Commissioners, assembled at all or any of their Meetings to be held by virtue of this Act, shall be and are hereby fully impowered, from time to time to make, support, alter and maintain, or cause to be made, supported, altered or maintained, such Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Stamps, Outlets, Works and Engines, in, through and upon the said Fen Lands, Low Grounds and Commons, or any Part thereof, in such respective Districts; and to make, erect, remove, alter, repair and maintain all such Works and Engines thereupon; and if any Works or Engines are already made or erected in such Districts, to remove, alter, repair, or continue the same, in such Manner as they the said respective Commissioners, or any five or more of them, shall from time to time think necessary or convenient for draining and preserving the said Lands, Grounds and Commons; and also to make such Orders, and give such Directions for carrying on, and for the better and more orderly Government of the said Works, and for executing the Purposes of this Act, within and in relation to such respective Districts, as they the said respective Commissioners, or any five or more of them shall think proper; making such reasonable Satisfaction to the Person or Persons who hath or have a Right to the Soil through or upon which any such Cut, Drain, Dam, Bank, Tunnel, Heading, Tray, Stamp, Outlet, Work or Engine, shall be made and erected, for the Damages he, she or they shall thereby sustain, as shall be agreed upon between such respective Commissioners; or any five or more of them, and the Person or Persons having such Right as aforesaid; and if such respective Commissioners, or any five or more of them, and such Person or Persons, cannot agree touching the Amount of such Damage, that then the same shall be assessed, adjudged, and finally determined, by the Justices of the Peace, or the major Part of them assembled at any General or Quarter-Session of the Peace, which shall be held for the said *Isle of Ely*, within six Months after such Dispute shall arise; and in case such Owner or Owners shall make Oath, that in his, her or their Opinion or Judgment, such Damage amounts to above the Value of forty Shillings, the Justices at such Sessions shall, and they are hereby authorized and required to charge the Jury, which shall attend at such Session, or some other Jury of twelve honest and indifferent Men (to be then and there impanelled and returned by the Chief Bailiff of the said *Isle of Ely*, without Fee or Reward) and cause them to be sworn well and truly, on their Oaths, to assess the Recompence to be made for such Damage, which Oath the said Justices are hereby impowered and required to administer to the said Juries; and to which said Juries the said respective Commissioners, and the Parties complaining, shall have their lawful Challenges; and the said Jury being so charged and sworn as aforesaid, and after proper Evidence, upon Oath, to them given, of the Nature of such Damage, shall by their Verdict, assess the Damages and Recompence to be made for the same, to such Owner or Owners; and the Verdict of the Jury, and the Judgment of the said Justices thereupon, shall be final and conclusive to all Parties.

In making Satisfaction.

Officers to be appointed.

XIII. And be it enacted by the Authority aforesaid, That the said respective Commissioners, or any five or more of them, assembled at all or any of the Meetings to be held in pursuance of this Act, shall be and are hereby respectively impowered to appoint such Collector or Collectors, Receiver or Receivers, and such other proper Officer or Officers, for each of the said several Districts, as they the said respective Commissioners, or any five or more of them, shall think fit, for the taking Care of all such Works, and for collecting the Taxes or Assessments which shall be made, rated or assessed, in each of the said several Districts; and to allow to such Officers, out of such Taxes or Assessments, such yearly or other Wages or Salaries for their Trouble and Pains in their respective Offices, as they the said respective Commissioners, or any five or more of them, present at any such Meeting, shall think reasonable; which said Collector or Collectors, Receiver or Receivers, and other Officer or Officers, so to be appointed, may be altered and removed at the Will and Pleasure of the said respective Commissioners, or any five or more of them, assembled at a Meeting to be held for that Purpose, of which fourteen Days Notice shall be given in Writing, to be affixed on *March Bridge*, and another or others appointed in his or their Room or Stead, as Occasion shall require; and such Collectors or Receivers shall, before they act in the Execution of their respective Offices, give such Security, if the same shall be required, for the due Execution of such respective Offices, and for performing the several Trusts to them committed,

mitted, as the said respective Commissioners, or any five or more of them, assembled at any Meeting, shall think fit.

Taxes on several Lands.

XIV. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said respective Commissioners, or any five or more of them, assembled at their first and at any General Half-yearly Meeting or Meetings, yearly and every Year to assess, rate, tax, and charge all and every the respective Owner or Owners, Occupier or Occupiers of all and singular the said several Fen Lands and Low Grounds within such respective Districts, by an equal and proportionable Tax or Assessment, in Manner following; that is to say, For the Fen Lands and Low Grounds lying in the said first, second, fourth and sixth Districts, in any Sum or Sums of Money not exceeding in the Whole two Shillings *per* Acre in any one Year; and for the Fen Lands and Low Grounds lying in the said third and fifth Districts, in any Sum or Sums of Money not exceeding in the Whole five Shillings *per* Acre in any one Year; over and above such Taxes and Assessments whereunto the said Fen Lands and Low Grounds now are, or hereafter may be chargeable; and also to limit and appoint such Days and Places for the respective Payments of such Taxes to the respective Collector or Collectors, Receiver or Receivers, for such respective Districts, as they the said respective Commissioners, or any five or more of them, under their Hands and Seals shall think proper.

The Quantity of rateable Lands to be given in by the Owners.

XV. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That the Quantities of the Lands so to be rated and taxed as aforesaid, within the said respective Districts, shall, on or before the first Day of *August* one thousand seven hundred and fifty-seven, be given in to the Receivers or Collectors for such respective Districts, by the Owners, Proprietors or Occupiers of such Lands; and if any of the Owners, Proprietors or Occupiers of Land within any such District or Districts, shall neglect or refuse to give in to any such Receivers or Collectors a particular Account of the Number of Acres contained in their several Lands; or in case there shall be reason to suspect the Number of Acres is not truly stated in any such Account, it shall be lawful for the Commissioners, or any five or more of them, to order a Survey to be made of any of the said Lands by an able Surveyor, not being a Proprietor of any Lands in the District, upon Oath; which Oath any two of the Commissioners of the respective Districts are hereby impowered to administer; and any Survey which shall be so made, shall be sufficient Warrant and Authority to the said Commissioners, or any five or more of them, to ascertain and determine the Quantities of such Lands; and the Charge of surveying the Lands of such Person or Persons as shall neglect or refuse to give in such Account, or delivering in a false Account, shall be paid by such Person or Persons respectively; and in case of Nonpayment thereof, shall be recovered in such Manner as the Taxes are herein directed to be recovered; and in case it shall appear upon any such Survey, that the Number of Acres was truly stated in any such Account, the Charge of such Survey shall be defrayed out of the Monies arising by virtue of this Act within the respective District, wherein the Survey shall be so made.

Taxes on Common Rights;

XVI. And whereas the said Commons and Commonable Parts which are bounded and described as aforesaid, consist of one hundred and eighty Rights of Common, and extend into the first, third, fourth, fifth and sixth Districts, and it is necessary that the Taxes for such Commons and Commonable Parts should be equally and generally assessed upon all the said Rights; and that such Taxes should be ascertained and regulated according to the Quantity of such Commonable Parts, lying within each of the said Districts, and the Amount of the Taxes for the several Lands within the same respectively; and it will tend to the more easy and effectual raising of the said Taxes, if the same were to be assessed, collected and levied, by and under the Direction of the Commissioners for the said first, third, fifth and sixth Districts; Be it therefore enacted by the Authority aforesaid, That at the first Meeting, and at any General Half-yearly Meeting or Meetings as aforesaid, the said Commissioners for the said first, third, fifth and sixth Districts, or any five or more of them, shall yearly and every Year, assess, rate, tax and charge, all and every Person or Persons, who shall be intitled to any Right or Rights of Common upon the said Commons or Commonable Parts, for the Use of the said Districts, in Manner and according to the Proportions following; that is to say, When the Taxes for the several Lands in all such Districts shall amount unto the full Sums herein before authorized to be assessed upon such several Lands within such Districts, the several Sums following shall be assessed upon the said one hundred and eighty Common Rights for the Use of such District, and raised by an equal Tax of seven Shillings and six Pence for each Right; to wit, The Sum of twenty-two Pounds and ten Shillings, being the Amount of the Taxes for sixty of such Rights, for the first District; the Sum of thirty Pounds, being the Amount of the Taxes for eighty of such Rights, for the third District; the Sum of five Pounds twelve Shillings and six Pence, being the Amount of the Taxes for fifteen of such Rights, for the fourth District; the Sum of seven Pounds and ten Shillings, being the Amount of the Taxes for twenty of such Rights, for the fifth District; and the Sum of one Pound seventeen Shillings and six Pence, being the Amount of the Taxes for five of such Rights, to the sixth District; and when the Taxes upon the several Lands in all, any, or either of the said Districts shall be less than the full Sum or Sums herein before authorized to be assessed upon the several Lands within such respective Districts, the Sums to be assessed upon the Common Rights for the Use of such Districts respectively, shall be in exact Proportion, as near as may be, to the Taxes for the several Lands in such respective Districts; and all the Sums to be assessed in each Year upon the said one hundred and eighty Common Rights for the Use of all the said Districts, shall be raised in one gross or general Sum, by an equal and general Tax upon each and every of such Rights; and the Taxes so raised shall be allotted and paid by the said Commissioners, or any five or more of them, for the Use of such respective Districts in and according to the Proportions in which such Taxes were assessed, and shall

how to be apportioned,

and raised,

shall be applied in such Manner as the Taxes upon the several Lands in such Districts are directed to be applied; and the Collectors or Receivers of the said Taxes shall pay such Proportion or such Taxes as shall from time to time belong to the said fourth District, out of the Monies collected, to the Commissioners for such District, or any five or more of them, or to such Person or Persons as they, or any five or more of them, shall appoint to receive the same; and if any such Collector or Receiver shall, for the Space of thirty Days after such Money shall be in his Hands, neglect or refuse to pay the same after Demand thereof made, such Money shall and may be levied by Distress and Sale of the Goods and Chattels of such Receivers or Collectors respectively, by Warrant or Warrants under the Hand and Seal of any Justice or Justices of the Peace for the said *Isle of Ely*; which Warrant or Warrants such Justice or Justices is and are hereby impowered and required to grant, upon Proof made on Oath, by any one or more credible Witness or Witnesses of the Collection of such Taxes, and the Proportion due to such District, and of such Demand being made (which Oath such Justice or Justices is and are hereby impowered and required to administer) rendering the Overplus, if any, to the Owners of such Goods and Chattels, after such Monies, and all reasonable Charges shall be deducted; and if sufficient Distress shall not be found, such Justice or Justices shall, and he and they is and are hereby required to commit such Receiver or Collector to the Common Gaol of the said Isle, there to remain without Bail or Mainprize, until such Money, and all reasonable Charges shall be paid unto the said Commissioners, or to such Person as they, or any five or more of them shall appoint, or until such Receiver or Collector shall have compounded for the same, to the Satisfaction of the said Commissioners, or any five or more of them; which Composition such Commissioners, or any five or more of them assembled at a Meeting, whereof ten Days Notice in Writing shall be given and affixed on *March Bridge*, are hereby impowered to make.

Separate Collectors.

XVII. Provided always, That the said Commissioners for the said first, third, fifth and sixth Districts, or any five or more of such Commissioners, shall, and they are hereby impowered, from time to time, to appoint a separate Collector or Collectors, Receiver or Receivers of the Taxes for such Common Rights, and may make such Allowance for his or their Trouble therein, as they the said Commissioners, or any five or more of them shall think reasonable; which Allowance shall be made out of such Taxes allotted to each District in Proportion, as near as may be, to the Amount of the respective Sums allotted; and such Commissioners, or any five or more of them, shall take such Security from all such Collectors or Receivers, as they the said Commissioners shall think fit, and may from time to time remove such Collectors or Receivers, or any of them, as often as the said Commissioners, or any five or more of them shall think proper.

Certain Lots exempted.

XVIII. And whereas four Lots, each whereof contains eighteen Acres, or thereabouts, are lying in *Burrow Moor*, near the River *Nene*, and which are Parcel of the said third District, and are now, or lately were, belonging to *John Matthews*, *John Vise*, and the Trustees of the Town of *March*, have been made use of for the Purposes of Fuel, and are therefore unable to bear such Tax as is herein before imposed on other Lands comprized within the said third District; Be it therefore provided and enacted by the Authority aforesaid, That the Owners or Occupiers of the said Lands in *Burrow Moor*, now or lately belonging to *John Matthews*, *John Vise*, and the Trustees of the Town of *March*, shall not be liable to be rated or assessed, or to pay in any one Year, for or in respect of such Lands, more than after the Rate of one Moiety of the Acre Tax which shall be rated, assessed or paid, for or in respect of the other Lands in the said third District in each respective Year; any Thing in this Act contained to the contrary notwithstanding.

Highlands not to be charged.

XIX. Provided always, That no Tax or Assessment shall be rated, charged or levied, for or in respect of any Lands being Part of the Lands bounded and described as aforesaid, which are known and distinguished by the Name of *Highlands*, and have not been subject to Inundations; and if any Dispute shall arise, whether any of such Lands shall or shall not be deemed *Highlands*, the same shall be determined upon View, by any four or more Commissioners for all, any or either the said Districts, not having any Property in the District wherein such Lands shall lie; two of which Commissioners shall be nominated by the Commissioners for the District wherein such Lands are situate, or any five or more of them, and the other two by the Proprietor or Proprietors of the Lands in Dispute; and such four Commissioners shall choose one other Commissioner, not having Property in such District, as an Umpire to determine such Dispute, in case such four Commissioners should be equally divided in their Opinions; and all such Commissioners, before they proceed to determine such Dispute, shall take an Oath well and truly, to the best of their Judgment and Knowledge, to determine whether such Lands shall or shall not be deemed *Highlands* (which Oath any one or more of the Commissioners are hereby impowered to administer) and such Commissioners shall set forth their Determination in two distinct Writings, and shall sign the same; and one of such Writings shall be delivered to the Owner of such Lands, and the other of such Writings shall be deposited in the Town Hall in *March* aforesaid.

Manner of determining which are Highlands.

Exemption in 2d District.

XX. Provided always, and be it further enacted by the Authority aforesaid, That no Taxes or Assessments shall be charged or paid for any Land in the said second District, lying within the Distance of five Poles (being the Pole of eighteen Feet) from the Bank of the said *Sixteen Foot Drain*; any Thing herein before contained to the contrary notwithstanding.

Money to be borrowed.

XXI. And to the End that a sufficient Sum of Money may be speedily raised for the Purposes of this Act, Be it further enacted by the Authority aforesaid, That the Commissioners for the said respective Districts, or any seven or more of them, shall have full Power and Authority, from time to time, by Writing

ting under their Hands and Seals, to assign over the Taxes and Assessments hereby authorised to be rated and charged within and upon Account of such respective Districts, and every or any Part thereof (the Costs and Charges of such Assignment to be paid out of the said Taxes or Assessments) as a Security for any Sum or Sums of Money to be borrowed for the Purposes of executing this Act within, or upon Account of such respective Districts, to such Person or Persons, or their Trustees, as shall advance or lend the same, to secure the Repayment thereof, with Interest, not exceeding five Pounds *per Centum per Annum*, so that a separate and distinct Assignment be made of the Taxes or Assessments arising within such Districts, and it be particularly distinguished and set forth in every such Assignment on account of which of the said Districts such Monies are so respectively borrowed.

And Assignments transferred.

XXII. And it is hereby further enacted, That the said Securities or Assignments shall and may be assignable or transferrable, by Indorsement on the original Grant or Security thereof, or otherwise, without Stamp, to any Person or Persons whatsoever; and the Person or Persons to whom such Transfer or Assignment shall be made, shall from and after the Time that the same is entered in a Book or Books to be kept for that Purpose for each respective District, be well and sufficiently intitled to the Monies thereby secured, and the Interest due, and to grow due thereon; which Entry is hereby required to be made upon Request, and producing such Assignment, and paying two Shillings for every such Entry; and such Assignee or Assignees, and every After-assignee and Assignees may, in like Manner, by Indorsement, or otherwise, without Stamp, assign and make over such Transfers or Assignments as aforesaid; and so *toties quoties* as Occasion shall require; every such Transfer or Assignment being entered in such Book as aforesaid.

The Sums to be borrowed in each respective District.

XXIII. Provided always, and be it further enacted by the Authority aforesaid, That no more than the respective Sums following shall be borrowed or owing at any one Time upon the Credit or Security of the Taxes or Assessments arising within, or in relation to the said respective Districts; that is to say, On the Taxes for the first District, one thousand two hundred Pounds; on the Taxes for the second District, six hundred Pounds; on the Taxes for the third District, four hundred Pounds; on the Taxes for the fourth District, three thousand five hundred Pounds; on the Taxes for the fifth District, one thousand Pounds; or on the Taxes for the sixth District, six hundred Pounds; any Thing herein before contained to the contrary notwithstanding.

Taxes not to be under a certain Rate when Money is owing.

'XXIV. And for the better securing the Payment of the Principal and Interest of the Sums of Money 'borrowed by virtue of this Act, upon the Credit of the Taxes or Assessments in the said respective 'Districts; Be it further enacted by the Authority aforesaid, That during such Time and Times as any Monies which shall have been borrowed by virtue of this Act, upon the Credit of the Taxes or Assessments within the said respective Districts, or the Interest upon any such Monies shall be due or owing, the Acre Taxes or Assessments upon the Owners or Occupiers of the Lands and Grounds within the District, in respect whereof such Money was borrowed, shall not be less in any one Year than the respective Sums following; that is to say, Such Taxes or Assessments shall not be less in the said third and fifth Districts, than the Sum of two Shillings and six Pence for every Acre; nor in the said first, second, fourth and sixth Districts, than one Shilling for every Acre in any one Year; and that the Taxes or Assessments for or in respect of the said Rights of Common, shall be in Proportion thereto, in such Manner as is herein before directed.

Taxes to be Security for Monies borrowed.

XXV. Provided always, and it is further enacted and declared, That the Taxes or Assessments within the said respective Districts, shall be charged and chargeable with the Payment of the principal Money so to be borrowed by the Commissioners for such Districts respectively, and the Interest of such Money, from time to time; and shall vest in the respective Creditors, upon Default of Payment of such Principal and Interest, until the same shall be fully satisfied and paid, together with the Costs and Charges occasioned by the Non-payment thereof; and the said Creditors, their Executors, Administrators and Assigns respectively, shall have the same Powers, Rights and Privileges of assessing, raising and recovering the several Taxes or Assessments payable by the several Owners and Occupiers of Lands and Grounds within such Districts respectively, for and in respect of such Principal Money and Interest, in case of Default of Payment thereof, as the said Commissioners and their Collectors could have had, in case such Principal and Interest had been regularly and fully satisfied and paid.

Application of the Monies.

XXVI. And it is hereby further enacted by the Authority aforesaid, That all the Taxes or Assessments which shall be rated and paid by Virtue of this Act, in each of the said Districts, and the Monies borrowed on the Credit of such Taxes or Assessments respectively, shall be applied and expended in defraying such Proportion of the Expences of obtaining this Act as is herein after respectively appointed to be defrayed by or on the Behalf of such Districts; and also in making, performing, erecting and maintaining the Works for draining, imbanking and preserving the Lands in each District respectively, wherein or upon Account whereof such Taxes or Assessments shall be raised and paid, and such Monies shall be borrowed, and in defraying the other necessary Expences of executing this Act, and in Discharge of the Principal and Interest of the Monies borrowed in Relation to and upon Account of every such District respectively.

Charges of the Act to be paid in equal Parts by each District.

XXVII. And it is hereby further enacted by the Authority aforesaid, That the Charges and Expences of obtaining this Act shall, in the first Place, be borne and defrayed out of the Taxes or Assessments raised in each and every of the said Districts respectively, or out of the Monies to be borrowed on the Credit of such Taxes or Assessments, in Proportion to the whole Amount of the highest Taxes or Assessments that can be rated upon each District respectively.

XXVIII. And

Taxes to be levied by Distress and Sale.

XXVIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons so rated or assessed as aforesaid, shall refuse or neglect to pay the Tax or Assessment charged upon him, her or them respectively, for the Space of twenty-one Days after the respective Times of Payment to be limited and appointed as aforesaid, publick Notice thereof being affixed upon *March Bridge*, and Demand made by the respective Collector or Collectors, Receiver or Receivers, or by some other Person or Persons authorised by him or them respectively for that Purpose; it shall be lawful for such respective Collector or Collectors, Receiver or Receivers, or for any other Person or Persons, by Virtue of any Warrant or Precept under the Hands and Seals of three or more of the respective Commissioners for the respective District; or in case such Tax shall be in respect of any Common Right, by Warrant or Precept under the Hands and Seals of any three or more of the Commissioners, for the said first, third, fifth and sixth Districts (which Warrants or Precepts such respective Commissioners, or any three or more of them, are hereby impowered and required from time to time to make as Occasion shall require) to levy the Sum or Sums so rated or assessed, and all the Arrears thereof, by Distress of the Goods and Chattels of the Person or Persons so making Default; and such Goods and Chattels so distrained, to keep for the Space of four Days, at the Charge of the Owner or Owners thereof; and if such Owner or Owners shall not, within the said Space of four Days, pay the Sum or Sums so rated or assessed, and the Expences of making and detaining such Distress, that then the Goods and Chattels so distrained shall be appraised by two or more Inhabitants of the Parish or Place where the same shall be taken, or other sufficient Persons, and shall be sold by the said Collector or Collectors, Receiver or Receivers, or other Person or Persons, making such Distress for Payment of the said Money; and the Overplus (if any be) arising by such Sale, after deducting such Taxes or Assessments, and the Charges occasioned by such Distress, shall be returned to such Owner or Owners upon Demand: And the Tenant and Tenants of all and singular the said Fen Lands, Low Grounds and Commons, and upon, for or in respect whereof such Taxes or Assessments shall be rated or charged by virtue of this Act, is and are hereby required and authorised to pay such Taxes or Assessments, and to deduct the same out of his, her and their Rent; and every Tenant paying such Tax or Assessment, or Rate, shall be acquitted and discharged for so much Money as such Tax or Assessment shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands, Grounds and Commons, except where there is a Lease of three or more Years to come from the Commencement of this Act; in which Case, the Proportion of the Tax or Assessment, which the Tenant ought to bear and pay in Consideration of the Benefit he or she receives by such Lease, shall be adjusted and awarded by the Commissioners for the District wherein such Lands are situate, or any five or more of them.

Tenants may pay Taxes, and deduct them from their Rent;

except where there is a Lease of three Years to come.

Taxes upon Estepher Farm, &c. to be paid by the Tenants.

XXIX. Provided always, That the Taxes or Assessments for and in respect of the said Farm and Lands, called *Estepher Farm*, and also for and in respect of the Lands called *Earls Fen*, and the Lands belonging to Sir *John Bernard*, Baronet, lying in the *West Fen*, shall always be paid and borne by, and in case of Nonpayment, levied upon the Tenants or Occupiers of the said Farm and Lands, and not by the Landlords thereof; any Thing herein before contained to the contrary thereof in any wise notwithstanding.

Grounds unoccupied to remain a Security for the Taxes.

XXX. Provided also, and it is hereby further enacted by the Authority aforesaid, That in case any Part of the said Fen Lands, Low Grounds, or Commons, shall at any Time hereafter be untenanted or unoccupied, so that no sufficient Distress can be found, whereon to levy the said Taxes or Assessments, then such Parts of the said Lands, Grounds and Commons, shall always remain a Security for Payment thereof; and all Corn, Hay, and other Goods and Chattels, which shall at any Time thereafter be found thereon, shall and may be distrained, kept, appraised and sold in Manner aforesaid, until all Arrears of Taxes or Assessments, and the Charges of such Distress, and detaining, keeping and selling the same, shall be fully paid and satisfied.

No Order made by the Commissioners shall be altered, &c. unless 10 Days Notice be first given.

All Orders to be made at Meetings.

XXXI. Provided always, and be it further enacted by the Authority aforesaid, That no Order which shall be made by the said respective Commissioners, or any of them, by virtue of this Act, at any of their Meetings, shall be altered, reversed, annulled or made void, at any subsequent Meeting, unless seven or more of the Commissioners be present at such Meeting, and five or more of them be consenting thereto, nor unless ten Days Notice in Writing be affixed on *March Bridge*; in which said Notice the Intent and Design of such Meeting shall be declared: And that every Order for executing the Powers of this Act shall be made at a Meeting of the Commissioners, to be held in such Manner as is herein before appointed or authorised, and not otherwise; except only as to the granting of Precepts or Warrants for levying Taxes or Penalties, which shall and may be granted and signed by such Commissioners, whenever the same shall be necessary and be required.

Persons destroying Mills, &c.

to suffer as Felons.

Persons damaging the Works,

XXXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully or maliciously cut, break down, burn, demolish or destroy any Bank, Mill, Engine, Flood-gate or Sluice already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported, maintained or used in any of the said Districts, for answering the Purposes of this Act, every Person or Persons so offending, and being thereof convicted, shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person or Persons shall be tried and convicted, shall, and have hereby Power and Authority to transport such Felons for seven Years, in the like Manner as other Felons are directed to be transported by the Laws of this Realm: And if any Person or Persons shall wilfully and maliciously stop, dam up, demolish, damage or destroy any River, Drain, Watercourse, Door, Dam, Bridge, Stile or other

other Work or Works, already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported, maintained or used, for answering the Purposes of this Act, every Person or Persons so offending, and being thereof convicted before any two or more Justices of the Peace for the *Isle of Ely*, (who are hereby required to hear and determine the same, on the Oath of one or more credible Witness or Witnesses) shall forfeit the Sum one hundred Pounds, to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the Justices before whom such Conviction shall be had, to be applied and laid out in carrying on the Works and Improvements in the respective District, wherein or in relation whereunto, such Offence shall be committed; and for want of sufficient Distress, such Offender or Offenders shall by the said Justices be committed to the Common Gaol of the said *Isle of Ely*, for any Time not exceeding twelve Months, at the Discretion of the said Justices.

to forfeit 100l.

XXXIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall erect, set up, use or work any Horse Mill, Gigg, or other Engine or Device whatsoever, for draining or discharging Water from any Lands in the said respective Districts, through or upon the Lands of any other Person or Persons within such Districts respectively, or in any other Manner than directly and immediately from the Lands of the respective Owner of such Mill, Gigg, Engine or Device, into the River *Nene*, *Bevil's Leam*, *Hob's* or *Moore's Drain*, or the said Drain called *Thurloe's* or the *Sixteen Foot*, every such Person shall for every such Offence forfeit the Sum of fifty Pounds to any Person who will sue for the same; and the Owner of such Mill, Gigg, Engine or Device, shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damage such Person or Persons shall thereby sustain; and such Penalty, Compensation and Satisfaction shall be recovered, together with full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

Penalty on working Horse Mills, &c.

XXXIV. And be it further enacted by the Authority aforesaid, That the said respective Commissioners, or any five or more of them respectively, shall once in every Year at their General Meetings; that is to say, The Commissioners for the first, third, fifth and sixth Districts, at their General Meeting on the Day after the first *Monday* in *May*, the Commissioners for the second District, at their General Meeting on the third *Monday* in *May*, and the Commissioners for the fourth District, at their General Meeting on the first *Monday* in *May*, and on any subsequent Days to which such respective Commissioners, or any five or more of them, shall adjourn, Inspection shall be had by the said respective Commissioners, or any five or more of them, of the Receipts and Disbursements of such Monies as shall have been raised and received by Virtue of this Act, in and in relation to their said several Districts respectively for the Year then last past; and all Accounts relating to the said several Districts shall be at such Meeting, or within ten Days after, made up and settled by the said respective Commissioners, or any five or more of them then assembled, at which Time the several Collectors or Receivers of the Taxes or Assessments in such respective Districts are hereby required to attend, with proper Books of Accounts of their Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination of such Accounts, and of all other Accounts of the Receipts and Disbursements of the Money raised and received by Virtue of this Act, within or in relation to such Distress respectively, and upon Oath, if the same shall be required by the said respective Commissioners, or any five or more of them, (which Oath any one of the said Commissioners is hereby impowered to administer) the said respective Commissioners or any five or more of them, are hereby impowered to allow and pass under their Hands the said Account or Accounts, or such Part or Parts of the same, as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts thereof, shall be fairly entered in two distinct and separate Sets of Books, to be kept for each District for that Purpose; one Set whereof shall be kept by the Treasurer or Treasurers, or such other Person or Persons for each District respectively, as the said respective Commissioners, or any five or more of them shall appoint, and the other Set thereof shall be deposited in the Town Hall of the said Town of *March*, or such other convenient Place as the said respective Commissioners, or any five or more of them shall think fit; and the last-mentioned Set of Books shall and may be inspected and perused at any Time, at seasonable Hours, by or at the Request of any Person or Persons rated or taxed, in pursuance of this Act, on paying six Pence for the same.

Accounts how to be settled.

XXXV. Provided always, and it is hereby further enacted and declared by the Authority aforesaid, That all Orders and Proceedings of the said respective Commissioners, or any of them, at their Meetings, shall be entered in distinct and separate Books to be provided for that Purpose, for the respective Districts to which such Orders and Proceedings shall relate; and such Orders and Proceedings so entered, shall be signed by five or more of the said respective Commissioners assembled at such Meetings; and being so signed shall be deemed and taken to be Originals; and all such Books, and also the Books hereby directed to be kept for registering the Securities, Assignments and Transfers, shall or may be read in Evidence in all Cases of Suits or Actions touching any thing done in relation to or in pursuance of this Act.

Proceedings to be entered in Books;

Books may be produced and read in Evidence in Cases of Appeals.

XXXVI. Provided also, and be it further enacted by the Authority aforesaid, That if any private Mill shall, by the Order or Direction of the said Commissioners, or any five or more of them, be taken down or be employed for the Purposes of this Act, the said Commissioners, or any seven or more of them, shall make such Recompence to the Owner or Owners of every such Mill so taken down or employed, for the Expence such Owner or Owners hath or have incurred in building and supporting such Mill, as shall be agreed upon between such Commissioners and Owner or Owners; or in case of Difference con-

Satisfaction to be made for private Mills.

cerning the same, as shall be assessed and adjudged at any General Quarter-Quarter of the Peace which shall be held for the said *Isle of Ely*, within six Calendar Months after such Dispute shall arise, and shall be determined at such Session by a Jury, in such Manner as is herein before mentioned with respect to Damages exceeding forty Shillings.

'XXXVII. And whereas several Owners of certain Lands in the said fourth District, and lying contiguous to *Bevil's Leam* and *More's Drain*, have been lately at a considerable Expence in heightening and strengthening the Banks upon the said Lands against the said Drains;' Be it therefore enacted by the Authority aforesaid, That the said Commissioners for the fourth District, or any five or more of them, shall out of the Monies arising within or in respect of the said fourth District, allow and pay to all and every such Owner or Owners, such Sum or Sums of Money as he, she and they shall have actually expended within one Year preceding the first Day of *May* one thousand seven hundred and fifty-seven, in raising, supporting and strengthening such Banks; and if any Dispute shall arise between any such Owner and the said Commissioners, the same shall be finally determined and settled in such Manner as Disputes, with relation to Lands being or not being deemed Highlands, are by this Act directed to be determined.

A Jowance to be made in the 4th District for private Banks.

XXXVIII. Provided always, and be it further enacted by the Authority aforesaid, That no Banks, Dams or other Works, which were lawfully erected by private Persons in any of the said Districts, shall be cut, taken away or altered (except only in such Cases as the Owners of Mills and Commissioners shall agree concerning the same) until the several Mills in such respective Districts are ready to work.

Private Works not to be altered until the Mills are ready to work.

XXXIX. Provided also, and be it further enacted by the Authority aforesaid, That if by the making of any Drain, Mill, Dam or other Work, in pursuance or by Virtue of this Act, the Passage of any Person or Persons to or from his, her or their Grounds with Cattle or Carriages, shall be interrupted or prevented, the Commissioners for the respective District to which such Works shall belong, or any five or more of such Commissioners, shall, and they are hereby enjoined and required, before or immediately after such Works shall be compleated, to cause a proper Bridge to be built, or Tunnel to be made, and for ever thereafter supported and maintained for the convenient Passage of the Occupier and Occupiers of such Ground respectively to and from the same, with his, her and their Cattle and Carriages, and to defray the Expence of erecting, making and maintaining such Bridges or Tunnels, out of the Taxes or Assessments arising within or in relation to such District respectively.

Directing Bridges and Tunnels to be erected and made.

XL. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall make or cause to be made any Watering-place, or any Place of Access for Cattle to drink, in any Mill Drain within any of the Fen Lands, Low Grounds or Commons, every Person so offending shall forfeit and pay the Sum of five Pounds; and if any Person or Persons shall make or cause to be made any Sock-dike or Sock-gripple on any of the said Fen Lands, Low Grounds or Commons, within the Distance of ninety Feet from any Bank against any River or Drain into which the Water from any or either of the said Districts shall be thrown, every such Person so offending shall forfeit and pay the Sum of four Pence for every Foot in Length of such Sock-dike or Sock-gripple, and the like Sum for every Month during which the same shall be continued; all which Forfeitures shall, upon Conviction of the Offender or Offenders before any one or more Justice or Justices of the Peace for the *Isle of Ely*, upon the Oath of one or more credible Witness or Witnesses, which Oath such Justice or Justices is or are hereby impowered and required to administer, be immediately paid into the Hands of the Treasurer for the District wherein the Offence was committed, to be applied for the Improvement of the Works in such District; and in case of Non-payment such Forfeitures shall be levied by Distress and Sale of the Offender's Goods and Chattels, by Warrant under the Hand and Seal or Hands and Seals of the Justice or Justices of the Peace before whom such Conviction shall be made; and for want of sufficient Distress, such Offender shall by such Justice or Justices be committed to the House of Correction for the said Isle, there to be kept to hard Labour for such Time as such Justice or Justices shall order and direct, not exceeding three Months.

Penalty on making Watering-places and Sock-dikes, &c.

'XLI. And whereas the Lands lying on the West Side of the ancient Sewer called *Plant Water* within the fourth District, are lower than the Lands lying on the East Side of the same Sewer within the said District, and are therefore subject to be annoyed with the Waters descending from the higher Lands;' Be it therefore enacted by the Authority aforesaid, That the Commissioners for the fourth District, or any five or more of them, shall before the first Day of *November* one thousand seven hundred and fifty-seven, cause to be made and erected along the West Side of the said ancient Sewer called *Plant Water*, one good and substantial Bank, and shall from Time to Time always thereafter, keep and maintain such Bank of such sufficient Height and Strength, as may prevent the Waters descending from the Lands on the East Side of the said Sewer from prejudicing or damaging the said Lands on the West Side of the said Sewer, and defray the Expence thereof out of the Monies arising within or in relation to the said fourth District.

A Bank to be made on the West Side of Plant Water.

XLII. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall be construed to hinder the Owner or Owners, or Occupier or Occupiers of the Lands called *Barber's Lot*, from maintaining the Bank now made from the *Gravel Bank* to the South West Corner of the said Lands called *Barber's Lot*.

Owners of Barber's Lot may maintain the Bank to the Gravel Bank.

XLIII. And

Mr. Collier to support his Bank.

XLIII. And be it further enacted by the Authority aforesaid, That from Time to Time, and at all Times hereafter, the Owner or Owners for the Time being of certain Lands and Grounds now in the Possession of *James Collier* Esquire, and lying contiguous to the said first and second Districts, shall maintain and support in good and sufficient Repair, all such Banks as are now maintained, supported and repaired by the Proprietors or Occupiers of such Lands, by way of Fence and Outring Bank against the Lands in the said Districts; and if at any Time hereafter the Water shall overflow such Banks (except such Overflowing shall be occasioned by a Breach of the Great Wash Banks of the Corporation) or if the Water shall pass through any Breach therein into the said respective Districts, or either of them, and the said *James Collier* Esquire, or any future Owner or Owners, or the Occupier or Occupiers of such Lands as aforesaid, shall not immediately upon Notice thereof being delivered to him, her or them, or left at his, her or their Place or Places of Abode, or at the Place or Places of Abode of such Occupier or Occupiers, raise or repair the said Banks in such Manner as may prevent the Overflowing or Passage of the Water as aforesaid; then and as often as such Case shall so happen, it shall be lawful for the said Commissioners for the said first, third, fifth and sixth Districts, or the Commissioners for the said second District, or any five or more of them respectively, from Time to Time to cause such Banks to be raised and repaired in such Manner as may effectually prevent such Overflowing or Passage of the Water as aforesaid; and the Expences necessarily incurred in raising or repairing such Banks shall be reimbursed to the said respective Commissioners by the said *James Collier* Esquire, or the future Owner or Owners of such Lands, or the Occupier or Occupiers thereof, and in case of Non-payment shall and may be levied by Distress and Sale of the Goods and Chattels of such Occupier or Occupiers respectively, by Warrant or Precept under the Hands of any three or more of such respective Commissioners (which Warrant or Precept such Commissioners, or any three of them are hereby impowered and required to grant for that Purpose) rendering the Overplus to such Occupier or Occupiers, after such Expences and the Charges of such Distress and Sale shall be deducted; and if the Tenant or Tenants of such Lands shall, upon such Notice as aforesaid, raise or repair any such Bank at his, her or their own Expence, or shall pay the Expence of doing thereof as aforesaid, by the Direction of such respective Commissioners, or any five or more of them; or in case such Expence shall be levied on him, her or them, the same shall be deducted by such Tenant or Tenants out of his, her or their Rent, and shall be allowed by such Owner or Owners (unless an Agreement shall be made to the contrary between such Owner or Owners and Tenant or Tenants) in such Manner as the Taxes paid by the Tenants are by this Act directed to be deducted and allowed; and if any Dispute shall arise between any such Occupiers and the said Commissioners, touching the Amount of the Expences which shall have necessarily incurred in raising or repairing such Banks, such Dispute shall be finally determined and settled in such Manner as Disputes with relation to Lands being or not being deemed Highlands, are by this Act directed to be determined.

Outring Ditch next to Mr. Collier's Lands to be cleaned.

XLIV. And be it further enacted by the Authority aforesaid, That the Commissioners for the second District, or any five or more of them, shall from Time to Time cause the Outring Ditch on the Side of the said Lands belonging to *James Collier* Esquire, and now or late in the Possession of *Robert Glenton* and *Owen Grey*, to be scoured and cleansed as often as shall be necessary, and the Soil which shall be taken out of such Drain, shall be laid upon the said Lands, to be used by the Owner or Owners thereof in supporting and repairing the Banks on such Lands, abutting against the said second District.

How Waters are to be drained from 1st and 2d District.

XLV. Provided always, and be it further enacted by the Authority aforesaid, That all the Waters draining from the Lands in the said first District shall be discharged into the River *Nene*, and not otherwise; and the Waters draining from the Lands in the said second District shall be discharged into the said *Sixteen Foot Drain*, and not otherwise; any Thing herein before contained to the contrary notwithstanding.

No Trees to be planted within 20 Poles of any Mill.

XLVI. Provided also, and be it further enacted by the Authority aforesaid, That from and after the first Day of *August* one thousand seven hundred and fifty-seven, no Trees or Holts shall be planted nearer to any Mill which shall be erected or employed for the Purposes of this Act than twenty Poles, being the Pole of eighteen Feet; and if any Person or Persons shall plant any Tree or Holt within the Space aforesaid, every such Person shall forfeit the Sum of one Shilling for every Tree and five Pounds for every Holt so planted; and such Trees and Holts shall and may be taken up and carried away, by such Person or Persons as shall be authorized for that Purpose by the said Commissioners, or any five or more of them, for the respective District wherein or in relation whereto such Offence shall be committed; and it shall be lawful for such Person or Persons as shall be authorized for that Purpose by the said respective Commissioners, or any five or more of them, to cut down any Trees or Holts, which shall be growing within the Distance of twenty Poles from any Mill erected or employed for the Purposes of this Act, at the Time such Mill shall be so erected or first used, making such Satisfaction to the Owner of such Trees or Holts as shall be agreed upon between such Owner and the said Commissioners, or any five or more of them; or in case of Difference, as shall be ascertained by the Justices of the Peace at any Quarter-Session which shall be held for the said *Isle of Ely* within six Months after the cutting down such Trees or Holts: And such Penalties shall be recovered and and applied in such Manner as the Penalties for making Watering-places in Mill Drains are herein before directed to be recovered and applied.

Drains not to be made thro' Mr. Brown's Lands.

XLVII. Provided also, and be it further enacted by the Authority aforesaid, That this Act shall not extend to impower the Commissioners for the said fourth District to make a Drain through the Lands now belonging to *Charles Brown*, and in the Occupation of *Nicholas Eldridge*, in any other Manner than by one End and one Side of such Lands; that is to say, To begin at the Corner between *James Boyce* and the aforesaid *Charles Brown*'s Lands, and so on between the Lands of Miss *Hakes* and the said *Charles Brown* to the River *Nene*; or to begin at the aforesaid Corner, and so on by the *Common Drove* to the *Plant Water Bank*, and from thence by the Lands of the said *Charles Brown* to the said River *Nene*; and that such Drains shall be made only at one End and one Side of the said Lands of the aforesaid *Charles Brown*, saving such Drains as take the Waters off the Lands of the said *Charles Brown* only.

Penalty on neglecting to cleanse Dikes, &c.

XLVIII. And be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers of any Lands lying within the said Districts, to which any Drove-way Dike, Outring Dike or Division Dike doth or shall belong, shall neglect or refuse sufficiently to rode, scour, cleanse, open or repair any such Dike, or to make the same of a sufficient Depth, and of the Width of nine Feet at the least, after fourteen Days Notice in Writing given to him, her or them, or left at his, her or their Place of Abode from Time to Time for that Purpose, by the Collector or Collectors, Receiver or Receivers for the respective District wherein such Lands lie (such Collectors or Receivers having an Order in Writing for that Purpose, under the Hands of three or more of the Commissioners for such respective Districts); every such Owner or Occupier shall for every such Neglect or Refusal, forfeit and pay the Sum of twelve Pence for every Rod of the Dike so neglected to be roded, scoured, cleansed, opened, repaired, depthened and widened; and it shall be lawful from Time to Time for such Collector or Collectors, Receiver or Receivers, to cause such Dikes at the Charge and Expence of such Owners or Occupiers, to be roded, scoured, cleansed, opened, repaired and depthened in a sufficient Manner, and made of the Width aforesaid at the least; and where a Way shall have been made over any Dike without a sufficient Tunnel, to cause such Ways to be taken up, and such Dike to be made of a proper Width and Depth; and by Warrant or Precept under the Hands of three or more of the Commissioners for the respective Districts to levy such Penalty, and also such Charges and Expences upon such Owner or Owners, Occupier or Occupiers, by Distress and Sale of his, her or their Goods and Chattels, and such Penalties shall be applied to the Use of the District wherein such Lands shall be situate.

Notice of Meetings for the second District.

XLIX. Provided always, and be it further enacted by the Authority aforesaid, That all Notices which shall be given of the Meetings of the Commissioners for the said second District shall be affixed upon *Upwell* and *March Bridges*.

Saving of Rights to the Corporation of Bedford Level.

L. Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to impower the said Commissioners, or any of them, to have, use or exercise, any Power or Authority over, or to intermeddle with any of the Banks, Sewers, Drains or Works already made, or hereafter to be made, by the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, by virtue of an Act made in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens called* Bedford Level, or by virtue of any other Act or Statute whatsoever, or to invalidate, lessen, diminish, alter or take away any of the Rights, Powers and Authorities vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators; but that all Rights, Powers and Authorities whatsoever, which by virtue of the said Act, made in the fifteenth Year of the Reign of King CHARLES the Second, or any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators, or any of them, shall for ever hereafter remain, continue, and be, in the said Governor, Bailiffs and Commonalty, and in the said Governor, Bailiffs and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

15 Car. 2. c. 17.

Reservation of Rights to Commissioners for preserving the Navigation of Salter's Load Sluice, &c.

LI. Provided also, and it is hereby further enacted and declared by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter, or take away any of the Rights, Powers and Authorities, vested in the Commissioners appointed in and by an Act of Parliament passed in the twenty-seventh Year of the Reign of his present Majesty, intituled, *An Act for improving and preserving the Navigation from* Salter's Load Sluice, *in the County of* Norfolk, *to* Standground Sluice, *in the County of* Huntingdon; *and from* Flood's Ferry, *in the* Isle of Ely, *in the County of* Cambridge, *to* Ramsey High Load, *in the said County of* Huntingdon; *and also the Navigation from* Old Bedford Sluice, *in the said County of* Norfolk, *to the River* Nene, *in the Parish of* Ramsey, *in the said County of* Huntingdon;' But that all Rights, Powers and Authorities whatsoever, which by virtue of the said Act passed in the twenty-seventh Year of the Reign of his present Majesty, now are vested in the said Commissioners thereby appointed, or any of them, shall for ever hereafter remain, continue, and be in the said Commissioners, and every of them, as fully and amply, to all Intents and Purposes as if this Act had never been made.

27 Geo. 2. c. 12.

LII. And

Limitation of Actions.

LII. And it is hereby further enacted, That if any Action, Suit or Information shall be commenced or prosecuted against any Person or Persons for any Thing done or to be done in Pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Fact be committed, and not afterwards; and shall be laid or brought in the Court of Pleas of the said *Isle of Ely*, or in the County of *Cambridge*, and not elsewhere: And the Defendant or Defendants in such Action or Suit shall and may plead the General Issue; and, if in Replevin, may justify and avow by Virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do; and give this Act and the Special Matter in Evidence, without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon; and that the Fact alledged to have been done, was done in Pursuance and by Authority of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution, or discontinue his, her or their Suit or Suits, or if any Verdict shall pass against him, her or them, upon a Demurrer, or otherwise, then in any the said Cases, the Defendant or Defendants, Avowant or Avowants shall recover treble Costs, for which he, she or they shall have like Remedy, as where Costs by Law are awarded.

General Issue.

Treble Costs.

Publick Act.

LIII. And be it further enacted and declared, That this Act shall be deemed a publick Act; and all Judges, Justices and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

CAP. XXXVII.

An Act for enlarging the Times limited for executing and performing several Provisions, Powers and Directions in certain Acts of this Session of Parliament.

'WHEREAS by certain Acts of this present Session of Parliament, several Provisions, Powers and Authorities therein contained, have been or may be required, directed or authorised to be executed on or before the Day of the passing of such Acts respectively, whereby several Doubts and Difficulties may arise with respect to the Execution of the said Acts, and the good Purposes thereby intended may be defeated;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Act of Parliament hath passed, or doth or shall pass, at any Time whatsoever during this present Session of Parliament, whereby any Provision, Power or Authority, or any Matter or Thing hath been, is or shall be directed, required or authorised to be executed, done or performed, on or before any Day which hath been, is or shall be the Day of the passing, or which hath, is or shall have elapsed, before the passing of any such Act respectively; in each and every such Case, all such Provisions, Powers, Authorities, Matters and Things, as have been, are or shall be directed or required to be executed, done or performed, on or before the Days respectively limited in every such Act, shall be and are hereby directed and required to be executed, done and performed, on or before the fourteenth Day after the Day of passing this Act, by the Persons respectively, who in every such Act respectively have been, are or shall be directed or required to execute, do or perform the same, on or before the Days therein limited; and all such Provisions, Powers, Authorities, Matters and Things, as have been, are or shall be authorised to be executed, done or performed, on or before the respective Days limited in every such Act respectively, may be and are hereby authorised to be executed, done and performed, on or before the said fourteenth Day after the Day of passing of this Act, by the Persons respectively who have been, are or shall be authorised to execute, do or perform the same; and all such Provisions, Powers, Authorities, Matters and Things so executed, done and performed, on or before the said fourteenth Day after the Day of passing this Act, shall be as valid and effectual, and be deemed and taken, to all Intents and Purposes, as if the same had been executed, done and performed, on or before the Days limited in every such Act respectively; any Thing therein contained to the contrary notwithstanding.

Where any Provisions, Powers, &c. are directed to be executed by any Act of this Session, before the Day, &c. on which such Act shall happen to have passed, the same may be executed on or before the 14th Day after passing this Act;

and the Matters so done declared to be valid.

CAP.

CAP. XXXVIII.

An Act for amending widening, and keeping in Repair, several Roads in and near to the Town of *Tenbury* in the Counties of *Salop*, *Worcester* and *Hereford*. PR.

CAP. XXXIX.

An Act for repairing and widening several Roads leading to, through and from the Town of *Frome* in the County of *Somerset*; and for giving further Powers to the Trustees in an Act passed in the twenty-fifth Year of his present Majesty's Reign, for repairing the Roads from the Town of *Warminster* in the County of *Wilts*, to the City of *Bath* in the County of *Somerset*, and other Roads therein mentioned. PR.

CAP. XL.

An Act for enlarging the Terms and Powers granted by two Acts of Parliament, one passed in the third, and the other in the seventeenth Year of the Reign of his present Majesty, for repairing the Road leading from a Gate called *Shipston Toll-gate* at *Bridge-town* in the Parish of *Old Stratford* in the County of *Warwick*, through *Alderminster* and *Shipston upon Stower*, to the Top of *Long Compton Hill* in the said County of *Warwick*; and also for repairing the Road leading from the first Mile-stone standing on the said *Shipston* Road, through a Lane called *Clifford Lane*, and through *Mickleton* and *Chipping Campden*, to a Place called *Andover's Ford*, in the County of *Gloucester*. PR.

CAP. XLI.

An Act for amending, widening, and keeping in Repair, the Road from the Turnpike Road at the bottom of *Shaw Hill* in the Parish of *Melksham*, through *Googes Lane*, *Corsham*, *Biddeston* and *West Yatton*, to the Turnpike Road at *Upper Combe* in the Parish of *Castlecombe* in the County of *Wilts*. PR.

CAP. XLII.

An Act for the ascertaining and collecting the Poor's Rates; and for the better ordering and regulating the Poor in the Parish of Saint *Luke* in the County of *Middlesex*. PR.

CAP. XLIII.

An Act for amending widening, and keeping in Repair, the Road from the Town of *Hitchin* in in the County of *Hertford*, through the Town of *Shefford* and *Carrington Cotton End*, to a Lane opposite a Farm House called *Saint Leonards*, leading into the Turnpike Road from *St. Alban's* to the Town of *Bedford*; and also the Road from the Turning out of the aforesaid Road into *Henlow Field* to *Gerford Bridge*; and also the Road from the Town of *Henlow*, over *Henlow Bridge*, to *Arlesey* in the County of *Bedford* PR.

CAP. XLIV.

An Act for amending, widening, and keeping in Repair the Road leading from *Burleigh Bridge* in the Town of *Loughborough*, to *Ashby de la Zouch* in the County of *Leicester*. PR.

CAP. XLV.

An Act for amending, widening and keeping in Repair, the Roads from the East End of the Town of *Hertford* in the County of *Hertford*, through *Watton* to *Broadwater*; and from the Town of *Ware*, through *Watton*, to the North End of the Towns of *Walkern* in the said County. PR.

CAP. XLVI.

An Act for amending, widening, making commodious, and keeping in Repair, the Road from the *Cross Keys*, otherwise *Brickers Barn*, in the Parish of *Corsham* in the County of *Wilts*, to *Bath-Easton Bridge* in the County of *Somerset*. PR.

CAP. XLVII.

CAP. XLVII.

An Act for making the River *Blyth* navigable from *Halesworth Bridge* in the County of *Suffolk*, into the Haven of *Southwould*. PR.

CAP. XLVIII.

An Act for repairing and widening the Road from *Towcester*, through *Silverston* and *Brackley* in the the County of *Northampton*, and *Ardley* and *Middleton Stoney*, to *Weston Gate* in the Parish of *Weston on the Green* in the County of *Oxford*. PR.

CAP. XLIX.

An Act for repairing and widening the Road from *Markfield* Turnpike in the County of *Leicester*, over *Charley*, otherwise *Charnwood* Forest, through the Town of *Whitwick*; and from thence through *Talbot Lane*, to where the Road leading from the Town of *Loughborough*, to the Town of *Ashby de la Zouch* in the said County, comes in from *Ryley Lane*, near to a Place called *Snape Gate*. PR.

CAP. L.

An Act for amending, widening, and keeping in Repair the Roads leading from the Village of *Milford* in the County of *Surrey*, through *Petworth*, to the Top of *Dunkton Hill*, and from *Petworth*, to *Stopham Bridge* in the County of *Sussex*. PR.

CAP. LI.

An Act for explaining and amending several Acts of Parliament for repairing the Roads between a Place called the *White Post*, on *Alconbury Hill* and *Wansford Bridge* in the County of *Huntingdon*, and between *Norman Cross Hill* in the said County, and the City of *Peterborough*, with respect to the Elections of new Trustees, the Power of compelling Persons employed by the Trustees in the Execution of such Acts, to deliver up such Books and Papers relating thereto as are in their Custody, and also to the Manner of summoning and holding the Meetings of the Trustees. PR.

CAP. LII.

An Act for enlarging the Term and Powers granted by an Act passed in the twentieth Year of the Reign of his present Majesty, for repairing the High Road leading from the North End of the *Cow Cawsey*, near the Town of *Newcastle upon Tyne*, to the Town of *Belford*; and from thence to *Bucton Burn* in the County of *Northumberland*; and for making the same more effectual. PR.

CAP. LIII.

An Act for enlarging the Term and Powers granted by two Acts of Parliament, one passed in the fourth Year of the Reign of his late Majesty King *George*, and the other in the ninth Year of the Reign of his present Majesty, for repairing the Highways from *Crown Corner* in the Town of *Reading*, leading by and through the several Parishes of *Shinfield* and *Heckfield* in the several Counties of *Berks*, *Wilts* and *Southampton*, to *Basingstoke* in the County of *Southampton*. PR.

CAP. LIV.

An Act for enlarging the Terms and Powers granted by two several Acts, passed in the fourteenth Year of his present Majesty, the one for repairing the Roads from a Place called *The Red House* near *Doncaster*, to *Wakefield*, and through the said Town of *Wakefield* by *Dewsbury*, *Hightown* and *Lightcliff*, to the Town of *Halifax* in the West Riding of the County of *York*; and the other for repairing the Road from *Wakefield* to *Pontefract*, and from thence to a Place called *Weeland* in the Township of *Hensal*; and from *Pontefract* to *Wentbridge* in the Township of *Darrington* in the West Riding of the County of *York*. PR.

CAP. LV.

CAP. LV.

An Act for rebuilding the Bridge over the River *Ribble*, between the Townships of *Preston* and *Penwortham*, near a Place called the *Fish House* in the County Palatine of *Lancaster*. PR.

CAP. LVI.

An Act for rebuilding and keeping in Repair the Shire Hall of the County of *Warwick*. PR.

CAP. LVII.

An Act for enlarging the Term and Powers granted by an Act passed in the twenty-sixth Year of the Reign of his present Majesty, intituled, *An Act for repairing several Roads leading into the City of* Glasgow, so far as the same relates to certain Roads mentioned in the said Act; and also to enlarge the Term and Powers granted by an Act passed in the twenty-seventh Year of the Reign of his present Majesty, intituled, *An Act to explain, amend, and render more effectual an Act passed in the twenty-sixth Year of the Reign of his present Majesty, intituled,* An Act for repairing several Roads leading into the City of *Glasgow*; and to repair several other Roads leading into the said City; and for building a Bridge cross the River of *Inchinnan*. PR.

CAP. LVIII.

An Act for enlarging the Term, and amending and altering several Powers granted by an Act made in the twentieth Year of his present Majesty's Reign, for opening, cleansing, repairing and improving the Haven of *Southwould* in the County of *Suffolk*. PR.

CAP. LIX.

An Act for building a Bridge over the River *Lea*, at or near a Place called *Jeremy's Ferry*; and for making, repairing and widening Roads from thence into the great Roads at *Snaresbrook* in the County of *Essex*, and at *Clapton* in the County of *Middlesex*. PR.

CAP. LX.

An Act for repairing and widening the Road from the North End of *Dapdon Wharf* in the Parish of *Stoke*, next *Guldeford*, through *Guldeford* to *Andrew's Cross*, and to *Alford Bars* in the County of *Surrey*, and from thence to *Saint Mary's Gate* in *Arundel* in the County of *Sussex*. PR.

CAP. LXI.

An Act for repairing the Road from a Place called *The Golden Farmer*, near *Bagshot* in the County of *Surrey*, to *Hertfordbridge Hill* in the County of *Southampton*. PR.

CAP. LXII.

An Act for making the River *Ivel*, and the Branches thereof navigable, from the River *Ouze* at *Tempsford* in the County of *Bedford*, to *Shotling Mill*, otherwise called *Burnt Mill* in the Parish of *Hitchin* in the County of *Hertford*; and to *Black Horse Mill* in the Parish of *Bygrave* in the said County of *Hertford*; and to the South and North Bridges in the Town of *Shefford* in the said County of *Bedford*. P R.

CAP. LXIII.

An Act for building a Bridge or Bridges cross the River of *Thames*, from a certain Place in *Old Brentford* in the Parish of *Ealing* in the County of *Middlesex*, known by the Name of *Smith* or *Smith's Hill*, to the opposite Shore in the County of *Surry*. P R.

CAP. LXIV.

An Act for enlarging the Terms and Powers granted by two Acts of Parliament of the first and seventeenth Years of the Reign of his present Majesty, for repairing and amending several Roads leading to and from the Borough of *Evesham* in the County of *Worcester*; and for explaining and making more effectual the said Acts; and also for amending, widening and keeping in Repair, several other Roads in the Counties of *Worcester*, *Warwick* and *Gloucester*. P R.

CAP. LXV.

An Act for cleansing, Paving and Lightening the Streets of the City of *Bath* and Liberties thereof; and for regulating Chairmen; and also for the keeping a sufficient and well regulated Watch in the Night-time, in the said City and Liberties; and to oblige all Owners of Houses and other Buildings within the said City and Liberties, to bring down the Water from the Roofs of their Houses and other Buildings, by proper Pipes, down the Sides or Walls of such Houses and Buildings; and also to oblige all Coal Carriages to pass by the Borough Walls of the said City during the Night Season. P R.

CAP. LXVI.

An Act to explain, amend and render more effectual, an Act made in the last Session of Parliament, *For repairing and widening several Roads leading from a Gate called* Poole Gate *in the Town and County of* Poole. P R.

CAP. LXVII.

An Act for enlarging the Terms and Powers granted by an Act passed in the twelfth Year of the Reign of his present Majesty, for repairing and enlarging the Highways between the Top of *Kingsdown Hill* and the City of *Bath*, and for amending several other Highways therein mentioned, leading to the said City; and also for repairing several other Roads therein mentioned. P R.

CAP. LXVIII.

An Act for repairing and widening the Roads leading from *Spalding High Bridge*, through *Littleworth*, and by *Frognall*, and over *James Deeping Stone Bridge* in the County of *Lincoln*, to *Maxey Outgang* in the County of *Northampton*, adjoining the High Road there. P R.

CAP. LXIX.

An Act for amending, widening and keeping in Repair the Roads from the Town of *Wrexham* in the County of *Denbigh*, to *Pentre Bridge* in the County of *Flint*; and from the Town of *Mold*, to *Northopp*, *Holywell* and *Rhuddlan* in the same County; and from thence to the *Ferry House* opposite to the Town of *Conway* in the County of *Carnarvon*; and from *Ruthin* to the said Town of *Mold*. P R.

Anno tricesimo primo GEORGII II. Regis.

'AT the Parliament begun and holden at *Westminster*, the thirty-first Day of *May*, *Anno Dom.* one thousand seven hundred and fifty-four, in the twenty-seventh Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* And from thence continued by several Prorogations to the first Day of *December* one thousand seven hundred and fifty-seven, being the fifth Session of this present Parliament.

CAP. I.

An Act for continuing certain Laws made in the last Session of Parliament, for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit and Starch; and for prohibiting the making of Low Wines and Spirits, from Wheat, Barley, Malt or any other Sort of Grain, or from Meal or Flour; and to allow the Transportation of Wheat, Barley, Oats, Meal and Flour to the *Isle of Man*, for the Use of the Inhabitants there; and for reviving and continuing an Act made in the same Session, for discontinuing the Duties upon Corn and Flour imported, and upon Corn, Grain, Meal, Bread, Biscuit and Flour taken from the Enemy; and to permit the Importation of Corn and Flour into *Great Britain* and *Ireland*, in Neutral Ships; and to authorize his Majesty, with the Advice of his Privy Council, to order and permit the Exportation of such Quantities of the Commodities aforesaid, as may be necessary for the Sustentation of any Forces in the Pay of *Great Britain*, or of those of his Majesty's Allies acting in Support of the Common Cause; and to prohibit the Payment of any Bounty upon the Exportation of any of the said Commodities to be made during the Continuance of this Act.

Preamble.

'WHEREAS the Laws herein after-mentioned are near expiring, and it is expedient that the same 'should be further continued;' May it therefore please your Majesty, that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the last Session of Parliament, intituled, *An Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit and Starch*; and also an Act made in the same Session, intituled, *An Act to prohibit, for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain, or from any Meal or Flour*; shall be, and the same are hereby further continued, from the Expiration thereof respectively, until the twenty-fourth Day of *December* one thousand seven hundred and fifty-eight.

2 Acts of 30 Geo. 2. c. 1.

continued to 24 Dec. 1758.

II. Provided always, and be it enacted by the Authority aforesaid, That the said Act, intituled, *An Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit and Starch*, or any Thing therein contained, shall not extend to any Wheat, Barley, Oats, Meal or Flour, to be transported out of or from the Ports of *Southampton* or *Exeter* only, unto the *Isle of Man*, for the only Use of the Inhabitants of that Island, so as the Exporter, before the Lading of such Wheat, Barley, Oats, Meal or Flour, or laying the same on Board, do become bound with other sufficient Security (which the Customer or Comptroller of either of the said Ports respectively, hath hereby Power to take in his Majesty's Name, and to his Majesty's Use, and for which Security no Fee or Reward shall be given or taken) that such Wheat, Barley, Oats, Meal or Flour, shall be landed in the said *Isle of Man* (the Danger of the Seas only excepted) for the Use of the Inhabitants there, and shall not be landed or sold in any other Parts whatsoever, and to return the like Certificates of the Landing the same there, as are by the said Act required on the Exportation of the said Commodities to the *British* Colonies in *America*, and within the Time for that Purpose therein mentioned, and so as the whole Quantity of Wheat, Barley, Oats, Meal or Flour, which at any Time or Times after the passing of this Act, and before the said twenty-fourth Day of *December*, shall be shipped at both the said Ports for the said *Isle of Man* as aforesaid, shall not exceed in the Whole, two thousand five hundred Quarters; one Moiety whereof to be exported at the said Port of *Southampton*, and the other Moiety thereof to be exported at the said Port of *Exeter*; any thing in the said Act, or any other Act to the contrary notwithstanding.

Corn may be exported from Southampton and Exeter, to the Isle of Man, for the Use of the Inhabitants there, the Exporter giving Security.

Quantity exported not to exceed 2,00 Quarters in the Whole.

Act of 30 Geo. 2. c. 7. continued to 24 Dec. 1758;

'III. And whereas an Act made in the last Session of Parliament, intituled, *An Act to discontinue, for a limited Time, the Duties upon Corn and Flour imported, and also upon such Corn, Grain, Meal, Bread, Biscuit and Flour as have been or shall be taken from the Enemy, and brought into this Kingdom*, is expired, and it is necessary that the same should be revived and continued;' Be it therefore enacted by the Authority aforesaid, That the said Act shall be, and the same is hereby revived, and shall continue and be in Force, until the twenty-fourth Day of *December* one thousand seven hundred and fifty-eight.

during which Time, Corn and Flour may be imported into Great Britain or Ireland Duty free, from foreign States in Amity with the King.

IV. And be it further enacted by the Authority aforesaid, That it shall be lawful, during the Continuance of the said Act, and under the Regulations therein mentioned, for any Person or Persons whatsoever, to import and bring into this Kingdom, in any Ship or Vessel belonging to *Great Britain*, or to any Kingdom or State in Amity with his Majesty, his Heirs or Successors, from any Part or Place whatsoever, Corn and Flour Duty-free; and that it shall be lawful at any Time or Times before the said twenty-fourth Day of *December*, for any Person or Persons whatsoever, to import and bring into the Kingdom of *Ireland*, in any Ship or Vessel belonging to any Kingdom or State in Amity with his Majesty, his Heirs or Successors, Corn and Flour from any Port or Place whatsoever; any Act or Acts of Parliament to the contrary notwithstanding.

'V. And whereas it may become necessary, in case of Exigency, to export certain Quantities of the 'Commodities aforesaid, for the Supply and Sustentation of any Forces in the Pay of *Great Britain*, or of 'those of his Majesty's Allies, acting in Support of the Common Cause;' Be it provided and enacted by the Authority aforesaid, That, in case of such Exigency, it shall and may be lawful to and for his Majesty, at any Time during the Continuance of this Act, by and with the Advice of his Privy Council, from time

In case of Exigency, the King may permit Corn, &c. to be

time to time, to order and permit to be exported from *Great Britain* or *Ireland*, for the only Use, Supply, and Sustentation of the said Forces, such Quantities of the aforesaid Commodities as shall be necessary for that Purpose, and in such Manner, as his Majesty shall think fit to direct; any thing in this or any other Act to the contrary in any wise notwithstanding. Exported for the Supply of Forces in his Pay, or those of his Allies.

VI. Provided always, That, during the Continuance of this Act, the Bounty or Bounties granted by any Law upon the Exportation of any of the Commodities before-mentioned, shall not be allowed or paid to any Person upon the Exportation thereof out of this Kingdom to any Place whatsoever, or by whatsoever Authority the same may be exported; any thing in this or any other Act of Parliament to the contrary notwithstanding. No Bounty to be paid on Corn, &c. exported.

Further continued by 32 *Geo.* 2. *c.* 2.

And see 32 *Geo.* 2. *c.* 8. *which takes off the Prohibition.*

CAP. II.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-eight.

XIII. AND be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, there shall be allowed to Malsters and Makers of Malt for Exportation, for every twenty Quarters of Barley, or other Corn or Grain that shall be entered and made into Malt for Exportation, in Cases where by Law any Bounty is allowable on the Exportation of Malt, an Allowance of thirty Quarters, after the same shall be dried and made into Malt, and no more, upon the Exportation thereof, though by their steeping, wetting or watering the same, the said twenty Quarters shall be run out to any greater Quantity exceeding the said thirty Quarters, according to an Act of Parliament made in the first Year of the Reign of their late Majesties King *William* and Queen *Mary*, intituled, *An Act for encouraging the Exportation of Corn*; and so in Proportion for a greater or less Quantity. Allowances for Exportation of Malt. 1 W. & M. *c.* 12.

CAP. III.

An Act for allowing the Importation of such Fine *Italian* Organzine Silk into this Kingdom from any Port or Place whatsoever, as shall have been shipped on or before the Day therein mentioned.

'WHEREAS by an Act passed the last Session of Parliament, intituled, *An Act for the Importation of Fine Organzined* Italian *Thrown Silk*; it was (among other Things) enacted, that it should and might be lawful for any Person or Persons to import or bring into this Kingdom from any Port or Place, or in any Ship or Vessel whatsoever, until the first Day of *December* one thousand seven hundred and fifty-seven, Organzined Thrown Silk of the Growth or Production of *Italy*; and that all such Organzined Thrown Silk as was allowed to be imported by the said Act, wheresoever landed, should be brought to his Majesty's Custom-house at *London*, to the Intent that no other Sort of Thrown Silk might be imported than that allowed by the said Act: And whereas, in pursuance of the said Act, large Quantities of such Silk were bought and sent over Land through *Germany*, and in all Probability would have arrived at *London* some Time before the Expiration of the said Act, if the Carriage thereof by Land had not been protracted by Rains and Inundations in *Italy*; and if the said Silk, when shipped, had not been detained in Port by Storms and contrary Winds, so that the said Silk could not possibly arrive before the Time limited by the said Act: And whereas the greatest Part of the said Silk is, since that Time, arrived in the River of *Thames*: And whereas, if the same is not admitted to be entered, the Persons, whose Property the said Silk is, will be great Sufferers;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and and for any Person or Persons to import and bring into this Kingdom from any Port or Place, and in any Ship or Vessel whatsoever, all such Fine Organzine Thrown Silk of the Growth or Production of *Italy*, and of the Quality described by the said Act, as shall appear by the several Bills of Lading, and the Oaths of the respective Captains, to have been shipped on or before the thirtieth Day of *November* one thousand seven hundred and fifty-seven, under, and subject to, such Penalties and Forfeitures as are in the said Act mentioned; any thing in the said recited Act, or any other Law or Statute to the contrary notwithstanding. *See farther* 3 *Geo.* 3. *c.* 21. *which explains and amends the* 19 *H.* 7. *c.* 21. Preamble, reciting Clause in Act 30 Geo. 2. *c.* 17. *For former Provisions concerning Silk refer to* 19 *H.* 7. *c.* 21. 1 *Jac.* 1. *c.* 25. 13 & 14 *Car.* 2. *c.* 15. 2 *W.* & *M. sess.* 1. *c.* 9. 23 *Geo.* 2. *c.* 9 & 20. Importation allowed of such Fine Italian Organzine Silk, as was shipped on or before 30 Nov. 1757, under the Regulations in the recited Act.

CAP. IV.

An Act for granting an Aid to his Majesty by a Land Tax, to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and fifty-eight; and for inforcing the Payment of the Rates to be assessed upon *Somerset House* in the *Strand*.

CAP. V.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters.

CAP. VI.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

Preamble.

'WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Possessions of the Crown of *Great Britain*, That a Body of Marine Forces should be employed in his Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*: And whereas the said Marine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relating to the Government of his Majesty's Forces by Sea; yet nevertheless it being requisite, for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny, or stir up Sedition, or shall desert his Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, if any Person being entered, or in Pay, as an Officer of Marines, or who is or shall be listed, or in Pay, as a Private Man in any Company of Marines in his Majesty's Service, and on the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight shall remain in such Service, or during the Continuance of this Act shall be voluntarily entered, and in Pay, as a Marine Officer or Private Man in his Majesty's Service, and being ordered or employed in such Service, at any Time during the Continuance of this Act, on Shore, in any Place within the Realm of *Great Britain*, or in the Kingdom of *Ireland*, or in any of his Majesty's Dominions beyond the Seas respectively, shall begin, excite, cause or join in any Mutiny or Sedition, in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces in his Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall desert his Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment in his Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine; or shall be found sleeping upon his Post, or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of his Majesty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without his Majesty's Licence, or Licence of the Lord High Admiral of *Great Britain*, or of three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the time being; or shall strike, or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending, in any or either of the Matters before-mentioned, on Shore in any Part of this Kingdom, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

After 25 March 1758, during the Continuance of this Act, every Marine Officer and private Man, on Shore,

who shall mutiny, or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on, or shall desert his Post,

or hold illegal Correspondence with the Enemies of his Majesty,

or shall strike, or disobey his superior Officer;

shall suffer Death, or such Punishment as a Court-martial shall inflict.

II. And be it further enacted by the Authority aforesaid, That it shall and may, from time to time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in his Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court-martial at any Place or Places on Shore in this Realm, or in *Ireland*, or in any of his Majesty's Dominions beyond the Seas; in every of which Courts-martial all or any of the Offences aforesaid, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such Manner as by this Act is directed.

The Lord High Admiral, or Commissioners for executing that Office, may grant a Commission to hold General Courts-martial, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgment, to inflict Corporal Punishment, not extending to Life or Limb, on any Marine, for Immorality, Misbehaviour or Neglect of Duty, on Shore, in any Place or Places within this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, during the Continuance of this Act.

Courts-martial may inflict Corporal Punishment for Immoralities, &c.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour and Neglect of Duty, in any of his Majesty's Marine Forces, while on Shore in any Part of this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice; and to erect and constitute Courts-martial, with Power to try, hear and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act.

Lords, &c. of the Admiralty impowered to make Articles for Punishment of Mutiny and Desertion, &c.

and to constitute Courts-martial.

V. Provided always, that no Person or Persons shall be adjudged to suffer any Punishment extending to Life or Limb, by the said Rules and Articles, within the Kingdom of *Great Britain* or *Ireland*, except for such Crime or Crimes as is or are expressed to be so punishable by this Act.

None to be adjudged of Life or Limb, but for Crimes expressed to be so punishable by this Act.

VI. And it is hereby further enacted and declared, That no General Court-martial, which shall have Power to sit by virtue of this Act, shall consist of a less Number than thirteen, whereof none to be under the

General Court-martial not to consist of less than 13, and

the Degree of a Commission Officer of Marines; and the President of such Court-martial shall not be under the Degree of a Field Officer of Marines, unless where such Field Officer cannot be had; in which Case, the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them.

the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

May administer an Oath to Witnesses.

VII. Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the holy Evangelists, before the Court, and Judge Advocate, or his Deputy (who are hereby authorized to administer the same) in these Words; that is to say,

Officers to be sworn.

'YOU shall well and truly try and determine, according to the Evidence which shall be given in the Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner to be tried:'

The Oath.

So help you God.

'I *A. A.* do swear, That I will duly administer Justice according to an Act of Parliament now in Force for the Regulation of his Majesty's Marine Forces while on Shore; and according to the Rules and Articles made in pursuance of the said Act of Parliament, for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles) according to my Conscience, the best of my Understanding, and the Custom of War in the like Cases. And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by the Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice in a due Course of Law:'

The Oath.

So help me God.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or to the Person officiating as such, an Oath in the following Words:

The Judge Advocate to be sworn.

'I *A. B.* do swear, That I will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice in a due Course of Law:'

The Oath.

So help me God.

And no Sentence of Death shall be given against any Offender by any such General Court-martial as aforesaid, unless nine Officers present shall concur therein; and if there be more Officers present than thirteen, then the Judgment shall pass by the Concurrence of two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of eight of the Clock in the Morning, and three in the Afternoon, except in Cases which require an immediate Example.

In Sentences of Death nine Officers to concur, &c.

Hours of Trial.

VIII. Provided always, That the Party tried by any General Court-martial to be held as aforesaid shall be intitled to a Copy of the Sentence and Proceedings of such Court-martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same) at any Time not sooner than three Months after such Sentence, whether such Sentence be approved or not; any thing in this Act to the contrary notwithstanding.

The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court-martial.

IX. And be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court-martial, to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the Original Proceedings and Sentence of such Court-martial, to the Secretary of the Admiralty for the Time being; which Original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain*, to the end that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

Original Proceedings, &c. of Courts-martial to be transmitted to Secretary of the Admiralty, &c.

X. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or Private Man, being acquitted or convicted of any Offence, at any such Court-martial, as aforesaid, shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once.

None to be tried a second Time for the same Offence.

Sentence not to be revised more than once.

XI. And be it further enacted, That if any Officer or Private Man shall desert his Majesty's Service in any of his Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm or *Ireland*, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same; such Officer or Private Man shall be tried for the same, as if the said Offence had been committed within this Realm.

Deserters beyond Sea, &c. may be tried here or in Ireland.

XII. Provided always, that nothing in in this Act contained, shall extend, or be construed to extend, to exempt any Marine, either Officer or Private Man, whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law.

This Act not to exempt any on Shore from ordinary Process.

XIII. Provided also, and be it further enacted, That no Person or Persons being acquitted or convicted of any Capital Crimes, Violences or Offences, by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons acquitted by the Civil Magistrate, may only be cashiered by a Court-martial.

XIV. Provided

Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

XIV. Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer, or Private Man, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Company, or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial: And if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the County where the Fact is committed, by the Oath of two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered; and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace for the said County, and a Certificate thereof transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

'XV. And whereas his Majesty hath been graciously pleased, in Compassion to the distressed Condition of 'several Widows of Officers of the Army, who have lost their Lives in the Service of the late War, or 'during the late Rebellion, by Orders made under his Royal Sign Manual, to direct his Commissary Gene-'ral of the Musters, to allow upon the Muster-rolls of all the Regiments, Troops and Companies, a Num-'ber of fictitious Names therein mentioned, instead of Private Men, in order to raise and settle a Fund for 'the Maintenance of such Widows of Officers as are or shall be intitled to his Royal Bounty;' Therefore,

Fictitious Names allowed by his Majesty's Order upon the Muster-rolls, for the Maintenance of Officers Widows, not to be construed a false Muster.

for the more effectually fulfilling his Majesty's said gracious Intentions, with respect to the allowing of fictitious Names upon the Muster-rolls of the said Marine Forces while on Shore, for the Purposes aforesaid; Be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the time being authorized to pay the said Marine Forces, to pay over the full Pay of such fictitious Private Men as shall be allowed on the Muster-rolls of the said Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by his Majesty, according to such Orders and Instructions as his Majesty shall be pleased to make under his Sign Manual, for the Purpose aforesaid; and that no Allowance of any such fictitious Name upon any Muster-roll of the said Marine Forces while on Shore, as aforesaid, shall be construed to be a false Muster; any thing in this or any former Act contained to the contrary notwithstanding.

Paymaster to pay the full Pay of such Men to the Receiver.

Constables, &c. to quarter Officers and Men in Inns, Ale-houses, &c.

'XVI. And whereas here is and may be Occasion for the marching and quartering of the said Marine 'Forces in several Parts of this Kingdom;' Be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer, in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns and Villages, and other Places, within *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town Village or Place, and for no others; and such Constables, and other Civil Magistrates as aforesaid, are hereby required to quarter and billet the Marines, both Officers and Private Men, in his Majesty's Service, in Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail to be drank in their own Houses or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong

But in no Distillers Houses, or Shopkeepers, or in any private Houses.

Waters, Cyder or Metheglin, by Retail, to be drank in Houses other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandizes, than in Brandy and Strong Waters, (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses) and in no other, and in no private Houses whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tythingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Private Man in any such private House, without the Consent of the Occupier; in such Case, such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the

Penalty on Officers quartering Private Men contrary to this Act, &c.

Damage that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter Private Men otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed, such Marine Officer shall, for every such Offence (being thereof convicted before any two or more of the next Justices of the Peace of the County, by the Oath of two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tythingman, or Headborough, Chief Officer, or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear in Proportion to his Neighbours; and shall complain thereof to one or more Justice or Justices of the Peace of the Division, City or Liberty, where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to two or more Justices of the Peace of such Division, City or Liberty, such Justice or Justices respectively shall have, and is or are

Persons aggrieved by being quartered on, may complain to any Justices, and be relieved.

hereby

hereby declared to have, Power to relieve such Person, by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons, as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

Officers and Marines to be furnished at the Rates herein set for their Provisions.

XVII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses, or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

What Innholders may allow Men quarter'd on them, instead of Meat.

XVIII. Provided always, That in case any Inn holder or other Person on whom any Non-commission Officers or Private Men shall be quartered by virtue of this Act (except on a March, or employed in recruiting; and likewise except the Recruits by them raised, for the Space of seven Days at most, for such Non-commission Officers and Private Men who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or Private Men with Candles, Vinegar and Salt, and with either Small Beer or Cyder, not exceeding five Pints for each Man *per Diem*, *gratis*, and allow to such Non-commission Officers or Private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then, and in such Case, the Non-commission Officers and Private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or who shall actually receive the Pay and Subsistence of such Non-commission Officers and Private Men, shall pay the several Sums herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and Private Men aforesaid, and not to the Innholder or other Person on whom such Non-commission Officers and Private Men are quartered; any thing herein contained to the contrary notwithstanding.

Penalty on taking Money to excuse any Person from quartering.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if any Marine Officer shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Private Men, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

'XX. And whereas it may be for the Benefit of the Service for the Commanding Officer to have a Power 'to exchange the Billets or Quarters of Marines quartered in the same Town or Place;' Be it therefore enacted by the Authority aforesaid, That the Commanding Officer of Marines in any Town or Place where such Marine Forces are quartered, shall, and he is hereby declared to have Power, from time to time, to exchange any Marine or Marines quartered in such Town or Place, for any other Marine or Marines quartered in the same Town or Place; provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively, where such Men shall be exchanged; and the Constables, Tything-men, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns and Villages, or other Places, where any of the said Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

Commanding Officer may exchange Marines in their Quarters.

Constables to billet the same accordingly.

No Paymaster, &c. to make Deductions out of Officers or Private Mens Pay.

Exceptions.

XXI. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, no Paymaster or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Marine, either Officer or Private Man, in his Majesty's Service, or from their Agents, which shall grow due from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, other than the usual Deductions for Clothing, and twelve Pence in the Pound to be disposed of as his Majesty shall think fit; and the one Day's Pay in the Year for the Use of the Royal Hospital at *Chelsea*, and such other necessary Deductions as shall from time to time be directed by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, by Order in Writing under his or their respective Hand or Hands.

Officers to give Notice to Innkeepers of Subsistence-money in their Hands.

Rates of Subsistence to be paid to Innkeepers, &c. for Marines Quarters.

Officers not giving Notice of Subsistence-money, and paying Quarters.

XXII. And that the Quarters both of the said Marine Officers and Private Men, while on Shore, as aforesaid, may, during the Continuance of this Act, be duly paid and satisfied, and his Majesty's Duties of Excise better answered, Be it enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, every Officer or other Person, to whom it belongs to receive, or that shall actually receive, the Pay or Subsistence-money, for one or more particular Company or Companies of the said Marine Forces or otherwise, shall immediately, upon each Receipt of every particular Sum which shall, from time to time, be paid, returned, or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or Private Men are quartered by virtue of this Act; and shall also appoint the said Innkeepers, and others, to repair to their Quarters at such Times as they shall appoint for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or Private Men, which shall be within four Days at the farthest after the Receipt of the same, as aforesaid; and the said Innkeepers, and others, shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and Private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Private Men: Provided the said Accounts exceed not, for one Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, *per Diem*, six Pence; nor for one Private Man's Diet and Small Beer, *per Diem*, four Pence: And if any Officer or Officers, as aforesaid, shall not give Notice, as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content and pay the same; upon Complaint and Oath made thereof, by any two Witnesses, at the next Quarter-Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Pay-

Paymaster to satisfy them out of the Company's next Pay,

Paymaster or Person for the time being authorized to pay the said Marine Forces is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers; upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future: And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall, for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money, as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered.

and Officer to be cashiered.

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due, &c.

Paymaster to pay the Sum certified for.

XXIII. And where it shall happen that the Subsistence-money due to any Marine Officer or Private Man shall, by Occasion of any Accident, not be paid to such Officer or private Man, or such Officer or Private Man shall neglect to pay the same, so that Quarters cannot be, or are not paid, as this Act directs; in every such Case it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts, as this Act directs, with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate, so by him signed, to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the end the said Certificate may be forthwith transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the end the same may be applied to such Company, under Pain as is before in this Act directed for Nonpayment of Quarters.

Officers, &c. to be quartered in Scotland as the Laws in Force at the Union direct.

XXIV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and Private Men of his Majesty's Marine Forces in *Scotland*, in such and the like Places and Houses as Officers and Private Men of the Land Forces might have been quartered in by the Laws in Force in *Scotland* at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and Private Men quartered there, as by the said Laws in Force at the Time of the Union was provided with respect to the Officers and Private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Justices to order Constables to provide Carriages for the Marine Forces on their March.

XXV. And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for his Majesty's Marine Forces in their Marches, or for their Arms, Clothes or Accoutrements, in *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties and Precincts, being duly required thereunto by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the time being, by an Order in Writing under his or their respective Hand or Hands, shall, as often as such Order shall be brought and shewn unto one or more such Justices by the Officer or Officers of the Company or Companies of Marines so ordered to march, issue out his or their Warrant or Warrants to the High Constables or Petty Constables of the Division, Riding, City, Liberty, Hundred or Precinct, from, through, near, or to which such Company or Companies shall be ordered to march; requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burthen: And in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division or Precinct; then the next Justice or Justices of the Peace of the County, Riding or Division, shall, upon such Order as aforesaid being brought or shewn to one or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division or Precinct, for the Purposes aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned, of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horses shall travel; and the Sum of one Shilling for every Mile any Wain with six Oxen, or four Oxen with two Horses shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel; and so in Proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same: And such Constable or Petty Constable shall order and appoint such Person or Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart or Carriage, to travel more than one Day's Journey, or shall not discharge the same in due Time for their Return Home, or shall suffer any Marine or Servant (except such as are sick) or any Woman, to ride in the Waggon, Wain, Cart or Carriage aforesaid, or shall force any Constable or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners by themselves, Servants, or Private Men; every such Officer, for every such Offence, shall forfeit the Sum of five Pounds; Proof thereof being made upon Oath before two of his Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the proper Paymaster of his Majesty's Marine Forces, who is hereby required to pay the aforesaid Sum of five Pounds accordingly to the Order and Appointment under the Hands and Seals of such Justices of the Peace, and is also hereby impowered to deduct the same out of such Officer's Pay.

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than one Day's Journey, &c.

XXVI. And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace, as shall be directed unto such Constable or Petty Constable for providing Carriages as aforesaid; or if any Person or Persons, appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing, whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated; every such Constable, or other Person or Persons so offending, shall, for every such Offence, forfeit any Sum not exceeding forty Shillings, nor less than twenty Shillings, to the Use of the Poor of the Parish where any such Offence shall be committed: And all and every such Offence and Offences shall and may be enquired of, heard, and fully determined, by two of his Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) to the Owner. Penalty on Constables, &c. Neglect.

'XXVII. And whereas the respective Sums of Money by this Act appointed to be paid to the Constable 'by the Officers demanding such Carriages, may not, in many Cases, be sufficient to answer the Charge 'and Expence of providing the same, whereby the said Constables may be frequently at great Charges, over 'and above what is received by them of the said Officers, to the great Burthen of the Township of which 'they are respectively Constables, or else the Persons furnishing such Carriages may be grievously oppressed:' To prevent which, and that such Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding, Be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him paid or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules and Directions, as the said Justices of the Peace, in their Quarter-Sessions assembled, within their respective Jurisdictions, shall, from time to time, during the Continuance of this Act, make, direct and appoint, (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the Length and Condition of the Roads through which such Carriages are to travel. Treasurers of the County to repay the Constable's extraordinary Charges.

XXVIII. And in case the said publick Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before-mentioned; it is hereby further enacted, That the said Justices of the Peace in the General Quarter-Sessions shall have Power, from time to time, to raise Monies upon their respective Counties or Ridings in such Manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages. The Money for those Purposes how to be raised.

XXIX. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above twenty hundred Weight; any thing in this Act contained to the contrary notwithstanding. No Waggon, &c. to carry above 20 hundred Weight.

XXX. And be it further enacted, That the Carriages for the Service of the Marine Forces quartered or marching in *Scotland*, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in Force in *Scotland* at the Time of Union, with regard to the furnishing Carriages for Land Forces. Carriages in Scotland how to be provided.

XXXI. And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorized to quarter Marines in any Houses hereby appointed for that Purpose, shall at any Time, during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid Servants of any Officer or Marine in any such Houses, against the Consent of the Owners; the Party offending, if an Officer of the Marines, shall, upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered; and if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party aggrieved twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace, to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same. Marines Wives, &c. not to be quartered without Consent. Penalty.

XXXII. And for the better Preservation of the Game, in or near such Place where any Officers or Soldiers shall at any Time be quartered; Be it enacted by the Authority aforesaid, That if, from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, any Officer or Marine shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill or destroy any Hare, Coney, Pheasant, Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fish, or his Majesty's Game, within the Kingdom of *Great Britain*; and upon Complaint thereof shall be, upon Oath of one or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby impowered and authorized to hear and determine the same; (that is to say) every Officer so offending shall, for every such Offence, forfeit the Sum of five Pounds, to be distributed among the Poor of the Place where the Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Marine under his Command, shall forfeit the Sum of twenty Shillings, to be paid and distributed in Manner aforesaid: And if, upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within two Days pay the said respective Penalties, such Officer so refusing or neglecting shall forfeit, and is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void. Penalty on Officers or Marines destroying the Game.

'XXXIII. And whereas several Marines, who being duly entered, may afterwards desert, and be found 'wandering, or otherwise absenting themselves illegally from his Majesty's Service;' It is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough or Tythingman, of the Town or Place where any Person, who may be reasonably suspected to be such a Deserter, shall be found, to apprehend, Constables may apprehend Deserters, and carry them before a Justice.

hend, or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace living in or near such Town or Place, who is hereby impowered and required to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witness or Witnesses, upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found, that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction, or other publick Prison, in such Town or Place where such Deserter shall be apprehended; or to the *Savoy*, in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent; and transmit an Account thereof to the Secretary of the Admiralty for the time being, to the end such Person may be proceeded against according to Law: And the Keeper of such Gaol, House of Correction, or Prison, shall receive the full Subsistence of every such Deserter, during the Time he shall continue in his Custody, for the Maintenance of such Deserter; but shall not be entitled to any Fee or Reward, on account of the Imprisonment of any such Deserter; any Law, Usage or Custom to the contrary notwithstanding.

Justice to commit them.

and transmit an Account to the Secretary of the Admiralty.

Gaol keeper to receive the Subsistence of Deserters.

XXXIV. And for the better Encouragement of any Person or Persons to secure or apprehend such Deserters; Be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money arisen or to arise in the Year one thousand seven hundred and fifty-eight, into the Hands of such Person or Persons who shall apprehend, or cause to be apprehended, any such Deserter from his Majesty's Service, the Sum of twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of twenty Shillings shall be satisfied by such Collector or Collectors, to whom such Warrant shall be directed, and allowed upon his or their Account.

Reward for taking up Deserters.

XXXV. And be it further enacted, That if any Person shall harbour, conceal or assist any Deserter from his Majesty's Marine Service, knowing him to be such; the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; or if any Person shall knowingly detain, buy or exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine, or Marine Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed; every such Person so offending, in each, any, or either of the Cases aforesaid, shall forfeit for every such Offence the Sum of five Pounds; and upon Conviction by the Oath of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds, and five Pounds, shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of the Offender; one Moiety of the said first-mentioned Penalty of five Pounds to be paid to the Informer, by whose Means such Deserter shall be apprehended; and one Moiety of the said last-mentioned Penalty of five Pounds to be paid to the Informer; and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Marine did or doth belong: And in case any such Offender, who shall be convicted as aforesaid, of harbouring or assisting any such Deserter or Deserters; or having knowingly received any Arms, Clothes Caps, or other Furniture belonging to the King; or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattles, whereon Distress may be made, to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then, and in such Case, such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice or Justices.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

XXXVI. Provided always, That so much of this Act as relates to the Punishment of such who shall harbour, conceal or assist Deserters, or shall knowingly detain, buy, exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, or cause the Colour of such Clothes to be changed, shall extend, to all Ends and Purposes whatsoever, to *Ireland*, and shall be put in Execution in that Kingdom, by all Justices of the Peace, and other Officers respectively, according to the Tenor and during the Continuance of this Act.

This Act to extend to Deserters, &c. in Ireland.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in Force from the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-eight, until the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-nine.

Continuance of this Act.

XXXVIII. And to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Marines, whereby his Majesty and the Publick may be deprived of their Service; It is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is entered or shall enter himself as a Volunteer in his Majesty's Service, as a Marine, during the Continuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action; and unless, before the taking out of such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum, justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of ten Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall never-

No Volunteer liable to Process, unless for some criminal Matter, or unless for a real Debt of the Value of 10 l. Oath of the Debt to be made before a Judge, and a Memorandum thereof mark'd on the Back of the Process.

nevertheleſs be arreſted contrary to the Intent of this Act, it ſhall and may be lawful for one or more Judge or Judges of ſuch Court, upon Complaint thereof made by the Party himſelf, or by any his ſuperior Officer, to examine into the ſame by the Oath of the Parties or otherwiſe, and by Warrant under his or their Hands and Seals, to diſcharge ſuch Marine ſo arreſted contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that ſuch Marine, ſo arreſted, was legally entered as a Marine in his Majeſty's Service, and arreſted contrary to the Intent of this Act, and alſo to award to the Party ſo complaining, ſuch Coſts as ſuch Judge or Judges ſhall think reaſonable: For the Recovery whereof, he ſhall have the like Remedy that the Perſon who takes out the ſaid Execution might have had for his Coſts, or the Plaintiff in the like Action might have had for the Recovery of his Coſts, in caſe Judgment had been given for him with Coſts againſt the Defendant in the ſaid Action.

Otherwiſe Priſoner to be diſcharged, with Coſts.

XXXIX. And to the end that honeſt Creditors, who aim only at the Recovery of their juſt Debts due to them from Perſons entered as Marines in his Majeſty's Service, may not be hindered from ſuing for the ſame, but on the contrary may be aſſiſted and forwarded in their Suits; and inſtead of an Arreſt, which may at once hurt the Service, and occaſion a great Expence and Delay to themſelves, may be enabled to proceed in a more ſpeedy and cheap Method; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice firſt given in Writing of the Cauſe of Action to ſuch Perſon or Perſons ſo entered, or left at his or their laſt Place of Reſidence before ſuch Entering, to file a Common Appearance in any Action to be brought for or upon Account of any Debt whatſoever, ſo as to intitle ſuch Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than againſt the Body or Bodies of him or them ſo entered as aforeſaid; this Act, or any thing herein, or any former Law or Statute to the contrary notwithſtanding.

Plaintiff giving Notice, may file a Common Appearance, and proceed to Judgment and Execution.

XL. And be it further enacted by the Authority aforeſaid, That if any High Conſtable, Conſtable, Bedel or other Officer or Perſon whatſoever, who, by virtue or Colour of this Act, ſhall quarter or billet, or be employed in quartering or billeting, any Marine Officers or Private Men, ſhall neglect or refuſe, for the Space of two Hours, to quarter or billet ſuch Officers or Marines when thereunto required in ſuch Manner as is by this Act directed, provided ſufficient Notice be given before the Arrival of ſuch Forces; or ſhall receive, demand, contract or agree for any Sum or Sums of Money, or any Reward whatſoever, for or on account of excuſing, or in order to excuſe, any Perſon or Perſons whatſoever from quartering or receiving into his, her or their Houſe or Houſes any ſuch Officer or Marine; or in caſe any Victualler, or any other Perſon, liable by this Act to have any Officer or Marine billeted or quartered on him or her, ſhall refuſe to receive or victual any ſuch Officer or Marine ſo quartered or billeted upon him or her as aforeſaid; or ſhall refuſe to furniſh or allow, according to the Directions of this Act, the ſeveral Things herein before reſpectively directed to be furniſhed or allowed to Non-commiſſion Officers and Marines ſo quartered or billeted on him or her as aforeſaid, at the Rate herein before-mentioned, and ſhall be thereof convicted before any one or more Juſtice or Juſtices of the Peace of the County, City or Liberty, within which ſuch Offence ſhall be committed, either by his own Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes (which Oath the ſaid Juſtice or Juſtices is and are hereby impowered to adminiſter) every ſuch High Conſtable, Conſtable, Bedel or other Officer or Perſon ſo offending, ſhall forfeit, for every ſuch Offence, the Sum of five Pounds, or any Sum of Money not exceeding five Pounds, nor leſs than forty Shillings (as the ſaid Juſtice or Juſtices, before whom the Matter ſhall be heard, ſhall, in his or their Diſcretion, think fit) to be levied by Diſtreſs and Sale of the Goods of the Perſon offending, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices before whom ſuch Offender ſhall be convicted or of one or more of them, to be directed to any other Conſtable within the County, City or Liberty, or to any of the Overſeers of the Poor of the Pariſh where the Offender ſhall dwell; and the ſaid Sum of five Pounds, or the ſaid Sum not exceeding five Pounds, nor leſs than forty Shillings, when levied, to be paid to the Overſeers of the Poor of the Pariſh where the Offence ſhall be committed, or to ſome or one of them, for the Uſe of the Poor of ſuch Pariſh.

Penalty on Conſtables, &c. neglecting to quarter Marines.

Penalty on taking Money to excuſe any Perſon from quartering,

and on Victuallers refuſing to receive Marines.

XLI. And, for the better preventing Abuſes in quartering or billeting the Marines in purſuance of this Act; Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for any one or more Juſtice or Juſtices of the Peace, within their reſpective Counties, Cities or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times, during the Continuance of this Act, to require and command any High Conſtable, Conſtable, Bedel or other Officer, who ſhall quarter or billet any Marines in purſuance of this Act, to give an Account in Writing unto the ſaid Juſtice or Juſtices requiring the ſame, of the Number of Officers and Private Men who ſhall be quartered or billeted by them, and alſo the Names of the Houſekeepers or Perſons upon whom every ſuch Officer or Private Man ſhall be quartered or billeted, together with an Account of the Street or Place where every ſuch Houſekeeper dwells, and the Signs (if any) belonging to their Houſes; to the end it may appear to the ſaid Juſtice or Juſtices where ſuch Officers and Private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or puniſh all Abuſes in the quartering or billeting of them.

To prevent Abuſes in quartering, Juſtices may order Conſtables to give an Account of the Number of Officers and Private Men, and where quartered.

XLII. Provided nevertheleſs, and it is hereby declared by the Authority aforeſaid, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and fifty-eight, when and as often as any Perſon or Perſons ſhall be inliſted as a Marine or Marines in his Majeſty's Service, he and they ſhall, within four Days, but not ſooner than twenty-four Hours, after ſuch Inliſting reſpectively, be carried before the next Juſtice of the Peace of any County, Riding, City or Place, or Chief Magiſtrate of any City or Town Corporate (not being an Officer of Marines) and before ſuch Juſtice or Chief Magiſtrate, he or they ſhall be at Liberty to declare his or their Diſſent to ſuch Inliſting; and upon ſuch Declaration, and returning the Inliſting-money, and alſo each Perſon ſo diſſenting paying the Sum of twenty Shillings for the Charges expended or laid out upon him, ſuch Perſon or Perſons ſo inliſted ſhall be forthwith diſcharged and ſet at Liberty, in the Preſence of ſuch Juſtice or Chief Magiſtrate; but if ſuch Perſon or Perſons ſhall refuſe or neglect,

Clauſe for Relief of Perſons haſtily liſting themſelves.

lect, within the Space of twenty-four Hours, to return and pay ſuch Money, as aforeſaid, he or they ſhall be deemed and taken to be inliſted, as if he or they had given his or their Aſſent thereto before the ſaid Juſtice or Chief Magiſtrate; or if ſuch Perſon or Perſons ſhall declare his or their having voluntarily inliſted himſelf or themſelves, then ſuch Juſtice or Chief Magiſtrate ſhall, and he is hereby required forthwith to certify under his Hand, that ſuch Perſon or Perſons is or are duly inliſted; ſetting forth the Place of the Birth, Age and Calling of him or them reſpectively (if known) and that the ſecond and third Sections of the Articles of War for the better Government of his Majeſty's Marine Forces while on Shore in *Great Britain* or *Ireland*, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the twelfth Section of the ſaid Articles of War; and if any ſuch Perſon or Perſons, ſo to be certified as duly inliſted, ſhall refuſe to take the ſaid Oath of Fidelity before the ſaid Juſtice or Chief Magiſtrate, it ſhall and may be lawful for ſuch Officer, from whom he has received ſuch Money as aforeſaid, to detain or confine ſuch Perſon or Perſons, until he or they ſhall take the Oath before required; and every Officer of Marines that ſhall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by two Witneſſes, before a General Court-martial to be thereupon called, ſhall for ſuch Offence be forthwith caſhiered, and diſplaced from ſuch his Office, and ſhall be thereby utterly diſabled to have or hold any Civil or Military Office or Employment within this Kingdom or in his Majeſty's Service.

Marine Forces being borne as Part of the Complement of any Ships of War, are liable to be governed by the Rules eſtabliſhed by Act 22 Geo. 2. c. 33.

XLIII. Provided always, and it is hereby declared, That all his Majeſty's Marine Forces, as well Officers as Private Men, ſhall, from time to time, during their being reſpectively borne as Part of the Complement of any of his Majeſty's Ships or Veſſels, be ſubject or liable, in like Manner, in all Reſpects, as any Officers or Seamen employed in his Majeſty's Sea Service are ſubject and liable to be governed and proceeded againſt, and puniſhed, for Offences committed by them during the Time they ſhall be borne as Part of the Complement of ſuch Ships or Veſſels, according to the Purport, Tenor, Effect and true Intent and Meaning of an Act of Parliament made in the twenty-ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majeſty's Ships, Veſſels and Forces by Sea*; this preſent Act, or any thing herein contained notwithſtanding.

CAP. VII.

An Act for appointing Commiſſioners for putting in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty, by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and fifty-eight; and for enforcing the Payment of the Rates to be aſſeſſed upon* Somerſet Houſe *in the* Strand; and for rectifying a Miſtake in the ſaid Act; and for allowing farther Time to the Receivers of certain Aids, for ſetting *inſuper* for Monies in Arrear.

CAP. VIII.

An Act for enlarging the Terms and Powers granted and continued by ſeveral Acts of Parliament, for repairing the Harbour of *Dover* in the County of *Kent*.

Preamble, reciting Clauſes in Act 11 & 12 W. 3. c. 5.

'WHEREAS by an Act of Parliament made and paſſed in the eleventh and twelfth Years of the Reign of his late Majeſty King WILLIAM the Third, intituled, *An Act for the Repair of* Dover *Harbour*, ſeveral Rates and Duties were charged upon Coals, and upon Ships and Veſſels, in order to raiſe a Sum, not exceeding thirty thouſand one hundred Pounds, to be applied for repairing and perfecting the ſaid Harbour of *Dover*, under ſuch Rates and Directions, and with ſuch Penalties and other Proviſions for the levying and recovering the ſame, as are therein mentioned, inſerted and contained; and which Rates, Duties and Proviſions, were to take Place and commence from the firſt Day of *May* one thouſand ſeven hundred, and to continue and be in Force, until the firſt Day of *May* one thouſand ſeven hundred and nine; and by two ſubſequent Acts, one of them made in the ſecond Year of the Reign of her late Majeſty Queen ANNE, and the other of them in the fourth Year of the Reign of his late Majeſty King GEORGE the Firſt, were continued, and declared to be in Force, until the firſt Day of *May* one thouſand ſeven hundred and twenty-ſeven: And whereas by an Act made and paſſed in the ninth Year of his late Majeſty King GEORGE the Firſt, intituled, *An Act for compleating the Repairs of the Harbour of* Dover *in the County of* Kent; *and for reſtoring the Harbour of* Rye *in the County of* Suſſex *to its ancient Goodneſs*; after taking Notice of the ſaid former Acts relating to the Harbour of *Dover*, and that it was found that the ſaid Sum of thirty thouſand one hundred Pounds was not ſufficient for the Purpoſes of the ſaid former Acts; and that unleſs a further Sum was raiſed, the ſaid Harbour could not be effectually repaired and ſecured, according to the Intent of the ſaid former Acts; but that the uſeful Works then begun and carried on for the Benefit of the Publick, would be wholly loſt, and the ſaid Harbour again fall to Decay, and the Town itſelf be in Danger of being utterly loſt and deſtroyed; and alſo reciting, that the ancient Harbour of *Rye* was formerly of great Uſe and Benefit to Trade and Navigation, but the ſame was then choaked up, and that it was neceſſary to open the ſame in ſuch Manner as ſhould be found moſt proper and expedient to reſtore the ſaid Harbour; it was therefore enacted, That the ſaid Acts reſpectively made in the eleventh and twelfth Years of the Reign of King WILLIAM the Third, and the ſecond Year of the Reign of Queen ANNE, for the Repair of *Dover* Harbour, and every Clauſe, Matter or Thing in them, or either of them contained, and not altered by the ſaid Act of the ninth Year of King GEORGE the Firſt, ſhould continue, and be in full Force and Virtue, till the firſt Day of *May* one thouſand ſeven hundred and forty-four, for the Purpoſes in that and the ſaid former Acts mentioned; and that the Duty of three Pence *per* Ton, granted by the ſaid Act of the eleventh and twelfth Years of King WILLIAM the Third, for the Repair of *Dover* Harbour, upon all Ships and Veſſels therein deſcribed, ſhould, from the firſt Day of *May* one thouſand ſeven hundred and twenty-three, be collected and receiv-

2 Annæ, c. 7.
4 Geo. 1. c. 13.
9 Geo. 1. c. 30.

ed,

'ed, in such Manner, and by such Officers and Persons respectively, as in and by the said Act of the eleventh and twelfth of King WILLIAM the Third was directed and appointed; and should be appropriated, 'divided and paid, for the Benefit of the said Harbour of *Dover* and *Rye* respectively, in Manner following; 'that is to say, one third thereof to the Treasurer for *Dover* Harbour for the time being, to be applied to 'such Uses and Purposes as in and by the said former Acts are directed; and the other two thirds to the 'Treasurer for the Harbour of *Rye*, to be appointed as therein after is directed: And whereas by an Act 11 Geo. 2. c. 7.
'made in the eleventh Year of the Reign of his present Majesty, the said recited Acts, and all the Clauses, 'Powers, Penalties and Forfeitures, Authorities, Articles, Rules and Directions therein contained and 'prescribed, and then in Force, should continue and be in full Force, and executed, from and after the 'Expiration of the Term continued and granted by the said Act of the ninth Year of the Reign of his said 'late Majesty King GEORGE the First, for and during the further Term of twenty-one Years, which 'Term will expire the first Day of *May* one thousand seven hundred sixty-five, old Stile: And whereas the 'Commissioners or Trustees acting under the Authority of the former Acts for the Harbour of *Dover*, did 'borrow upon the Credit of the same Acts the Sum of three thousand Pounds, which hath been applied 'pursuant to the Directions and for the Purposes of the said former Acts, and for the Repayment thereof 'with Interest, the Rates and Duties so granted were charged and made a Security to the Person and Persons who advanced and lent the said Sum, and the same doth still remain due, and owing, and unsatisfied: 'And whereas great Progress hath been made in the Works intended for the Preservation and Improvement of the Harbour of *Dover*, but the Works proposed and directed to be done for that Purpose have not 'been perfected and compleated: And whereas it would tend greatly to the Preservation of his Majesty's 'Ships of War, and the Protection and Encouragement of the Trade of this Kingdom, that the said Harbour of *Dover* should be effectually repaired, and put in good Order and Condition, but the Money arising 'by the Rates and Duties granted and appropriated by the said former Act of the ninth Year of the Reign 'of King GEORGE the First, for the Repair of *Dover* Harbour, will not be sufficient for that Purpose, and 'for discharging the said Sum of three thousand Pounds borrowed upon the Credit of the former Acts as 'aforesaid, unless the Terms for which the said Rates and Duties are granted by the said former Acts be enlarged, or some other Provision be made in that Behalf:' May it therefore please your Majesty, that it may be enacted, and be it enacted, by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Expiration of the Terms continued and granted by the said Act passed in the ninth Year of the Reign of his late Majesty, and by the said Act of the eleventh Year of his present Majesty, one Moiety of the Rates and Duties granted and continued by the said former Acts, shall be granted and continued for the Term of twenty-one Years, and shall be collected and received in such Manner, and by such Officers and Persons respectively, as was directed by the said Act of King WILLIAM the Third, with respect to the Duties thereby granted; and shall be applied for the Benefit and Support of the Harbour of *Dover*, and for the discharging the said Sum of three thousand Pounds, and such other Money as shall hereafter be borrowed and taken up upon any Mortgage for Security to be made of the Duties applicable for the Benefit of the same Harbour; and that all the Provisions, Powers, Penalties and Forfeitures contained in the said former Acts of King WILLIAM the Third, King GEORGE the First, and his present Majesty, so far as they relate to the Harbour of *Dover* (excepting only what concerns the Rate of the Duties to be collected, and the Division of them into two Parts, which is herein before otherwise provided for) shall be and continue in as full Force as they now are, by virtue of the said Acts, for and during the said Term of twenty-one Years, to commence from the Expiration of the said former Terms granted and continued by the said Acts.

A Moiety of the Rates granted by former Acts, continued for 21 Years.

Application thereof.

The Powers and Regulations of the former Acts, continued and extended for the Purposes of this Act.

II. And be it further enacted by the Authority aforesaid, That this present Act shall be deemed, adjudged and taken to be a publick Act, and be judicially taken Notice of as such by all Judges, Justices and other Persons whatsoever, without specially pleading the same.

Publick Act.

CAP. IX.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments; and to indemnify Justices of the Peace, and others, who have omitted to register their Qualifications within the Time limited by Law; and for giving further Time for those Purposes, and the filing of Affidavits of Articles of Clerkship.

'WHEREAS divers Persons who, on account of their Offices, Places, Employments or Profes- Preamble, reciting the several Qualifying Acts of 1 Geo. 1. c. 13.
'sions, or any other Cause or Occasion, ought to have taken and subscribed the Oaths, or the Assurance, respectively appointed to be by such Persons taken and subscribed, in and by an Act made in the 'first Year of the Reign of his late Majesty King GEORGE of Glorious Memory, intituled, *An Act for the 'further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the 'late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and 'his open and secret Abettors*; or to have qualified themselves according to an Act made in the thirteenth 'Year of the Reign of King CHARLES the Second, intituled, *An Act for the well governing and regulating* 13 Car. 2. *stat.* 2. *c.* 1.
'*Corporations*; or to have qualified themselves according to another Act made in the twenty-fifth Year of 'the Reign of King CHARLES the Second, intituled, *An Act for preventing the Dangers which may happen* 25 Car. 2. *c.* 2.
'*from Popish Recusants*, by receiving the Sacrament of the Lord's Supper according to the Usage of the 'Church of *England*, and making and subscribing the Declaration against Transubstantiation therein mentioned; or according to another Act made in the thirteenth Year of the Reign of King CHARLES the Se- 13 Car. 2.
'cond, intituled, *An Act for the more effectual preserving the King's Person and Government, by disabling Papists*

18 Geo. 2. c. 20. 30 Geo. 2. c. 25.

'*ists from sitting in either House of Parliament*; or according to another Act made in the eighteenth Year 'of the Reign of his present Majesty, intituled, *An Act to amend and render more effectual an Act passed in 'the fifth Year of his present Majesty's Reign, intituled*, 'An Act for the further Qualification of Justices of 'the Peace;' or according to another Act made in the thirtieth Year of his present Majesty's Reign, in- 'tituled, *An Act for the better ordering of the Militia Forces in the several Counties of that Part of* Great Bri- 'tain *called* England; have, through Ignorance of the Law, Absence or some unavoidable Accident, omit- 'ted to take and subscribe the said Oaths and Assurance, or otherwise to qualify themselves as aforesaid, 'within such Time and in such Manner, as in and by the said Acts respectively, or by any other Act of 'Parliament in that Behalf made and provided is required, whereby they may be in Danger of incurring 'divers Penalties and Disabilities:' For quieting the Minds of his Majesty's Subjects, and for preventing any Inconveniencies that might otherwise happen by Means of such Omissions, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all and every Person and Persons, who shall, on or before the twenty-eighth Day of *November* one thousand seven hundred and fifty-eight, take and subscribe the said Oaths and Assurance respectively, in such Cases wherein by Law the said Oaths and Assurance ought to have been taken or subscribed, in such Manner and Form, and such Place and Places, as are appointed in and by the said Act made in the first Year of the Reign of his said late Majesty King GEORGE, or by any other Act or Acts of Parliament in that Behalf made and provided; and also receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, and made and subscribed the said Declaration against Transubstantiation, in such Cases wherein the said Sacrament ought to have been received, and the said Declaration ought to have been made and subscribed; or take and subscribe the Oath directed by the said Act made in the eighteenth Year of the Reign of his present Majesty, in such Cases wherein the said Oath ought to have been taken and subscribed, in such Manner as by the said Act is directed; shall be and are hereby indemnified, freed and discharged, from and against all Penalties, Forfeitures, Incapacities and Disabilities, incurred or to be incurred, for or by Reason of any former Neglect or Omission of taking or subscribing the said Oaths or Assurance, or receiving the Sacrament, or making or subscribing the said Declaration respectively, according to the above-mentioned Acts, or any of them, or any other Act or Acts, is and are and shall be fully and actually recapacitated and restored to the same State and Condition, as such Person or Persons were before such Neglect or Omission, and shall be deemed and adjudged to have duly qualified him, her or themselves, according to the above-mentioned Acts, and every of them; and that all Acts done or to be done by any such Person or Persons, or by Authority derived from him or them, are and shall be of the same Force and Validity, as the same or any of them would have been, if such Person or Persons had taken the said Oaths or Assurance, and received the Sacrament of the Lords Supper, and made and subscribed the said Declaration, or taken and subscribed the said Oath respectively, according to the Direction of the said Acts, and every of them; and that such Person or Persons qualifying themselves in Manner, and within the Time appointed by this Act, shall be, to all Intents and Purposes, as effectual, as if such Person or Persons had respectively taken the said Oaths and Assurance, and received the Sacrament, and made and subscribed the said Declaration, and taken and subscribed the said Oath, within the Time, and in the Manner appointed by the several Acts before mentioned.

Further Time, to 28 Nov. 1758, allowed to Persons who have omitted to qualify themselves, as the said Laws direct.

Persons qualifying themselves in Manner and within the Time appointed, recapacitated and indemnified.

'II. And whereas divers Persons through Mistake, Absence or some unavoidable Accident, to the Pre- 'judice of Infants and others, have omitted to cause Affidavits to be made and filed in the proper Offices of 'the actual Execution of several Contracts in Writings, to serve as Clerks to Attornies and Solicitors, 'within the Time limited and expressed by an Act passed in the twenty-second Year of his present Ma- 'jesty's Reign, whereby many Persons may be in Danger of incurring the Disabilities in the said Act men- 'tioned;' Be it enacted by the Authority aforesaid, That all and every Person and Persons who have omitted to cause such Affidavits to be made and filed as aforesaid, and who shall, on or before the twenty-eighth Day of *November* one thousand seven hundred and fifty-eight, cause one or more Affidavit or Affidavits to be made and filed in such Manner as directed by the said Act, shall be, and are hereby indemnified, freed and discharged, from and against all Penalties, Forfeitures, Incapacities and Disabilities in the said Act mentioned, incurred or to be incurred, for or by reason of any Neglect or Omission in causing such Affidavit or Affidavits to be made and filed according to the Direction of the said Act; and such Affidavit or Affidavits so to be made and filed as aforesaid, shall be as effectual, to all Intents and Purposes, as if the same had been made and filed within the Time limited by the said Act.

Further Time allowed for providing and stamping Admissions into Civil Offices.

Officers thereupon recapacitated, and indemnified.

III. Provided always, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to restore or intitle any Person or Persons to any Office or Employment, Benefice, Matter or Thing whatsoever, already actually avoided by Judgment of any of his Majesty's Courts of Record, already filled up or enjoyed by any other Person; but such Office, Employment, Benefice, Matter or Thing, so avoided, or filled up and enjoyed, shall be and remain in and to the Person or Persons who is or are now intitled to the same, as if this Act had never been made.

Offices, &c. already avoided by Judgment of a Court, and filled up, confirmed.

Proviso.

IV. Provided also, that this Act, or any Thing herein contained, shall not extend, or be construed to extend, to indemnify any Person against whom final Judgment shall have been given in any Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, for any Penalty incurred by having neglected to qualify himself within the Time limited by Law.

CAP.

CAP. X.

An Act for the Encouragement of Seamen employed in the Royal Navy; and for establishing a regular Method for the punctual, frequent and certain Payment of their Wages; and for enabling them more easily and readily to remit the same for the Support of their Wives and Families; and for preventing Frauds and Abuses attending such Payments.

For former Laws concerning Seamen, refer to 2 *R.* 2. *c.* 4. 5 *El. c.* 5. 7 & 8 *W.* 3. *c.* 21, 8 & 9 *W.* 3. *c.* 23. 9 & 10 *W.* 3. *c.* 41. 2 *Ann. c.* 6. 4 & 5 *Ann. c.* 19. 10 *Ann. c.* 17. 1 *Geo.* 1. *stat.* 2. *c.* 25. 8 *Geo.* 1. *c.* 24. 20 *Geo.* 2. *c.* 38. 22 *Geo.* 2. *c.* 32. 24 *Geo.* 2. *c.* 47. 28 *Geo.* 2. *c.* 16. 29 *Geo.* 2. *c.* 34.

'WHEREAS the Encouragement of Seamen employed in the Royal Navy, will greatly tend to augment the Marine Force of this Realm, whereon, under the good Providence and Protection of God, the Security of these Kingdoms, and the Support and Preservation of their Trade and Commerce, do most immediately depend: And whereas by an Act made in the first Year of the Reign of his present Majesty, intituled, *An Act for granting an Aid to his Majesty, of five hundred thousand Pounds, towards discharging Wages due to Seamen; and for the constant, regular and punctual Payment of Seamens Wages for the future; and for appropriating the Supplies granted in this present Session of Parliament; and for disposing of the Surplus of the Money granted for Half Pay, for the Year one thousand seven hundred and twenty-seven*; and by another Act also made in the first Year of the Reign of his present Majesty, intituled, *An Act for encouraging Seamen to enter into his Majesty's Service*; several Provisions and Regulations were enacted and prescribed, for the Benefit and Encouragement of the Seamen employed in the Royal Navy, and for preventing Frauds and Abuses in purchasing of their Wages or Pay; which Provisions and Regulations, from various Difficulties in carrying the same into Execution, have been found, in a great Measure, ineffectual to answer the Purposes thereby intended: And whereas the establishing a regular Method for the punctual, frequent and certain Payment of the Wages or Pay due to inferior Officers and Seamen employed in the Royal Navy; the enabling such Officers and Seamen more easily and readily to obtain such Payments, and to allot and remit any Part thereof for the Support and Relief of their Wives and Families; and the preventing, as far as may be, the Unwary, the Ignorant or the Necessitous, from being defrauded and injured by the Extortion and Usury of wicked and evil-designing Persons, are of the utmost Consequence to the Publick Service;' Therefore, for effectuating these important and compassionate Purposes, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *November* one thousand seven hundred and fifty-eight, if any Seaman or Able-bodied Landman, shall freely and voluntarily come before and enter his Name with any Commission Officer or Officers of the Fleet, to be appointed for entering such Volunteers, in order to serve in, or on Board any of the Ships or Vessels of his Majesty, his Heirs or Successors, then fitting out for Sea, or that shall be in Want of Men, and shall receive a Certificate of his so doing from such Commission Officer or Officers (who is or are hereby directed and required to make out and give such Certificates, without Fee or Reward, and duly to date the same) and if such Person shall forthwith proceed towards such Ship or Vessel, and shall make his personal Appearance on Board the same, within the Space of fourteen Days from the Day of the Date of such Certificate, inclusive of the Day of the Date thereof, if the Place where he so enters his Name be not above one hundred Miles distant from the Port where such Ship or Vessel lies; or within the Space of twenty Days, if it be at a greater Distance; or within the Space of thirty Days, if the Place where he so enters his Name be above two hundred Miles distant; then, and in such Case, every such Person shall be, and is hereby declared to be, intitled to Wages from the Day of the Date of such Certificate, inclusive of the Day of the Date thereof, and shall also be allowed the usual Conduct Money, and shall be paid an Advance of two Months Wages at the first fitting out of such Ship or Vessel, and before such Ship or Vessel in which he shall serve shall proceed to Sea.

Preamble.

Act 1 Geo. 2. *stat.* 2. *c.* 9.

Act 1 Geo. 2. *c.* 14.

Volunteer, entering his Name with a proper Officer, and receiving a Certificate thereof, and appearing within a limited Time on Board the Ship in which he is to serve, is intitled to Wages from the Date of his Certificate; and to be paid Conduct Money, and an Advance of two Months Wages.

II. And, for remedying the many Inconveniences, Mistakes and Hardships, which arise from bearing any Seamen or Able-bodied Landmen on Board of his Majesty's Ships, for any Length of Time, as Supernumeraries, for Victuals only, Be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, every Seaman or Able-bodied Landman, who shall be entered on the Books of any Ship or Vessel belonging to his Majesty, his Heirs or Successors, as supernumerary to the Complement of such Ship or Vessel, shall be borne for, and intitled to, his Wages, upon the Books of the first, and of every other Ship or Vessel in which he shall serve for the Space of ten Days, and shall receive all other Benefits and Advantages as if he were Part of the Complement thereof.

Men borne on any Ship's Books as Supernumeraries, are intitled to Wages, &c. on board the first and every other Ship they shall serve in for 10 Days, &c.

III. Provided always, That where such Seaman or Able-bodied Landman shall have been lent from any Ship or Vessel belonging to his Majesty, his Heirs or Successors, to any other such Ship or Vessel, such Seaman or Able-bodied Landman shall continue to be borne for, and intitled to his Wages, upon the Books of such Ship or Vessel from which he shall have been so lent, until he shall be regularly discharged from thence, and in no other; any thing herein contained to the contrary notwithstanding.

Men lent from one ship to another, are to be born on the Ship's Books they were lent from, 'till discharged.

IV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, in case any inferior Officer or Seaman shall be turned over from one Ship or Vessel in the Service of his Majesty, his Heirs or Successors, into any other such Ship or Vessel, either by Order from the Lord High Admiral of *Great Britain*, or from the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any three or more of them, or by Order from any Commander in Chief of any Squadron of such Ships or Vessels, in any Port of *Great Britain*, or on the Coast of the same, every such Officer and Seaman, in case such Ship or Vessel, into which he shall be so turned over, shall be in or shall come into any Port of *Great Britain* where any Commissioner of the Navy shall be or reside, shall be paid, by Great Britain,

Inferior Officer or Seaman turned over to another Ship, if such Ship shall be or come into any Port of

where a Commissioner of the Navy shall be, is to be paid the Wages due to him before such Ship goes to Sea, unless by the Admiralty it be otherwise directed; in which Case, he is to be paid as soon as the Ship returns into Port again.

by proper Pay Lists to be made out, all the Wages which shall appear to be due to him in the Ship or Vessel from which he shall be so turned over, before the Ship or Vessel, into which he shall be turned over, shall proceed to Sea; unless it shall be otherwise directed by Special Order from the Lord High Admiral of *Great Britain*, or from the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any three or more of them, in Cases of the greatest Exigency only: And if such Ship or Vessel, in pursuance of the said Order, shall proceed to Sea before such Payment can possibly be made, then the said Wages shall be paid as soon as ever such Ship or Vessel shall come again into any such Port of *Great Britain* where any Commissioner of the Navy shall be or reside as aforesaid.

Persons turned over, are to be rated, and serve, as in the former Ship; and to be paid their Wages then due, and two Months Pay in Advance, if none be received before.

V. Provided always, and be it further enacted by the Authority aforesaid, That in case any Officer or Seaman shall be turned over from one Ship or Vessel in the Service of his Majesty, his Heirs or Successors, into any other such Ship or Vessel; then, and in such Case, such Officer or Seaman, so turned over, shall not serve or be rated in a worse Quality or lower Degree or Station, than he served in or was rated for in the Ship or Vessel from which he was turned over; and shall receive, over and above such Wages as shall then be due to him, an Advance of two Months Wages, before the Ship or Vessel into which he shall be so turned over shall proceed to Sea, in case he shall not have received such Advance in any of the Ships or Vessels from which he shall be so turned over.

Monies are to be appropriated and issued, in the first Place, out of the Grants for Naval Services, sufficient for the regular Payment of Seamens Tickets, viz. If a Ship shall be in Sea Pay twelve Months or more, and lie in Port, or on the Coast of Great Britain, the Captain is to make out 5 Pay Books (except for the last 6 Months) and transmit them, with 3 Alphabets, and a Slop Book, to the Navy Board. On the Ship's Arrival where a Commissioner is, Money is to be solicited, and Payment immediately to be made, deducting Advance Money and Defalcation. Ships laid up are to be paid off within 2 Months. Month to consist of 28 Days.

VI. And, to the Intent that all Arrears of Seamens Wages, and their growing Wages, may be constantly, regularly and punctually paid; Be it further enacted by the Authority aforesaid, That from and out of such Monies as have been or shall be granted in this Session of Parliament, for the Service of the Navy; and also from and out of all such Supplies as shall be hereafter granted in Parliament, for any Naval Services, such Sums of Money shall, in the first Place, be appropriated, and shall, from time to time, be issued and applied, as shall be sufficient for the constant, regular and punctual Payment of all Tickets that shall be made out in the Manner herein after directed, for the Wages or Pay due to any Officer or Seaman; and also for the constant, regular and punctual Discharge of all Wages or Pay now due, or to grow due, upon any Ship's Books, to any Officer or Seaman employed in the Royal Navy, in Manner following; that is to say, That from time to time, and at all Times, from and after the said first Day of *November*, when and so often as any of the Ships or Vessels of his Majesty, his Heirs or Successors, shall have been in Sea Pay twelve whole Months, or more, if such Ship or Vessel shall then be or shall arrive, in any Port of *Great Britain*, or on the Coast thereof, the Captain or Commander of such Ship or Vessel shall immediately make out, or cause to be made out, five complete Pay Books for all the Officers and Seamen belonging to the said Ship or Vessel, for all the Time that such Ship or Vessel shall have been in Sea Pay, except the last six Months; to which Time, *videlicet*, the last six Months, the Wages due upon all such Ships or Vessels are hereby intended to be cleared; and shall forthwith send or transmit, by the first safe Opportunity, such Pay Books, together with three Alphabets, and a Slop Book, to the Commissioners of the Navy, at their Board; and whensoever or as soon as any such Ship or Vessel, having been twelve whole Months or more in Sea Pay as aforesaid, shall be or arrive in any Port of *Great Britain* where any Commissioner of the Navy shall be or reside, the said Commissioners of the Navy, at their Board, are hereby strictly directed and required to solicit such Sums of Money as shall be sufficient, and as soon as the same shall be issued, to cause immediate Payment to be made of all the Wages due upon the said Pay Books as aforesaid, to all such Officers and Seamen, their Executors or Administrators, or to the respective Attorney or Attornies of such Officers or Seamen, their Executors or Administrators duly authorized as is herein after directed, deducting thereout whatever Monies shall have been paid before by way of Advance, or that shall stand against them in the Books of such Ships or Vessels, on Account of any Defalcation; leaving always six Months Wages, and no more, due to such Officers and Seamen for their Service in such Ship or Vessel, unpaid and in Arrear: And whenever any of the Ships or Vessels of his Majesty, his Heirs or Successors, shall return Home in order to be laid up, all the Wages due to the Officers and Seamen serving on Board of any such Ship or Vessel, shall be entirely paid off as soon as may be, or within two Months at furthest after the Arrival of such Ship or Vessel in the Port where the same is designed to be laid up: And it is hereby declared, That the Computation of the said Months Wages shall be by reckoning twenty-eight Days to the Month, according to the usual Course or Practice of the Navy.

Upon Application to the Navy Board, the Pay Books are to be sent down to a Commissioner, for paying off such Men then in the Service as shall have been absent at the Payment of the Ship.

'VII. And whereas inferior Officers and Seamen are frequently absent, either with the Leave of the 'Commanding Officer, or upon Duty, at the Time of the Payment of the Ship or Vessel to which they 'belong;' Therefore, for enabling such Officers or Seamen to receive their Wages or Pay with as little Delay as possible; Be it enacted by the Authority aforesaid, That from and after the said first Day of *November*, whensoever and as often as any Application shall be made to the Commissioners of the Navy, at their Board, by any such inferior Officer or Seaman, who shall then be in the Service of his Majesty, his Heirs or Successors, and who shall have been so absent at the Payment of the Ship or Vessel whereunto he did belong as aforesaid, or from the Captain or Commander of any Ship or Vessel of his Majesty, his Heirs or Successors, on Board of which such Officer or Seaman shall then serve, in case such Ship or Vessel shall be in any Port where any Commissioner of the Navy shall be or reside; then the Commissioners of the Navy, at their Board, shall immediately, upon such Application, cause the Pay Books of such Ship or Vessel so paid, or Pay Lists for such Officers and Seamen so unpaid made out from them, to be sent, without any Delay, to the Commissioner of the Navy at the Port where such Ship or Vessel shall be to which such Officers or Seamen shall then belong; and such Commissioner of the Navy shall forthwith cause Payment to be made to the said Officers and Seamen of the Wages or Pay which they were entitled to receive on the Payment of such Ship or Vessel, as aforesaid.

'VIII. And

'VIII. And whereas many Inconveniences and Frauds have arisen for want of a proper Regulation with 'respect to making out, and to the Payment of, the Tickets of inferior Officers and Seamen;' Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *November*, if any inferior Officer or Seaman shall die in the Service of his Majesty, his Heirs or Successors, the Captain or Commander of the Ship or Vessel in which such Officer or Seaman served at the Time of his Death, shall, as soon as may be after his Death, make out a Ticket for the Wages or Pay due to such Officer or Seaman at the Time of his Death; which Ticket the said Captain or Commander shall sign himself, and shall cause to be signed by the proper signing Officers of such Ship or Vessel, and shall send or transmit the said Ticket so made out and signed as aforesaid, by the first safe Opportunity, to the Commissioners of the Navy, at their Board, for the Use of the Executors or Administrators of such Officer or Seaman: And the said Commissioners of the Navy shall immediately cause the Day of the Receipt of such Ticket to be indorsed thereon; and such Ticket shall be forthwith examined, and shall, by three or more of the said Commissioners of the Navy, be assigned for Payment as soon as may be, or within one Month at farthest, to be computed from the Day of the making such Indorsement; and the said Ticket being so assigned for Payment, shall, without any Fee or Reward whatsoever, be delivered, upon Demand, to the Executors or Administrators of such Officer or Seaman, or to their respective Attorney or Attornies, to be duly authorized as is herein after directed; and the Money due thereon shall, without any Fee or Reward whatsoever, be paid to such Executors or Administrators, or to their respective Attorney or Attornies as aforesaid, as soon as such Ticket shall be brought to the Pay Office of the Navy.

Upon the Death of an inferior Officer or Seaman, the Captain is to make out a Ticket for his Pay, and transmit the same to the Navy Board; for the Use of the Executors. Day of Receipt to be indorsed thereon; and the Ticket to be examined, and assigned for Payment; and to be delivered to the Executors, and the Money paid.

IX. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, when and so often as any inferior Officer or Seaman, in the Service of his Majesty, his Heirs or Successors, shall, by Wounds, Sickness or any other manifest Infirmity, be disabled and rendered unserviceable, in case such Officer or Seaman shall be on Board of any Ship or Vessel which shall then be in any Port of *Great Britain*, or on the Coast thereof, or which shall belong to any Squadron of his Majesty's Ships or Vessels which shall not be in any Port of *Great Britain*, or on the Coast thereof, the Captain or Commander of such Ship or Vessel, shall represent the same to the Commander in Chief of any Squadron of his Majesty's Ships or Vessels, who is hereby directed carefully to inquire into, and to examine the same; and if he shall be fully satisfied thereof, such Commander in Chief shall order such Captain or Commander to discharge such Officer or Seaman, and to make out and sign, in the usual Form, a Ticket for the Wages or Pay then due to such Officer or Seaman; or if such Ship or Vessel shall not be in any Port of *Great Britain*, or on the Coast thereof, and shall not belong to any Squadron of Ships or Vessels of his Majesty, his Heirs or Successors, or shall be separated from the Commander in Chief of any Squadron to which such Ship or Vessel shall belong, then the Captain or Commander of such Ship or Vessel, being fully satisfied of such Disability, shall discharge such Officer or Seaman, and shall make out such Ticket without the Direction of any such Commander in Chief, and shall sign the same himself, and cause it to be signed by the proper signing Officers, as aforesaid: And whenever any such Officer or Seaman, so disabled and rendered unserviceable, shall be discharged, and such Ticket shall be so made out for such Officer or Seaman, and shall be signed in the Manner herein before directed, such Captain or Commander shall, at the same Time, grant and deliver to such Officer or Seaman, without Fee or Reward, a Certificate of his Discharge, containing an exact Copy of the said Ticket, and a Description of the Person for whom such Ticket was so made out; which Ticket shall not, upon any Account or Pretence whatsoever, be delivered to such Officer or Seaman, but such Captain or Commander shall send or transmit the same, by the first safe Opportunity, to the Commissioners of the Navy, at their Board, for the Use of such Officer or Seaman; and the said Commissioners shall immediately cause the Day when they shall receive such Ticket to be endorsed thereon, and such Ticket shall be forthwith examined, and shall, by three or more of the said Commissioners, be assigned for Payment, as soon as may be, or within one Month at farthest from the Day of the making of such Endorsement: And in case such Officer or Seaman shall present the said Certificate of his Discharge at the Navy Office, the said Commissioners of the Navy, or any of them, shall forthwith examine the said Certificate, and the Person presenting the same, and being satisfied that the said Certificate was made out for the said Person, and that he is rendered unserviceable, shall sign and testify the same on such Certificate; and the said Ticket, being so assigned for Payment, shall, without any Fee or Reward whatsoever, be immediately delivered to such Officer or Seaman to whom such Certificate of Discharge shall have been granted, as aforesaid, and to no other Person whatsoever, and the Money due thereon shall, without any Fee or Reward, be paid to such Officer or Seaman, and to no other Person whatsoever, as soon as such Ticket shall be brought to the Pay Office of the Navy; or if the said Ticket shall not have been transmitted to, and received by the said Commissioners of the Navy, at their Board, then the said Certificate shall be forthwith examined as aforesaid, and the Money appearing to be due on the said Ticket, by the Copy thereof contained in the said Certificate, shall be paid to the Person producing the same, as aforesaid, and to no other Person whatsoever, in like Manner as if the said Original Ticket had been transmitted and received: And in case any Officer or Seaman, so discharged, shall be desirous to receive his Wages or Pay at any Port of *Great Britain* where a Commissioner of the Navy shall be or reside, and shall present to such Commissioner the Certificate of his Discharge; the said Commissioner, upon examining such Certificate, and the Person so presenting the same, and being satisfied that the said Certificate was made out for the said Person, and that he is rendered unserviceable, shall sign and testify the same on such Certificate, and transmit such Certificate to the Commissioners of the Navy, at their Board, who are hereby strictly charged and required, within four Days after the Receipt of such Certificate, to cause the Ticket made out and transmitted to them for such Officer or Seaman, and assigned for Payment as aforesaid; or if such Ticket shall not have been transmitted to, and received by them, then the said Certificate, containing a Copy of the said Ticket, instead thereof, to be sent to the said Commissioner of the Navy at such Port, who shall cause the Money due thereon to be immediately paid at such Port, to such Officer or Seaman applying for the same, and intitled thereto,

Captain to report inferior Officer or Seaman fit to be discharged as unserviceable; and, upon Discharge granted, to make out a Ticket for his Pay, &c. and deliver to him a Certificate of his Discharge, but transmit the Ticket to the Navy Board; who are to endorse the Day of Receipt thereon, and examine the Ticket, and assign it for Payment; and if Presentment be made of the Certificate, they are to examine and sign the same, if satisfied therewith; and deliver the Ticket thereupon to the Owners, and the Money to be paid. If the Ticket be not transmitted or received, the Certificate alone when examined, &c. is sufficient. If the Certificate be presented to a Commissioner in any of the Ports in Great Britain, he is to examine and sign the same, if satisfied therewith, and transmit it to the Navy Board, &c. who are to order Payment to be made thereupon at such Port,

and the Commissioner is to send such disabled Man, with an Order, to the nearest Hospital,

thereto, without any Fee, Reward or Deduction whatsoever; and the Commissioner of the Navy at such Port where such Certificate shall be so presented, shall send such Officer or Seaman, so presenting the same, with an Order to the nearest Hospital, who shall receive such Officer or Seaman, and victual him from the Time he shall present such Certificate, until he shall be so paid the Wages or Pay due to him as aforesaid.

till Payment of his Wages.

If the Certificate should be lost or destroyed, or the Person not appear, and present the same, or the Money due on the Ticket be not paid before the General Payment of the Ship; the Ticket is to be cancelled, and the Wages to be paid to the Executors, &c.

X. Provided always, and it is hereby further enacted by the Authority aforesaid, That in case any such Certificate herein before directed to be granted and delivered to such inferior Officer or Seaman, so discharged, on account of being rendered unserviceable, as aforesaid, should happen to be lost or destroyed; or if any such Officer or Seaman should not appear in Person, and present the same to the Commissioners of the Navy, at their Board, or to the Commissioner of the Navy at any such Port in *Great Britain*, as aforesaid; in either of which Cases, the Wages or Pay due to such Officer or Seaman would not be payable by virtue of the said Ticket so made out for him; or if the Wages or Pay due upon such Ticket shall not be paid before the General Payment of the Ship's Company; then, and in every such Case, the said Commissioners of the Navy, at their Board, shall cause such Ticket to be cancelled, and all such Wages or Pay shall accrue and become payable to such Officer or Seaman, his Executors or Administrators, or to the respective Attorney or Attornies of such Officer or Seaman, his Executors or Administrators, demanding the same, and duly authorized as is herein after directed, when the Wages or Pay due upon such Ship or Vessel shall be paid, in the Manner prescribed by this Act, and as if such Ticket and Certificate had never been made out or granted; any thing herein contained, or any Law or Usage to the contrary notwithstanding.

Captain to make out Sick Tickets for those set ashore, and transmit the same with the Sick Persons to the Hospital; and if any be discharged as unserviceable, a Certificate thereof, with the Sick Ticket annex'd, is to be granted him; which being presented to a Commissioner, is to be signed by him, if satisfied therewith, and transmitted with the Ticket to the Navy Board, who are to examine and indorse the same,

XI. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, when and so often as any inferior Officer or Seaman belonging to any Ship or Vessel of his Majesty, his Heirs or Successors, shall, by Order of the Captain or Commander of such Ship or Vessel, be set Sick ashore, and be sent into any Hospital or Sick Quarters, for his Recovery, such Captain or Commander shall, at the same Time, make out a Sick Ticket for the Wages or Pay then due to such Officer or Seaman, and shall sign the same himself, and cause it to be signed by the proper signing Officers as aforesaid; which Sick Ticket being so made out and signed, shall be transmitted along with such Officer or Seaman to such Hospital or Sick Quarters: And if such Officer or Seaman not being cured in such Hospital or Sick Quarters, shall be regularly discharged from thence as unserviceable, then a Certificate of such Discharge, together with the said Sick Ticket annexed thereunto, shall be granted and delivered to him; and in case he shall present the same to the Commissioner of the Navy that shall be or reside at any Port in *Great Britain*, such Commissioner of the Navy, upon examining the Person presenting the same, and being duly satisfied that he is rendered unserviceable, shall sign and testify the same on such Certificate, and shall forthwith transmit such Certificate, together with the said Sick Ticket annexed thereunto, to the Commissioners of the Navy, at their Board, who are hereby strictly charged and required immediately to cause the Day when they shall receive the same to be indorsed thereon, and such Certificate and Sick Ticket annexed thereunto, to be examined by the Muster Books, if received, and a proper Ticket or Pay List, in the usual Form, to be made out within four Days after the Receipt of such Certificate and Sick Ticket, for the Payment of all Wages or Pay due to such Officer or Seaman; and shall send such Ticket or Pay List without any Delay to the said Commissioner of the Navy at such Port, who shall, without any Fee or Reward whatsoever, cause the Money due thereon to be immediately paid to such Officer or Seaman applying for the same, and intitled thereunto; who notwithstanding such Discharge, shall be kept and maintained in such Hospital or Sick Quarters, from the Time he shall present such Certificate and Sick Ticket annexed thereunto, until he shall be so paid the Wages or Pay due to him, as aforesaid.

and make out a Pay List, and the Party is to be kept in Sick Quarters till Payment.

Payment of Tickets, Certificates or Pay Lists, not to be delayed, for want of the Muster or Pay Books not being duly sent to the Navy Board.

XII. Provided always, and it is hereby further enacted by the Authority aforesaid, That in case the Muster Books or Pay Books for any such Ship or Vessel shall not be regularly transmitted to, and received by the Commissioners of the Navy, in the Manner herein before prescribed, yet the Payment of the Tickets, or Certificates containing Copies thereof, or Pay Lists, herein before directed to be made out or granted, shall not be delayed or postponed for such Omission; but if any Error, to the Detriment of the Publick Treasure, shall be made in any such Ticket or Certificate containing a Copy thereof, or Pay Lists, by the Captain or Commander issuing or making out the same, the Loss arising by such Error shall be made good and compensated out of any Wages or Pay due or to grow due to such Captain or Commander by whom such Ticket or Certificate, or Pay List was so made out or granted as aforesaid.

If Error be made in any Ticket, the Loss to be made good out of the Captain's Wages.

If a Ship not on the Coast, or in a Port of Great Britain, shall be in Sea Pay 12 Months, the Captain is to cause the Ship's Crew to be called over, and if any shall desire to remit his Wages to his Wife or Parents,

XIII. And, in order to enable inferior Officers and Seamen employed Abroad to remit any Part of their Wages or Pay for the Support of their Wives and Families, without any Expence or Delay, and free from usurious Oppressions; Be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, when and so often as any such Ship or Vessel which shall not be in any Port of *Great Britain*, or on the Coast thereof, shall have twelve Months Wages or Pay due, the Captain or Commander of such Ship or Vessel shall read over, or cause to be read over, in a distinct audible Manner, the Names of all the inferior Officers and Seamen belonging to such Ship or Vessel, and shall cause every such Officer and Seaman to answer to his Name; and shall do the same, from time to time, at the End of every six Months, as long as such Ship or Vessel shall have twelve Months or more Wages or Pay due as aforesaid: And if any such Officer or Seaman shall thereupon declare by Word of Mouth, or deliver in Writing, the Name and Place of Abode of his Wife, Father or Mother, and desire that the Whole, or any Part of his Wages or Pay then due (except the Wages or Pay that shall be due for the last six Months of his Service on Board such Ship or Vessel) should be allotted and paid to his said Wife, Father or Mother, by the Receiver General

of the Land Tax for any County, Riding or City in *Great Britain*, or by the Collector of the Customs for any Port, or Collector of the Excise for any Collection in *Great Britain*, or by the Clerk of the Cheque at any of his Majesty's Dock Yards; then, and in such Case, the Captain or Commander of such Ship or Vessel is hereby strictly required and enjoined to cause four Lists to be made out, which shall contain the Names of all such inferior Officers and Seamen as shall be desirous to remit to their Wives, Fathers or Mothers, the Whole or any Part of their Wages or Pay, except for the last six Months of their Service as aforesaid; in which Lists, the Amount of the Wages or Pay so desired to be paid, the Name and Place of Abode of such Officer or Seaman's Wife, Father or Mother, to whom such Wages or Pay are to be remitted and paid, and the Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, by whom such Wages are to be made payable, shall be specified and described in three separate distinct Columns, opposite to the Name of such Officer or Seaman, in the said Lists; and every such Officer or Seaman who shall so desire that any such Part of his Wages or Pay may be allotted and paid to his Wife, Father or Mother, shall write his Name, or make his Mark, in a separate distinct Column in the said Lists; which Lists shall be forthwith compleated, and signed by the Captain or Commander, and proper signing Officers of such Ship or Vessel; and such Captain or Commander shall transmit the said Lists, by the first safe Opportunity, without any Neglect or Delay whatsoever, to the Commissioners of the Navy, at their Board: And the said Commissioners, upon receiving such Lists wherein any such Allotment shall be made by any such inferior Officer or Seaman, of any such Part of his Wages or Pay, to his Wife, Father or Mother, shall immediately make out, or cause to be made out, two Bills for every such Allotment; which Bills shall be Duplicates, and joined together with oblique Lines, Flourishes or Devices, in such Manner as the said Commissioners, or any three or more of them, shall think proper; and shall be made payable to the Wife, Father or Mother respectively, of such inferior Officer or Seaman, by the Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise or Clerk of the Cheque respectively, according to the Appointment in such Lists; and the said Bills, being numbered and dated, shall be signed by any three Commissioners of the Navy, and be written or printed according to the following Form:

The Captain is to direct proper Lists of such Persons to be made out,

which are to be signed by them, and the proper Officers, and transmitted to the Navy Board,

who are to make out two Bills, Duplicates, for such Allotments, which are to be made payable according to the Appointment in the Lists, and signed by 3 Commissioners.

A. N° I.

Navy Office.

SIR,

Day of

'PAY to *B. D.* of in the County of {Wife / Father / Mother} of *E. D.*

'{inferior Officer, / Seaman,} belonging to his Majesty's Ship upon {his / her} producing the Duplicate 'hereof, together with a Certificate, under the Hands of the Minister and Churchwardens, or, in that Part 'of *Great Britain* called *Scotland*, under the Hands of the Minister and two Elders of the Parish where the 'said *B. D.* {was married, / or resides,} that the said *B. D.* to the best of their Knowledge and Belief, is the {Wife / Father / Mother} 'of the said *E. D.* the Sum of being on account of the Wages of the said *E. D.* if the 'same shall be demanded within six Calendar Months from the Date hereof; otherwise you are to return 'this Bill to the Treasurer of the Navy, at the Pay Office of the Navy.'

The Form.

To {*The Receiver General of the Land Tax of the County of* / *The Collector of the Customs at the Port of* / *The Collector of the Excise at* / *The Clerk of the Cheque at*}

Signed, {*O. P.* / *Q. R.* / *S. T.*} Commissioners of the Navy.

By Virtue of the Act of the thirty-first GEORGE the Second.

N. B. The personating or falsely assuming the Name and Character of the Wife or Relation of any inferior Officer or Seaman, or procuring any other to do the same, in order to receive Wages due to such Officer or Seaman, is made Felony without Benefit of Clergy, by thirty-first GEORGE the Second.

And as soon as the said Bills shall be so made out and signed, the said Commissioners of the Navy shall cause them to be cut asunder, indentwise, through the oblique Lines, Flourishes or Devices; and shall cause one of the said Bills to be transmitted forthwith to the Person nominated and specified in such Lists as the Wife, Father or Mother of such Officer or Seaman, and the other of the said Bills to be transmitted forthwith to the said Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, on whom such Bill shall be so drawn as aforesaid: And the said Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, and Clerk of the Cheque, if the said Duplicates of such Bill shall be produced and delivered to either of them respectively within six Calendar Months from the Date thereof, are hereby required and enjoined to examine such Duplicate, together with the Certificate to be produced as aforesaid, and to enquire into the Truth thereof, by the Oath of the Person producing the same; which Oath they are hereby respectively authorized and directed to administer; and upon being duly satisfied of the Truth of such Certificate, to testify the same on the Back of such Bill; and shall immediately pay to the Wife, Father or Mother of such Officer or Seaman, without Fee or Reward on any Pretence whatsoever, the Sum contained in such Bill, taking his or her Receipt for the

The Bills to be cut out indentwise; and one to be sent to the Person specified in the List, and the other to the Person on whom the Bill is drawn.

Upon Presentment of the Duplicate and Certificate within 6 Months, and Examination of the Truth

certified on the Back of the Bill, the Money to be paid; and the Bill and Duplicate to be returned to the Navy Board, and repaid by the Treasurer. If the Duplicate and Certificate be not tender'd, &c. within 6 Months, the Bill is to be returned to the Treasurer of the Navy, and cancelled; and the Money to be paid to the Seaman, &c. when the Ship is paid.

the same on the Back thereof; which Bill so paid, upon being produced and delivered, together with the Duplicate thereof, at the Navy Office, shall be immediately assigned for Payment by three or more Commissioners of the Navy; and shall be immediately repaid by the Treasurer of the Navy, to such Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, Clerk of the Cheque, or to the Order of any such Receiver General, Collector of the Customs, Collector of the Excise, or Clerk of the Cheque respectively: But in case the Duplicate of such Bill shall not be produced and delivered, and the Payment thereof be demanded, within six Calendar Months from the Date thereof, or if a proper Certificate of the Person claiming to be the Wife, Father or Mother of such Officer or Seaman, be not likewise produced, then the said Receiver General, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, shall return such Bill to the Treasurer of the Navy, at the Pay Office of the Navy, who shall cause such Bill to be immediately cancelled; and from and after the cancelling thereof, the Sum contained in such Bill shall accrue and become payable to such inferior Officer or Seaman for whose Wages or Pay it was made out, or to his Executors or Administrators, or to the respective Attorney or Attornies of such Officer or Seaman, his Executors or Administrators, demanding the same, and duly authorized as is herein after directed, without any Fee, Reward or Deduction whatsoever, when the Wages or Pay due upon such Ship or Vessel shall be paid, in the Manner prescribed by this Act.

Bills to be made out, &c. in like Manner, if a Seaman, at the Time of receiving his Pay, shall desire to remit any Part thereof to his Wife, Children, or Parents, &c.

XIV. And, for the better enabling inferior Officers and Seamen, upon Payment being made to them of their Wages or Pay in the Manner hereby before directed, to remit any Part thereof to their Wives, Children or Parents, or to such other Person as they shall judge proper; Be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, when and so often as any Wages or Pay due to such inferior Officer or Seaman shall be paid at the Pay Office of the Navy, or at any of the Out Ports, in the Manner before prescribed, if such Officer or Seaman shall desire to receive a Bill for the Whole, or for any Part of his said Wages or Pay, to be drawn upon the Receiver General of the Land Tax for any County, Riding or City in *Great Britain*, or upon any Collector of the Customs for any Port, or Collector of the Excise for any Collection in *Great Britain*, or upon the Clerk of the Cheque at any of his Majesty's Dock Yards; then, and in such Case, two Bills, being Duplicates, and joined together with oblique Lines, Flourishes or Devices, as aforesaid, shall be immediately made out, numbered and dated, by the Clerk of the Treasurer of the Navy, appointed to pay such Wages, and be signed, if made out at the Pay Office of the Navy, by the Commissioners of the Navy comptrolling the Payment when such Bills shall be so made out; or if made out at any of the Out Ports, by the Commissioner of the Navy comptrolling such Payment there; and such Bills shall be attested at the Foot thereof, by the first Clerk of the Treasurer of the Navy at such Pay Office or Out Port; and the said Bills shall be made payable to such Person or Persons only, and by such Receiver General, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, as shall then be named by such inferior Officer or Seaman, and inserted in such Bills; which shall be written or printed according to the following Form:

A. N°. I. *Day of*

SIR,

Form of the Bills.

'PAY to *B. C.* of on {his / her / their} producing and delivering the Duplicate
'hereof, the Sum of being on account of the Wages of *D. E.* Mariner, on Board of his
'Majesty's Ship the if the same be demanded within six Calendar Months from the Date
'hereof; otherwise you are to return this Bill to the Treasurer of the Navy at the Pay Office of the
'Navy.'

To { *The Receiver General of the Land Tax for the County of* / *The Collector of the Customs at the Port of* / *The Collector of the Excise at* / *The Clerk of the Cheque at* }

Signed, { *F. G.* Commissioner of the Navy.

Attested, { *H. J.* Clerk to the Treasurer of the Navy.

By Virtue of the Act of the Thirty-first of *George* the Second.

Bills to be cut indentwise, and one to be delivered to the Seaman, and the other to be remitted to the Person on whom it is drawn.

And so soon as the said Bill shall be made out, assigned and attested, the said Commissioner of the Navy shall cause them to be cut asunder, indentwise through the oblique Lines, Flourishes or Devices, and shall cause

one

one of the said Bills to be delivered to such Officer or Seaman, and the other to be forthwith transmitted to the said Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, or Clerk of the Cheque, on whom such Bill shall be drawn as aforesaid: And the said Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise, or Clerk of the Cheque, are hereby strictly required and enjoined, if the Duplicate of such Bill shall, within six Calendar Months from the Date thereof, be produced and delivered to either of them respectively, by the Person or Persons to whom such Bill is payable, to pay to such Person or Persons immediately, without Fee or Reward on any Pretence whatsoever, the Sum contained therein, taking his, her or their Receipt for the same, on the Back of the said Bill; which Bill so paid, upon being produced and delivered, together with the Duplicate thereof, at the Navy Office, shall be immediately assigned for Payment by three or more Commissioners of the Navy, and shall be immediately repaid by the Treasurer of the Navy to such Receiver General of the Land Tax, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, or to the Order of any such Receiver General, Collector of the Customs, Collector of the Excise or Clerk of the Cheque; but in case the Duplicate of such Bill shall not be produced and delivered, and the Payment of the same be demanded, within six Calendar Months from the Date thereof, then the said Receiver General, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, shall return such Bill to the Treasurer of the Navy at the Pay Office, of the Navy, who shall cause such Bill, or the Duplicate thereof, so delivered to such Officer or Seaman, if the same shall be returned, to be immediately cancelled; and from and after the Return and Cancelling of such Bill, or of the Duplicate thereof, such Part of the Wages or Pay for which such Bill was so made out, shall be immediately paid to such inferior Officer or Seaman, or his Executors or Administrators, or to the respective Attorney or Attornies of such Officer or Seaman, his Executors or Administrators, demanding the same, and duly authorized as is herein after directed, without any Fee, Reward or Deduction whatsoever.

Upon producing the Duplicate within 6 Months, the Bill to be paid; and upon returning the same, &c. to the Navy Office, the Money to be reimbursed, &c. If the Duplicate be not produced, and Payment demanded, within 6 Months, the Bill is to be returned to the Treasurer of the Navy, and cancelled; and the Money to be paid to the Seaman, or his Executors, &c.

XV. Provided always, and it is hereby further enacted by the Authority aforesaid, That if any such Receiver General, Collector of the Customs, Collector of the Excise, or Clerk of the Cheque, to whom the Duplicate of any of the Bills herein before directed to be made out, shall be tendered for Payment by the Wife, Father or Mother of any such Officer or Seaman, shall not then have in his Hands Publick Money sufficient to answer the same, and shall refuse or delay the immediate Payment thereof, such Receiver General, Collector of the Customs, Collector of the Excise, or Clerk of the Cheque, shall immediately indorse on the Back of the said Duplicate, the Day of its being so tendered to him, and the Cause of his Refusal or Delay to pay the same; and shall appoint thereon for the Payment of such Bill, some future Day, within the Space of two Months at the farthest from the Day of its having been first tendered to him, as aforesaid; which Duplicate, with the Indorsement thereon, shall immediately be delivered back to the Person presenting the same: And if, upon Complaint to be made to the respective Commissioners appointed by his Majesty, his Heirs or Successors, to manage the said several Duties of the Land Tax, Customs or Excise, or to the Commissioners of the Navy if the Person complained of be a Clerk of the Cheque, it shall appear that such Receiver General, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, hath unnecessarily and wilfully refused or delayed the Payment of such Bill; or that such Receiver General, Collector of the Customs, Collector of the Excise or Clerk of the Cheque, or any Person employed by or under any of them, hath directly or indirectly received or taken any Fee, Reward, Gratuity, Discount or Deduction whatsoever, on Account of the Payment of the said Bill; it shall and may be lawful to and for any three or more of the said Commissioners to convict and fine any such Offender under their respective Direction, in any Sum not exceeding fifty Pounds, according to the Nature and Degree of the Offence; which Conviction shall be made by such respective Commissioners, and such Fine shall be levied and recovered, in such and the same Manner, to all Intents and Purposes, as any Conviction may be made, and any Penalty may be levied or recovered, for any Offence against any Law by which any Custom or Excise is imposed or laid; and the said Fine, when recovered, shall be paid to the Informer or Informers against such Offender or Offenders.

If the Duplicate be not paid when tender'd, the Cause of Refusal or Delay, and the Time when tender'd, to be indorsed thereon, and a future Day of Payment to be appointed, &c. If Payment has been unnecessarily delayed, or any Fee, on Account of Payment, hath been taken, the Offender to forfeit 50l. to the Informer.

XVI. Provided always, That this Act, or any thing herein contained, shall not extend to, or be construed to invalidate or make void any Indenture or Indentures, whereby any Master is or shall be intitled to have or receive the Wages, Pay, or other Allowances of Money, earned by his Apprentice, but such Wages, Pay, or other Allowances, shall be paid by the Treasurer of the Navy for the Time being, or by his Direction, according to such Indenture or Indentures, as has been usual in such Cases; unless such Apprentice shall be above the Age of eighteen Years at the Time when such Indenture or Indentures were made and executed, or unless such Apprentice shall have been hired and rated as a Servant to any Commission or Warrant Officer belonging to any of the Ships or Vessels of his Majesty, his Heirs or Successors, such Apprenticeship not being then known to such Officer; in which Case, the Wages or Pay of such Servant shall be due and payable to such Commission or Warrant Officer, according to the usual Practice of the Navy, until such Officer shall be informed of such Apprenticeship: And in either of the Cases herein before mentioned, the Master of such Apprentice shall not be intitled to receive any Wages, Pay or Allowances, by virtue of any such Indenture; any thing herein contained, or any Law, Staute or Usage to the contrary thereof in any wise notwithstanding.

Wages of Apprentice to be paid to his Master, unless he be above the Age of 18 when the Indentures were executed; or be rated as Servant to some Officer, to whom such Apprenticeship was unknown.

'XVII. And whereas it is of great Importance to the carrying on of the Payments in the Manner herein 'before directed, that all the Captains and Commanders of the Ships and Vessels of his Majesty, his Heirs or 'Successors, should regularly transmit to the Commissioners of the Navy, by the first safe Opportunity, all 'such complete Pay Books, and all such Lists and Tickets, to be so made out as aforesaid, and should also 'regularly transmit to the Commissioners of the Navy, once in every two Months from the Time any such 'Ships or Vessels shall have been entered into Sea Pay, Muster Books for every such Ship or Vessel, ac'cording to the Method now prescribed and required, or which shall at any Time hereafter be prescribed 'and required, by the Lord High Admiral of *Great Britain*, or by the Commissioners for executing the Of-

'fice

Captains to transmit regularly to the Navy Board Pay Books, and Lists of Tickets to be made out;

and also once in 2 Months the Ship's Muster Book, properly signed, &c.

and, in Default, &c.

(except in Cases of Necessity, to be made appear to the Lords of the Admiralty)

to forfeit all their Wages to the Chest at Chatham,

and to suffer moreover, as a Court martial shall adjudge.

'fice of Lord High Admiral of *Great Britain*;' Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *November*, every Captain and Commander of every Ship or Vessel of his Majesty, his Heirs or Successors, shall and do, from time to time, regularly and duly send or transmit to the Commissioners of the Navy, at their Board, by the first safe Opportunity, all and every such complete Pay Books, and all and every such List or Lists, Ticket or Tickets, to be so made out as aforesaid; and also shall and do regularly and duly send and transmit, once in every two Months, to the Commissioners of the Navy, at their Board, one complete Muster Book for such Ship or Vessel, signed by himself and the proper Officers, not only for the said two Months, but for the whole Time which such Ship or Vessel shall have been in Commission, or from the Time to which such Ship or Vessel was last paid: And in case such Captain or Commander shall be guilty of any Failure or Neglect in any Part hereof, the said Commissioners of the Navy are hereby strictly directed and required not to grant to any such Captain or Commander the General Certificate, to intitle him to his Wages or Pay for such Ship or Vessel, unless thereto required by particular Order from the Lord High Admiral of *Great Britain*, or from the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any three or more of such Commissioners, in Cases of Necessity, and on its being made appear to their Satisfaction, that the Directions herein before given in this Behalf have been complied with as far as the Nature of the Service would admit, and that the said complete Pay Books, Lists, Tickets and Muster Books, had been actually sent to the said Commissioners of the Navy, as often as any proper and safe Opportunities offered: And in case such Captain or Commander shall not sufficiently exculpate himself from such Neglect or Failure, in the Manner hereby prescribed, before the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any three or more of such Commissioners, within twelve Calendar Months after the Arrival of such Captain or Commander in *Great Britain*; then such Captain or Commander shall lose and forfeit all the Wages due to him for his Service on Board such Ship or Vessel, which are hereby directed to be paid and applied to and for the Use of the Chest at *Chatham*; and such Captain or Commander, being tried for and convicted of such Offence by a Court-martial, shall be liable to such farther Censure or Punishment, not extending to Loss of Life or Limb, as such Court-martial shall adjudge.

The Tickets, Pay Lists and Bills deemed sufficient Vouchers to the Treasurer of the Navy for Money paid thereon.

XVIII. And be it further enacted by the Authority aforesaid, That all and every such Ticket and Tickets, Certificate and Certificates, Pay List and Pay Lists, Bill and Bills, herein before directed to be made out and paid out as aforesaid, shall be deemed and taken as good and sufficient Vouchers for the Treasurer of the Navy, for so much Money as shall have been so directed to be paid upon all or any such Tickets, Certificates, Pay Lists or Bills, respectively, and as shall have been paid by him thereon, and shall be allowed as such in passing his Accounts.

Captains issuing Tickets otherwise than the Act directs, to forfeit for each Offence, 50 l.

One Moiety to the Informer, and the other to the Chest at Chatham.

XIX. And be it further enacted by the Authority aforesaid, That if, after the said first Day of *November*, any Captain or Commander of any of the Ships or Vessels of his Majesty, his Heirs or Successors, shall make out, or cause to be made out and issued, any Ticket or Tickets for Wages or Pay to any inferior Officer or Seaman, under any Pretence whatsoever, other than and except in the Manner, and under the Regulations, herein before directed concerning the same, every such Captain or Commander so offending shall, for every such Offence, lose and forfeit the Sum of fifty Pounds of lawful Money of *Great Britain*; one Moiety whereof shall be forfeited and paid to the Person who shall inform or sue for the same, and the other Moiety shall be paid and applied to and for the Use of the Chest at *Chatham*; which Forfeiture shall be sued for and recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance shall be allowed; and the Court shall award such Costs to the Parties as shall be just: And in all Cases where Judgment or Sentence shall be given against any such Offender, the Court where such Judgment or Sentence shall be given shall, with all convenient Speed, certify the same to the Lord High Admiral of *Great Britain*, or to the Commissioners for executing the Office of Lord High Admiral of *Great Britain*; and as a further Punishment, such Offender shall, upon such Certificate, lose and forfeit all the Wages or Pay due to him for his Service in such Ship or Vessel; which Wages or Pay the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any three or more of such Commissioners, shall direct and order to be paid and applied to and for the Use of the Chest at *Chatham*.

The Court, where Judgment shall be given, to certify the same to the Admiralty; and the Offender thereupon to forfeit also all his Wages to the Chest at Chatham.

Captain not liable to forfeit on this Act, before 1 June 1759, unless he hath previously received an Abstract thereof.

XX. Provided always, That no Captain or Commander of any Ship or Vessel shall be liable to any Penalty, upon Account of any Offence which shall be committed against this Act before the first Day of *June* one thousand seven hundred and fifty-nine, unless, before the Time of his committing such Offence, he shall have received the Abstract of the Provisions and Regulations of this Act, herein after directed to be delivered to the Captain or Commander of every Ship or Vessel of his Majesty, his Heirs and Successors.

Method to be observed in making and attesting Letters of Attorney.

XXI. And, for establishing a proper Method for making and attesting Letters of Attorney; Be it further enacted by the Authority aforesaid, That from and after the said first Day of *November* one thousand seven hundred and fifty-eight, no Letter of Attorney made by any inferior Officer or Seaman in the Service of his Majesty, his Heirs or Successors, or by the Executors or Administrators of any such Officer or Seaman, in order to impower or intitle any Person or Persons to receive any Wages, Pay or Allowances of Money of any Kind, due or to grow due for such Service, shall be good and valid, or sufficient for that Purpose, unless such Letter of Attorney shall be made and declared to be revocable by the express Words thereof; and unless such Letter of Attorney, if made by any such Officer or Seaman then in the Service of his Majesty, his Heirs or Successors, shall be signed before and attested by the Captain or Commander, and one other of the signing Officers of the Ship to which such inferior Officer or Seaman shall belong, or by the Clerk of the Cheque at some of the Dock Yards; and unless such Letter of Attorney, if made by any such Officer or Seaman who shall have been discharged from the Service of his Majesty, his Heirs or Successors, shall be signed before and attested by the Mayor or Chief Magistrate of the Town or Place where such Officer or Seaman

Seaman shall then reside; or if made by the Executors or Administrators of any such Officer or Seaman, unless such Letter of Attorney shall be signed before and attested by the Minister and Churchwardens, or, in that Part of *Great Britain* called *Scotland*, by the Minister and two Elders of the Parish where such Executors or Administrators shall respectively reside.

Letters of Attorney otherwise made and attested than the Act directs, and all Bargains, &c. concerning Wages, made after 1 Nov. 1758, declared null, and the Wages due to be paid the Seaman himself, appearing at the Pay Table, or to his lawful Attorney, &c.

XXII. And be it further enacted and declared by the Authority aforesaid, That all Letters of Attorney, other than such as shall be made and attested in Manner aforesaid, and all Bargains, Sales, Bills of Sale, Contracts, Agreements and Assignments whatsoever, of, for or concerning any Wages, Pay or Allowances of Money of any Kind, due or to grow due to any such inferior Officer or Seaman in the Service of his Majesty, his Heirs or Successors, for such Service made or entered into from and after the said first Day of *November*, shall be and are hereby declared to be void and of no Effect, to all Intents and Purposes whatsoever; any Law, Statute, Custom or Usage to the contrary thereof in any wise notwithstanding: And the Treasurer of the Navy for the time being is hereby authorized, directed and required to pay or cause to be paid, to every such inferior Officer or Seaman as shall appear in Person at the Pay Table, or, in his Absence, to his lawful Attorney impowered by him in the Manner herein before directed, or to the Executors or Administrators of such Officer or Seaman, or to their respective Attorney or Attornies, duly authorized in such Manner as is herein before directed, the respective Wages, Pay or Allowances of Money of any Kind, due to him or them, without Regard to any such Letter of Attorney, Bargain, Sale, Bill of Sale, Contract, Agreement or Assignment whatsoever, made or to be made of, for or concerning any such Wages, Pay or Allowances of Money of any Kind.

Fees of Court for Probate of Wills, viz.
1 s. for Goods under 20 l.
2 s. under 40 l.
3 s. under 60 l.
and for issuing Commissions,
1 s. under 20 l.
2 s. under 40 l.
3 s. under 60 l.

XXIII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, no Ecclesiastical Court, or any Person or Persons whatsoever, under any Pretence, shall take or receive any more than the Sum of one Shilling for the Seal, Parchment, Writing, and suing forth of the Probate of any Will, or any Letters of Administration, granted to the Widow or Children, Father or Mother, Brother or Sister, of any inferior Officer, Seaman or Marine whatsoever, dying in the Pay of his Majesty's Navy, and for the Pains, Trouble and Expence attending the suing forth of such Probate, or Letters of Administration, unless the Goods and Chattles of such Officer, Seaman or Marine do amount to the Value of twenty Pounds; nor more than the Sum of two Shillings, unless the Goods and Chattles of such Officer, Seaman or Marine do amount to the Value of forty Pounds; nor more than the Sum of three Shillings, unless the Goods and Chattles of such Officer, Seaman or Marine do amount to the Value of sixty Pounds: And in all Cases where it shall be necessary to issue Commissions, to swear the Widows or Children, Father or Mother, Brother or Sister, being Executors or Administrators of such inferior Officers, Seamen or Marines, no Ecclesiastical Court, nor any Person or Persons whatsoever, under any Pretence, shall take or receive more than the Sum of one Shilling for the Seal, Parchment, Writing, and suing forth of any such Commission, and for the Pains, Trouble and Expence attending the same, unless the Goods and Chattles of such Officer, Seaman or Marine, do amount to the Value of twenty Pounds; nor more than the Sum of two Shillings, unless the Goods and Chattles of such Officer, Seaman or Marine, do amount to the Value of forty Pounds; nor more than the Sum of three Shillings, unless the Goods and Chattles of such Officer, Seaman or Marine do amount to the Value of sixty Pounds: And if any Officer or Officers, or any other Person or Persons, shall presume to take any more than the said Sums of one Shilling, two Shillings or three Shillings respectively, for the Seal, Parchment, Writing and suing forth of the Probate of any such Will, or any such Letters of Administration, and for the Pains, Trouble and Expence attending the same; or for the Seal, Parchment, Writing, and suing forth of any such Commission as aforesaid, and for the Pains, Trouble and Expence attending the same; the Person or Persons so offending shall forfeit to the Party aggrieved the Sum of fifty Pounds; to be recovered, with Full Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster* or elsewhere.

No greater Fees to be taken under Penalty of 50 l.

'XXIV. And whereas divers wicked Practices have been carried on, by personating and falsely assuming 'the Names and Characters of Officers, Seamen and others, intitled, or supposed to be intitled, to Wages, 'Pay or other Allowances of Money, or Prize Money, for serving on Board of Ships or Vessels of the 'Royal Navy, and by forging and counterfeiting Letters of Attorney, Bills, Tickets, Assignments, Last 'Wills and other Authorities and Powers, from such Officers and Seamen, and by falsely taking out Pro'bate of Wills and Letters of Administration, to such Officers and Seamen;' Be it therefore enacted by the Authority aforesaid, That from and after the said first Day of *November*, whosoever willingly and knowingly shall personate, or falsely assume the Name or Character of, or procure any other to personate, or falsely to assume the Name or Character of, any Officer, Seaman or other Person, intitled, or supposed to be intitled, to any Wages, Pay or other Allowances of Money, or Prize Money, for Service done on Board of any Ship or Vessel of his Majesty, his Heirs or Successors; or the Executor or Administrator, Wife, Relation or Creditor of any such Officer or Seaman, or other Person, in order to receive any Wages, Pay, or other Allowances of Money, or Prize Money, due, or supposed to be due or payable, for or on account of the Services of any such Officer or Seaman, or other Person as aforesaid; or shall forge or counterfeit, or procure to be forged or counterfeited, any Letter of Attorney, Bill, Ticket, Certificate, Assignment, Last Will, or any other Power or Authority whatsoever, in order to receive any such Wages, Pay, or other Allowances of Money, or Prize Money, due, or supposed to be due, to any such Officer or Seaman, or other Person as aforesaid; or shall willingly and knowingly take a false Oath, or procure any other Person to take a false Oath, to obtain the Probate of any Will or Wills, or to obtain Letters of Administration, in order to receive the Payment of any Wages, Pay or other Allowances of Money, or Prize Money, due, or that were supposed to be due, to any such Officer, Seaman or other Person, as aforesaid, who has really served, or was supposed to have served, on Board of any Ship or Vessel of his Majesty, his Heirs or Successors; every such Person so offending, being lawfully convicted of any such Offence or Offences, shall be deemed guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Penalty of personating an Officer or Seaman supposed to have Wages due to him, or his Executor, Relation or Creditor,

or of forging Letters of Attorney, Tickets, Certificates or Wills;

or of making a false Oath to obtain Probate of any Will, in order to receive the Wages, &c. of such Person, is Death.

XXV. And

When the Pay Books are closed, Tickets, upon Application, to be made out at the Navy Office, for such Men as have not been paid, which are to be paid, in Course once a Month.

XXV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, when and so often as any of the Pay Books of the Ships or Vessels of his Majesty, his Heirs or Successors, shall be closed, such Seaman as shall not then receive, or have received, the Wages, Pay or other Allowances of Money due to them, shall, upon Application made by them to the Commissioners of the Navy, at their Board, have or receive Tickets made out to them to the Value of the said Wages, Pay or other Allowances due to them respectively; and the said Commissioners are hereby directed and required to make out the said Tickets accordingly, and to cause the same to be dated, numbered, registered and paid in Course, once a Month.

British Governors, Ministers, Consuls or Merchants, in Foreign Parts, are to provide for British Seamen and Boys of the Navy, wrecked, captur'd, or discharged as unserviceable, and subsist them at 6 d. per Diem. Bills of their Disbursements, with the Vouchers, to be sent to the Navy Board, to be paid. The Men to be sent home on board the first King's Ship, or Merchant Ship, bound to Great Britain. Master of such Ships to receive the said Men and Boys on Board;

XXVI. And be it further enacted by the Authority aforesaid, That the Governors, Ministers and Consuls appointed, or that shall be appointed, by his Majesty, his Heirs or Successors, in Foreign Parts, and residing there, or where none such are resident, any two or more *British* Merchants then and there residing, shall, from and after the said first Day of *November*, be, and are hereby authorized, directed and required to send and provide for all Seafaring Men and Boys, Subjects of *Great Britain*, that shall by Shipwreck, Capture or other unavoidable Accident be driven or cast away to, or that shall be discharged as unserviceable from any of the Ships or Vessels of the Royal Navy, at such Foreign Parts or Places, where such Governors, Ministers, Consuls or Merchants reside; and the said Governors, Ministers, Consuls and Merchants are hereby required to provide for and subsist such Seafaring Men and Boys, at or after the Rate of six Pence *per Diem* each; and to send Bills of their several Disbursements upon such Occasions, together with proper Vouchers for the same, to the Commissioners of the Navy, at their Board, who are hereby directed and required to cause immediate Payment to be made of such Bills and Disbursements, after due Examination of the said Vouchers; and the said Governors, Ministers, Consuls and Merchants shall put or send the said Men or Boys on Board the first Ship belonging to his Majesty, his Heirs or Successors, that shall arrive at the Parts or Places where they reside, or any other Parts or Places, being near or within a convenient Distance for that Purpose; or in case no Ship of War shall be then in such Parts or Places, or within a convenient Distance, they shall send such Men or Boys on Board such Merchant Ships or Vessels as are bound for any Port of *Great Britain*, and are in want of Men to make up their Complement; but if neither Case happens within a convenient Time, then they shall provide and order a Passage homeward for such Men and Boys, in the first Merchant Ship or Vessel bound for *Great Britain*: And every Master or Person having Charge of a Merchant Ship or Vessel, that shall arrive in such Foreign Parts, and be homeward bound from thence to any Port in *Great Britain*, shall be, and is hereby required to take on Board such and so many of such Seafaring Men or Boys, as the said Governors, Ministers, Consuls or Merchants shall direct, not exceeding four for each one hundred Tons of which his Ship consists.

and to be allowed 6 d. per Diem, for all such as shall be above his Complement; upon producing a Certificate, and making a proper Affidavit.

XXVII. And, for an Encouragement for such Masters of such Ships or Vessels to take such Seamen or Boys abroad, and bring them to *Great Britain*, Be it further enacted by the Authority aforesaid, That every such Master or Person having Charge of a Ship or Vessel, who shall produce a Certificate under the Hands of the said Governors, Ministers, Consuls or Merchants, or any of them, certifying the Number and Names of the Men or Boys taken on Board by their Direction, and the Time of taking them on Board, and shall make an Affidavit at his Return, setting forth the Time during which he subsisted such Men or Boys, and that he did not, during that Time, want of his own Complement of Men, or how many he did want of such Complement, and for what Time, shall receive, and the Commissioners of the Navy, at their Board, are hereby required to cause to be paid to such Master or other Person as aforesaid, six Pence *per Diem* for the Passage and Provisions of each Man and Boy, from the Day of their Embarkation homewards to the Day of their Arrival in *Great Britain*, or being put into some Ship or Vessel of his Majesty, his Heirs or Successors; six Pence *per Diem* only being deducted for such Time, and for so many Persons, as such Master, or other Person as aforesaid, wanted of the Complement of his Ship or Vessel, during the Voyage.

Seamen not liable to be taken out of the Service, except for some criminal Matter, or a real Debt of the Value of 20 l. Oath to be made of the Debt before a Judge, and marked on the Back of the Process. Seaman to be otherwise discharged without Fee, and recover Costs.

XXVIII. And, to prevent for the future, as far as may be, any unjust or fraudulent Arrests upon Seamen actually belonging to any of the Ships of his Majesty, his Heirs or Successors, Be it also enacted by the Authority aforesaid, That from and after the said first Day of *November*, no Person whatsoever, who shall list and enter himself to serve as a Seaman on Board any of the Ships or Vessels of his Majesty, his Heirs or Successors, shall be liable to be taken out of the Service of his Majesty, his Heirs or Successors, by any Process or Execution whatsoever, either in *Great Britain*, *Ireland*, or any other Part of his Majesty's Dominions, other than for some criminal Matter; unless such Process or Execution be for a real Debt, or other just Cause of Action, and unless before the taking out of such Process or Execution, not being for a criminal Matter, the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the Sum justly due and owing to the Plaintiff or Plaintiffs, from the Defendant or Defendants in the Action or Cause of Action on which such Process shall issue, or the Debt or Damage and Cost for which such Execution shall be issued out, amounts to the Value of twenty Pounds at the least; a Memorandum of which Oath shall be marked on the Back of such Process or Writ, for which Memorandum or Oath no Fee shall be taken; and if any Person be nevertheless arrested, contrary to the Intent of this Act, it shall and may be lawful for one or more Judge or Judges of such Court, upon Complaint made thereof by the Party himself, or by any one of his superior Officers, to examine into the same, by the Oath of the Parties, or otherwise, and, by Warrant under his or their Hands and Seals, to discharge such Seamen so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Seamen so arrested were actually belonging to one of the Ships or Vessels of his Majesty, his Heirs or Successors, and arrested contrary to the Intent of this Act, and also to award

award to the Party so complaining such Costs as such Judge or Judges shall think reasonable; for the Recovery whereof, he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the said Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

XXIX. And, to the End that honest Creditors, who aim only at the Recovery of their just Debts due to them from such Seamen as are actually belonging to some of the Ships or Vessels of his Majesty, his Heirs or Successors, may not be hindered from suing for the same, but, on the contrary, may be assisted and forwarded in their Suits; and that, instead of proceeding by an Arrest, which may hurt the Service, and occasion a great Expence and Delay to themselves, they may be enabled to proceed in a more speedy and easy Method; Be it further enacted by the Authority aforesaid, That it shall be lawful for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Seaman or Seamen belonging to the Royal Navy, or left at his or their last Place of Residence before his or their Entering into the Service of his Majesty, his Heirs or Successors, to file a Common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to intitle such Plaintiff or Plaintiffs to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so actually belonging to any Ship or Vessel of his Majesty, his Heirs or Successors, as aforesaid; this Act, or any thing herein, or any former Law or Statute, to the contrary notwithstanding.

Plaintiff may file a Common Appearance, and proceed to Judgement and Outlawry, and have Execution thereupon.

XXX. And, to prevent Extortion by Persons employed in the receiving of Seamens Wages, and other Monies, Be it further enacted by the Authority aforesaid, That no Person or Persons whatsoever who shall be employed in the receiving of any Wages, Pay, Prize Money, or any other Monies, due, or becoming due, for or upon account of the Service of any Officer, Seaman or other Person, in the Royal Navy, shall be intitled to take or retain more than six Pence in the Pound for or upon account of receiving thereof, and for paying the same to the Person or Persons by whom he or they shall be employed, or according to the Direction and Appointment of such Person or Persons, and for all his and their Trouble and Attendance in relation thereto: And if any Person or Persons so employed shall, directly or indirectly, demand, take or retain, or cause or procure, or knowingly and willingly permit or suffer, to be demanded, taken or retained, any Allowance, Gratuity, Reward, or Valuable Consideration, exceeding in the Whole the Sum of six Pence in the Pound, for the Monies so received as aforesaid, every such Person shall, for every such Offence, forfeit the Sum of fifty Pounds, to be recovered, with Full Costs of Suit to any Person or Persons who will sue for the same in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance, shall be allowed: And if any such Offender shall be a Clerk, Officer or Servant, in any Office belonging or relating to the Navy, he shall, upon Conviction, over and above the said Penalty of fifty Pounds, to be recovered as aforesaid, forfeit and lose his Place, and be for ever thereafter incapable of holding any Place of Profit in any such Office.

No more than 6 d. in the Pound to be deducted for receiving and paying Seamens Wages, or Prize Money; under Penalty of 50 l.

and if the Offender belong to any Office in the Navy, to lose his Place also.

XXXI. And be it further enacted by Authority aforesaid, That if any Clerk, Officer or Servant, in any Office belonging or relating to the Navy, shall, directly or indirectly, demand, take or retain, or cause or procure, or knowingly and willingly permit or suffer to be demanded, taken or retained, any Fee, Gratuity, Compensation, or valuable Consideration (not being authorized so to do by this Act) of or from any Person or Persons whatsoever, for or under Pretence of the doing or performing any Matter or Thing hereby directed or authorized to be done or performed, or which shall be in Execution hereof, every such Clerk, Officer or Servant, shall be subject to the same Forfeitures, Costs and Incapacities, as is herein before mentioned with respect to the taking more than six Pence in the Pound for the receiving of Seamens Wages.

Clerks, Officers, or Servants belonging to any Office in the Navy, taking other Fees than the Act allows, subject to the same Forfeitures.

XXXII. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *November*, so much of an Act made in the ninth and tenth Year of the Reign of King WILLIAM the Third, intituled, *An Act for the better preventing the Imbezzlement of his Majesty's Stores of War, and preventing Cheats, Frauds and Abuses, in paying Seamens Wages*, as relates to the taking no more than the Sum of one Shilling for suing forth any Letters of Administration to the Wife or Children of any Seaman dying in the Pay of his Majesty's Navy, unless the Goods and Chattles of such Seaman do amount to the Sum of twenty Pounds: And also so much of an Act made in the fourth Year of the Reign of Queen ANNE, intituled, *An Act for the Encouragement and Increase of Seamen, and for the better and speedier Manning of her Majesty's Fleet*, as relates to the Payment of the Wages due to Seamen turned over from one Ship to another: And so much of an Act made in the first Year of the Reign of his present Majesty (intituled, *An Act for granting an Aid to his Majesty of five hundred thousand Pounds, towards discharging Wages due to Seamen; and for the constant, regular and punctual Payment of Seamens Wages for the future; and for appropriating the Supplies granted in this present Session of Parliament; and for disposing of the Surplus of the Money granted for that Service for the Year one thousand seven hundred and twenty-seven*) as contains any Provisions relative to his Majesty's Royal Navy, or the Commissioners thereof, or to the Captains, Commanders, Seamen, or other Persons serving therein, or to the Payment of the Wages due for such Service: And also an Act made in the first Year of the Reign of his present Majesty, intituled, *An Act for encouraging Seamen to enter into his Majesty's Service*; shall be and are hereby repealed.

Part of the several Acts of 9 & 10 Will. 3. c. 41.

4 Annæ, c. 19.

1 Geo. 2. c. 9.

1 Geo. 2. repealed in Part.

XXXIII. And be it further enacted by the Authority aforesaid, That the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, shall direct an Abstract of the Provisions and Regulations herein contained, for the Benefit of Seamen belonging to the Ships and Vessels of his Majesty, his Heirs and Successors, together with the Articles of War, to be printed; and that a competent Number of the Copies thereof be delivered to the Captain or Commander of every such Ship or Vessel; and such Captain or Commander, as soon as the Ship or Vessel by him commanded shall be put into Sea Pay, shall cause one of the said printed Abstracts, together with the Articles of War, to be hung up and affixed to the most publick Place of such Ship or Vessel, and shall cause the same

An Abstract of this Act, together with the Articles of War, to be printed, and Copies delivered to all Captains.

One to be kept constantly hung in the most pu-

Wick Place of the Ship; and to be read to the Ship's Company, after the Articles, Once a Month; of which, proper Attestation is to be made at the Foot of the Muster Books. Commissioners of the Navy to inquire whether these Directions are complied with; to the End that Seamen may both know their Duty, and their Rights, and how to seek Redress for Injuries.

same to be constantly kept up and renewed, so that they may be at all Times accessible to the inferior Officers and Seamen on Board of such Ship or Vessel; and every such Captain or Commander shall cause such Abstract to be audibly and distinctly read over once in every Month, in the Presence of the Officers and Seamen of such Ship or Vessel, immediately after the Articles of War are read; and the Reading both of the Articles of War, and of this Abstract, and the Days when read, shall be attested by the Captain or Commander, and the usual signing Officers, of such Ship or Vessel, at the Foot of the Muster Books for such Ship or Vessel, before they are transmitted to the Commissioners of the Navy: And the said Commissioners are hereby charged and directed strictly to inquire whether the Directions hereby given for hanging up and affixing the said Abstract and Articles of War, and for the Reading of the same, as aforesaid, have been duly observed by the Captain or Commander of such Ship or Vessel, and not to grant to such Captain or Commander his general Certificate, until they are fully satisfied thereof; to the End and Intent that every Seaman employed in the Royal Navy of *Great Britain* may, at one and the same Time, hear and know the Forfeitures and Punishments he is liable to for any Neglect or Disobedience, and likewise the Encouragements and Benefits to which he is intitled by a due and faithful Performance of his Duty; and that, upon suffering any Oppression or Injury in such Service, he may be the better enabled to lay his Complaint before the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, who are hereby respectively charged and directed, upon any such Complaint being laid, strictly to enquire into the Circumstances of the same, and to grant immediate Redress therein, if such Complaint shall be justly founded; and to take special and constant Care that this Act, and all the Provisions and Regulations therein, be fully complied with, and punctually carried into Execution.

Form of the Abstract.

XXXIV. And be it further enacted by the Authority aforesaid, That the Abstract herein before directed, shall be in the following Words; that is to say,

'ABSTRACT of an Act of Parliament made in the thirty-first Year of the Reign of King GEORGE 'the Second, intituled, *An Act for the Encouragement of Seamen employed in the Royal Navy; and for esta-* '*blishing a regular Method for the punctual, frequent and certain Payment of their Wages; and for enabling* 'them more easily and readily to remit the same for the Support of their Wives and Families; and for pre-' *venting Frauds and Abuses attending such Payments.*'

1. EVERY Volunteer entering his Name with a Commission Officer, appointed for entering Volunteers on Board any Ship in the Royal Navy, shall receive a Certificate thereof *gratis*, and be intitled to Wages from the Date of such Certificate, including the Day of the Date thereof, in case he appears on Board within fourteen Days, if the Place where he enters is not above one hundred Miles from the Ship; within twenty Days, if above one hundred Miles; or within thirty Days, if above two hundred Miles; and shall be allowed the usual Conduct Money, and also two Months Wages Advance, at the first fitting out of the Ship, and before the Ship proceeds to Sea.

2. Every supernumerary Man serving ten Days in any Ship, shall be borne for and intitled to his Wages upon the Books of such Ship, and to all other Benefits, as if he was Part of the Complement of such Ship; but Men lent from one Ship into another, shall continue to be borne for and intitled to their Wages upon the Books of the Ship from which they were lent, until they shall be regularly discharged from thence, and in no other.

3. Every inferior Officer or Seaman, who shall be turned over from one Ship to another (in case the Ship into which he is turned over, is then or shall come into a Port of *Great Britain* where there is a Commissioner of the Navy) shall be paid, by proper Pay Lists, all the Wages due to him in the Ship from which he was so turned over, before the Ship into which he shall be turned over proceeds to Sea, unless it shall be otherwise directed by Special Order from the Admiralty, in Cases of the greatest Exigency only; and if the Ship, in pursuance of such Order, proceeds to Sea before such Payment can possibly be made, the Wages shall be paid as soon as such Ship shall come again into any Port of *Great Britain* where there is a Commissioner of the Navy.

4. Every Officer or Seaman who shall be turned over from one Ship to another, shall not serve or be rated in a worse Quality, or lower Degree, than he served in or was rated for in the former Ship; and shall have an Advance of two Months Wages before the Ship into which he is turned over proceeds to Sea, in case he shall not have received such Advance before.

5. Such Sums of Money shall in the first Place be appropriated, and shall, from time to time, be issued and applied out of the Supplies granted, or to be granted, for any Naval Services, as shall be sufficient for the regular Payment of all Tickets made out pursuant to the Act, and for the regular Discharge of all Wages due, or to grow due, in Manner following; that is to say, As often as any Ship which shall have been in Sea Pay twelve Months, or more, shall be or arrive in any Port of *Great Britain*, or on the Coast thereof, the Captain or Commander shall immediately cause five complete Pay Books to be made out, for all the Time such Ship shall have been in Pay, except the last six Months; and shall forthwith transmit, by the first safe Opportunity, such Books, together with three Alphabets, and a Slop Book, to the Commissioners of the Navy, at their Board: And as soon as such Ship shall be or arrive in any Port of *Great Britain* where there is a Commissioner of the Navy, the said Commissioners of the Navy shall solicit the necessary Sums of Money, and shall cause immediate Payment to be made of the Wages due, deducting the Advance Money, and all Defalcations; leaving always six Months Wages unpaid, and no more: And all the Wages due upon any Ship shall be paid as soon as may be, or within two Months at furthest, after the Arrival of such Ship in Port to be laid up.

6. The Month shall consist of twenty-eight Days.

7. Upon Application to the Commissioners of the Navy, at their Board, by any inferior Officer or Seaman who shall then be in the Service, and was absent at the Payment of the Ship to which he did belong,

or

or from the Captain or Commander of any Ship in which such Officer or Seaman shall then serve, in case such Ship shall be in any Port of *Great Britain* where there is a Commissioner of the Navy, the Commissioners of the Navy, at their Board, shall immediately send their Pay Books, or Pay Lists made out from them, to such Commissioner, who shall forthwith cause the Wages to be paid to such Officer or Seaman.

8. The Captain, or Commander, shall make out a Ticket upon the Death of every inferior Officer and Seaman, and shall transmit the same, by the first safe Opportunity, to the Commissioners of the Navy, at their Board, who are to assign the same for Payment within one Month after the Receipt thereof; and the same shall be delivered, and Payment thereon made, without Fee or Reward, to the Executors or Administrators of such Officer or Seaman, or to the Attorney of such Executors or Administrators.

9. The Captain, or Commander, shall make out a Ticket for every inferior Officer or Seaman who shall be discharged as unserviceable, pursuant to the Directions of the Act, and shall send such Ticket, by the first safe Opportunity, to the Commissioners of the Navy, at their Board. The Captain, or Commander, shall not deliver such Ticket to such Officer or Seaman, but shall give him a Certificate of such Discharge, containing an exact Copy of the Ticket, and a Description of his Person. The said Commissioners of the Navy shall immediately cause the Day when such Ticket was received to be indorsed thereon, and shall assign the same for Payment within one Month at farthest from the Day of making such Indorsement. And if any such Officer or Seaman shall present such Certificate at the Navy Office, the said Commissioners of the Navy are forthwith to examine such Certificate, and the Person presenting the same; and, being satisfied that the Certificate was made out for such Person, and that he is rendered unserviceable, they shall testify the same on such Certificate. The said Ticket being so assigned, shall be immediately delivered, and Payment made at the Pay Office of the Navy, to such Officer or Seaman, without Fee or Reward, and to no other Person whatsoever. If the Ticket shall not have been transmitted to, and received by, the Commissioners of the Navy, the Money appearing to be due by the Copy of the Ticket in the Certificate, shall be paid in like Manner as if the Ticket had been received. Such Officer or Seaman being desirous to receive his Wages at any Port in *Great Britain* where a Commissioner of the Navy resides, may produce his Certificate to such Commissioner of the Navy, who, being satisfied that such Certificate was made out for such Person, and that he is rendered unserviceable, shall sign and transmit the same to the Commissioners of the Navy, at their Board; who, within four Days after the Receipt of such Certificate, are to send the Ticket for such Officer or Seaman, or if such Ticket shall not have been transmitted to and received by them, then the said Certificate, containing a Copy of the said Ticket instead thereof, to the Commissioner at such Port; who shall cause immediate Payment thereon to be made, without Fee or Reward: And such Commissioner shall send such Officer or Seaman to the nearest Hospital, where he is to be received and victualled, from the Time of presenting such Certificate until Payment is made. If any such Certificate shall be lost or destroyed, or such Officer or Seaman shall not present the same in Person, or the Money due on any such Ticket shall not be paid before the general Payment of the Ship's Company, the Ticket shall be cancelled, and the Wages be payable as if such Ticket and Certificate had not been made out.

10. When any inferior Officer or Seaman shall, by Order of the Captain or Commander, be set sick ashore, and be sent into any Hospital, or Sick Quarters, such Captain or Commander shall make out a Sick Ticket, for the Wages due to such Officer or Seaman, and transmit the same with such Officer or Seaman to the Hospital, or Sick Quarters; and if such Officer or Seaman shall be regularly discharged from thence as unserviceable, a Certificate of his Discharge, with the Sick Ticket annexed thereto, shall be delivered to him: And if he shall present the same to a Commissioner at any Port in *Great Britain*, such Commissioner being satisfied that such Officer or Seaman is unserviceable, shall sign the same on the Certificate, and forthwith transmit such Certificate, and Sick Ticket, to the Commissioners of the Navy, at their Board, who, within four Days after the Receipt thereof, are required to cause a proper Ticket, or Pay List, to be made out for the Wages due to such Officer or Seaman, and to send such Ticket, or Pay List, without Delay, to the Commissioner at such Port, who shall cause immediate Payment of the Wages to be made, without Fee or Reward, to such Officer or Seaman; who, notwithstanding such Discharge, shall be maintained in such Hospital, or Sick Quarters, from the Time he shall present the Certificate, and Sick Ticket, until the Payment shall be made.

11. The Payment of Tickets, Certificates, or Pay Lists, shall not be delayed, though the Muster or Pay Books be not regularly sent to, and received by, the Commissioners of the Navy; but if any Error shall be made in any Ticket, Certificate or Pay List, the Loss shall be made good out of the Wages of the Captain, or Commander, by whom such Ticket, Certificate, or Pay List, was made out.

12. As often as any Ship which shall not be in a Port of *Great Britain*, or on the Coast thereof, shall have twelve Months Wages due, the Captain, or Commander, shall cause the Names of all the inferior Officers and Seamen to be called over, and each to answer to his Name, and shall do the same at the End of every six Months, when twelve Months, or more Wages, shall be due: And if any such Officer or Seaman shall then declare, or deliver in Writing, the Name and Place of Abode of his Wife, Father or Mother, and desire that the Whole, or any Part of his Wages then due, except the Wages due for the last six Months, should be paid to such Wife, Father or Mother, by the Receiver General of the Land Tax for any County, Riding or City, or Collector of the Customs for any Port, or Collector of the Excise for any Collection in *Great Britain*, or the Clerk of the Cheque at any Dock Yard; the Captain, or Commander, is strictly required to cause four Lists to be made out of the Persons so desiring to make such Remittances, and shall transmit such Lists, by the first safe Opportunity, without Delay, to the Commissioners of the Navy, at their Board, who, on Receipt thereof, shall immediately make out two Bills pursuant to the Directions of the Act, for the Payment of the Wages so allotted by each Person; one of which Bills shall be sent to the Persons respectively specified in such Lists, and the other to such Receiver, Collector, or Clerk of the Cheque: And if the Person to whom any such Bill is sent, shall, within six Months from the Date thereof, produce and deliver the same to such Receiver, Collector, or Clerk of the Cheque, together with

a Certificate that such Person is the Wife, Father or Mother of such Officer or Seaman respectively, under the Hands of the Minister and Churchwardens, or, in *Scotland*, of the Minister and two Elders, of the Parish where such Person was married, or resides; such Receiver, Collector, or Clerk of the Cheque, upon being satisfied of the Truth of such Certificate, is immediately, without Fee or Reward, to pay the Sum mentioned in such Bill, taking a Receipt. Such Bill, together with the Duplicate thereof, being produced at the Navy Office, shall be immediately assigned for Payment by the Commissioners of the Navy, and repaid by the Treasurer of the Navy, to such Receiver, Collector, or Clerk of the Cheque, or their Order respectively; but if Payment of the said Bill be not demanded of such Receiver, Collector, or Clerk of the Cheque, and the Duplicate of the said Bill, together with a proper Certificate, be not produced and delivered to them respectively, within six Months from the Date thereof, the Bill is to be returned and cancelled, and the Sum contained therein is to become payable to such inferior Officer or Seaman when the Ship shall be paid.

13. In like Manner, when Wages shall be paid at the Pay Office, or at any of the Out Ports, if any inferior Officer or Seaman shall be desirous to remit the Whole or Part of his Wages to his Wife, Children, Parents, or any other Person, and to have a Bill for the same drawn upon any such Receiver, Collector or Clerk of the Cheque, two Bills are to be made out, one of which is to be delivered to such Officer or Seaman, and the other to be sent to such Receiver, Collector, or Clerk of the Cheque, who is to pay immediately the Sum therein mentioned, without any Fee or Reward, taking a Receipt. Such Bill, together with the Duplicate thereof, being produced at the Navy Office, shall be immediately assigned for Payment by the Commissioners of the Navy, and be repaid, by the Treasurer of the Navy, to such Receiver, Collector, or Clerk of the Cheque, or their Order respectively: But if Payment of the said Bill be not demanded of such Receiver, Collector, or Clerk of the Cheque, and the Duplicate of the said Bill shall not be produced and delivered to them respectively within six Calendar Months from the Date thereof, the Bill is to be returned and cancelled, and the Sum contained therein is to be immediately paid to such Officer or Seaman, or other Person duly authorized to receive the same.

14. If any such Receiver, Collector, or Clerk of the Cheque, shall not have in his Hands Money to answer any Bill tendered by such Wife, Father or Mother, aforesaid, and shall refuse or delay the immediate Payment thereof, he is immediately to indorse on such Bill the Cause of his Refusal or Delay, and appoint for Payment some Day within two Months after such Tender; and if, upon Complaint to the Commissioners respectively appointed to manage the Land Tax, Customs or Excise, or to the Commissioners of the Navy, respectively, it shall appear, that any such Receiver, Collector, or Clerk of the Cheque, hath unnecessarily and wilfully refused or delayed Payment, or that he, or any Person employed by or under him, hath taken any Fee, Reward, Gratuity, Discount or Deduction, on account of Payment of any such Bill, such Commissioners may fine such Offender in any Sum not exceeding fifty Pounds.

15. The Wages, Pay and Allowances, earned by any indentured Apprentice, shall be paid to his Master, as hath been usual, unless such Apprentice was above eighteen Years of Age when his Indentures were executed, or shall be rated as a Servant to any Officer to whom such Apprenticeship is not known; in which Case, such Officer shall be intitled to the Pay and Wages of such Servant, according to the usual Practice of the Navy, until such Officer shall be informed of such Apprenticeship.

16. Captains or Commanders of Ships are to transmit from time to time to the Commissioners of the Navy, at their Board, complete Pay Books, Lists and Tickets, and also once in every two Months complete Muster Books, under the Penalty of forfeiting all their Wages to the Chest at *Chatham*, and of being liable to such further Punishment as a Court-martial shall inflict; except in Cases of Necessity, to be made appear to the Satisfaction of the Lord High Admiral, or Commissioners of the Admiralty.

17. The Tickets, Certificates, Pay Lists and Bills, shall be sufficient Vouchers to the Treasurer of the Navy for the Payments thereon.

18. Captains, or Commanders, issuing any Tickets other than such as as are directed by the Act, shall be subject to a Penalty of fifty Pounds for every Ticket, and shall forfeit all their Wages to the Chest at *Chatham*.

19. No Captain, or Commander, shall be liable to any Penalty for any Offence against the Act before the first of *June* one thousand seven hundred and fifty-nine, unless he he hath previously received this Abstract.

20. No Letters of Attorney made by inferior Officers or Seamen, or their Executors or Administrators, for receiving Wages or Allowances of Money, shall be valid, unless declared therein to be revocable; and unless the same, if made by any such Officer or Seaman then in the Service, be signed before, and attested by, the Commander and one other of the signing Officers of the Ship, or by a Clerk of the Cheque: And if made by any such Officer or Seaman after his Discharge from the Service, unless the same be signed before, and attested by, the Mayor or Chief Magistrate of the Town or Place where such Officer or Seaman shall then reside; or unless the Letter of Attorney, if made by such Executors or Administrators, be signed before, and attested by, the Minister and Churchwardens, or, in *Scotland*, by the Minister and two Elders, of the Parish where such Executors or Administrators reside.

21. All Letters of Attorney, other than such as are made in Manner aforesaid, and all Bargains, Sales, Bills of Sale, Contracts, Agreements and Assignments, concerning Wages or Money to inferior Officers or Seamen, shall be null and void.

22. No more than one Shilling shall be taken by any Ecclesiastical Court, or other Person, for the Probate of any Will, or Letters of Administration, granted to the Widows, Children, Fathers, Mothers, Brothers or Sisters, of inferior Officers, Seamen or Marines, dying in the Service, and for the Pains, Trouble and Expence, attending the same, unless the Goods and Chattles are of the Value of twenty Pounds; nor more than two Shillings, unless such Goods and Chattles are of the Value of forty Pounds; nor more than three Shillings, unless such Goods and Chattles are of the Value of sixty Pounds: Nor more than one Shilling

ling for issuing Commissions to swear such Widows, Children, Fathers, Mothers, Brothers or Sisters, being Executors or Administrators to inferior Officers, Seamen or Marines, and for the Pains, Trouble and Expence, attending the same, unless the Goods and Chattles are of the Value of twenty Pounds; nor more than two Shillings, unless the Goods and Chatties are of the Value of forty Pounds; nor more than three Shillings, unless the Goods and Chattles are of the Value of sixty Pounds; under the Penalty of fifty Pounds, to be paid by the Offender to the Party aggrieved.

23. Whoever willingly and knowingly shall personate, or falsely assume, the Name or Character of, or procure any other to personate or falsely to assume, the Name or Character of any Officer, Seaman or other Person, intitled to Wages, Pay, Allowances or Prize Money, for Service done on Board of any Ship of the Royal Navy, or the Executor, Administrator, Wife, Relation or Creditor of any such Officer, Seaman or other Person, in order to receive any Wages, Pay, Allowances or Prize Money, or shall forge or counterfeit, or procure to be forged or counterfeited, any Letter of Attorney, or other Power or Authority whatsoever, in order to receive any Wages, Pay, Allowances or Prize Money, or shall willingly and knowingly take a false Oath, or procure a false Oath to be taken, to obtain the Probate of a Will, or Letters of Administration, in order to receive any Wages, Pay, Allowances or Prize Money, shall be guilty of Felony, and suffer Death.

24. When the Pay Books are closed, Tickets shall be made out at the Navy Office to the Seamen who shall not have received their Wages, and such Tickets shall be paid in Course once a Month.

25. *British* Governors, Ministers and Consuls, residing at Foreign Parts, or where no such are present, any two *British* Merchants, are required to provide for Seafaring Men and Boys, Subjects of *Great Britain*, who, by Shipwreck, Capture or other unavoidable Accident, shall be in Foreign Parts, or who shall be discharged there as unserviceable from the Royal Navy, and subsist them at six Pence *per Diem* each; and send them home as soon as conveniently may be, in any Ship belonging to the Royal Navy, or in any Merchant Ship.

26. Masters of Ships shall be allowed six Pence *per Diem* for all such Men and Boys as shall exceed their Complement.

27. Seamen shall not be taken out of the Service for any Debt under twenty Pounds:

28. But Creditors may file a Common Appearance, so as to intitle them to proceed to Judgment and Outlawry, and to have an Execution thereupon, except against the Bodies of such Seamen.

29. Receivers of Seamens Wages taking more than six Pence in the Pound, shall, for every Offence, forfeit fifty Pounds; and if any such Offender be a Clerk, Officer or Servant, in an Office belonging to the Navy, he shall also lose his Place, and be incapable of holding any Place of Profit in any such Office.

30. Clerks, Officers and Servants, in Offices belonging to the Navy, taking Fees (not allowed by the Act) for doing any thing directed by the Act, shall be subject to the same Forfeitures.

31. Part of several Acts made in the ninth and tenth Years of King WILLIAM the Third, and in the fourth Year of Queen ANNE, and in the first Year of King GEORGE the Second, and also another Act made in the said first Year of King GEORGE the Second, relating to Seamen, are repealed.

32. This Abstract, together with the Articles of War, shall be printed, and kept hung up in the most publick Place of every Ship of the Royal Navy, that it may be accessible to all inferior Officers and Seamen; and every Captain and Commander, shall cause the same to be read over once in every Month after the Articles of War are read; and the Reading the same shall be attested by the Captain or Commander, and signing Officers, at the Foot of the Muster Books: To the End that every Seaman in the Royal Navy may know the Punishments he is liable to for any Neglect or Disobedience, and the Encouragements he is intitled to by the Performance of his Duty; and that upon suffering any Injury, he may be enabled to lay his Complaint before the Lord High Admiral, or the Commissioners of the Admiralty, who are by the Act directed to enquire into the same, and to grant Redress, if such Complaint be justly founded; and to take especial Care that this Act be punctually carried into Execution.

See farther 32 *Geo.* 2. *c.* 25. 33 *Geo.* 2. *c.* 19. 2 *Geo.* 3. *c.* 10.

CAP. XI.

An Act to amend an Act made in the third Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the better Explanation, and supplying the Defects of the former Laws for the Settlement of the Poor*, so far as the same relates to Apprentices gaining a Settlement by Indenture; and also to impower Justices of the Peace to determine Differences between Masters and Mistresses and their Servants in Husbandry, touching their Wages, though such Servants are hired for less Time than a Year.

For former Provisions concerning Poor refer to 43 *El. c.* 2. 3 *Car.* 1. *c.* 5. 13 & 14 *Car.* 2. *c.* 12. 8 & 9 *W.* 3. *c.* 30. 9 & 10 *W.* 3. *c.* 11. 12 *Ann. stat.* 1. *c.* 18. 5 *Geo.* 1. *c.* 8. 9 *Geo.* 1. *c.* 7. 2 *Geo.* 2. *c.* 28. 3 *Geo.* 2. *c.* 29. 17 *Geo.* 2. *c.* 5. 37 & 38.

Preamble. 'WHEREAS by an Act made in the third Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the better Explanation, and supplying the Defects of the former Laws for the Settlement of the Poor*, it is enacted, That if any Person shall be bound an Apprentice by Indenture, and inhabit in any Town or Parish, such Binding and Inhabitation shall be adjudged a good Settlement: And whereas since the making the said Act, great Numbers of Persons have been unwarily bound Apprentices by certain Deeds, Writings or Contracts, not indented, by which binding many of them have suffered great Loss and Damage, on Account of their having been refused a Settlement in such Town or Parish, where they have been so bound and resided forty Days, and have been removed to the Parish or Place where their last legal Settlement was before such Apprenticeship, where they have had no Encouragement to exercise their Trades, or Opportunity to gain a Livelihood by their said Trades to which they were so bound Apprentices:' For Relief therefore of such Apprentices, and for preventing the like Mischief for the

the Future; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Person who shall have been bound an Apprentice, or who shall hereafter be bound an Apprentice, by any Deed, Writing or Contract, not indented, being first legally stamped, shall be liable to be removed from the Town, Parish or Place where he or she shall have been so bound an Apprentice, and resident forty Days, by virtue of any Order of Removal, granted by two Justices of the Peace of any County, Riding, Division, City, Borough, Town Corporate or Place; or by virtue of any Order of the Justices at their General or Quarter-Sessions, by Reason or on Account of such Deed, Writing or Contract, not being indented only.

Person bound Apprentice by Deed &c. though not indented, being first duly stamped, is intitled to a Settlement where apprenticed.

II. Provided nevertheless, That nothing herein before enacted, shall extend, or be construed to extend, to set aside or make void any Judgment, Order or Decree, which shall have been made as aforesaid, before the first Day of *May* one thousand seven hundred and fifty-eight.

Judgment, &c. to the contrary made before 1 May 1758, not to be avoided hereby.

'III. And whereas by an Act passed in the twentieth Year of his present Majesty's Reign, intituled, *An Act for the better adjusting and more easy Recovery of the Wages of certain Servants, and for the better Regulation of such Servants, and of certain Apprentices*; it is enacted, That from and after the twenty-fifth Day of *March* one thousand seven hundred and forty-seven, all Complaints, Differences and Disputes, which shall arise between Masters or Mistresses, and Servants in Husbandry, who shall be hired for one Year or longer, or which shall happen or arise between Masters and Mistresses and Artificers, Handicraftsmen, Miners, Colliers, Keelmen, Pitmen, Glassmen, Potters and other Labourers, employed for any certain Time, or in any other Manner, shall be heard or determined by one or more Justice or Justices of the Peace, for the Place where such Master or Mistress shall inhabit: And whereas Doubts have arisen whether the Words any Labourers employed for any certain Time, or in any other Manner, extend to Servants in Husbandry hired for a less Time than one Year;' For obviating the said Doubts, Be it enacted by the Authority aforesaid, That the said Act, and all and every Clause and Matter therein contained, shall from and after the said first Day of *May* one thousand seven hundred and fifty-eight, be deemed and construed to extend to all Servants employed in Husbandry, though hired for a less Time than one Year; any thing in the said recited Act of the twentieth Year of his present Majesty's Reign, or any other Act contained to the contrary notwithstanding.

Act 20 Geo. 2. c. 19.

Recited Act extended to Servants employed in Husbandry, though hired for a less Time than a Year.

CAP. XII.

An Act to encourage the Growth and Cultivation of Madder in that Part of *Great Britain* called *England*, by ascertaining the Tithe thereof there.

Preamble.

'WHEREAS Madder is an Ingredient essentially necessary in dyeing and Callicoe Printing, and of great Consequence to the Trade and Manufactures of this Kingdom; and may be raised therein equal in Goodness, if not superior, to any Foreign Madder: And whereas the encouraging of the Growth thereof in this Kingdom, will be a Saving of a very large Sum of Money, which is now paid for that Commodity imported Duty free from Abroad; and will also be a Means of employing great Numbers of Poor in the Winter Months: And whereas the ascertaining of the Tithe of Madder will be the greatest Means of encouraging the Growth of that Commodity in this Kingdom:' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *August*, which will be in the Year of our Lord one thousand seven hundred and fifty-eight, all and every Person and Persons who shall plant, grow, raise or cultivate, or cause to be planted, grown, raised or cultivated, any Madder in any Parish or Place within that Part of *Great Britain* called *England*, shall pay, or cause to be paid, to every Parson, Vicar, Curate or Impropriator of any such Parish or Place, the Sum of five Shillings, and no more, yearly and every Year, for each Acre of Madder so planted, grown, raised or cultivated, and so proportionably for more or less Ground so planted or cultivated, in lieu of all manner of Tithe of Madder; for the Recovery of which Sum or Sums of Money, the Parson, Vicar or Impropriator, shall have the common and usual Remedy allowed of by the Laws of this Realm.

Madder to pay 5 s. per Acre, Tithe,

II. Provided always, and be it enacted by the Authority aforesaid, That no Madder shall be carried off the Ground on which it grows, before the Sum or Sums of Money herein before directed to be taken in lieu of Tithes, be paid to the Person or Persons respectively intitled to receive the same.

and not to be removed till Tithe be paid.

III. Provided also, That this Act, or any thing herein contained, shall not extend to charge any Lands discharged by any *Modus Decimandi*, ancient Composition, or other Discharge of Tithes by Law.

Act not to extend to Lands discharged of Tithes, &c.

IV. Provided always, and be it enacted by the Authority aforesaid, That this Act shall continue and be in Force for the Space of fourteen Years, and from thence to the End of the then next Session of Parliament, and no longer.

and to be in Force 14 Years.

CAP. XIII.

An Act for allowing a further Time for holding the first Meetings of Commissioners or Trustees for putting in Execution certain Acts made in the last Session of Parliament.

Preamble, reciting Act 30 Geo. 2. c. 27.

'WHEREAS by an Act passed in the last Session of Parliament, intituled, *An Act for enlarging the Times for the first Meetings of Commissioners or Trustees for putting in Execution certain Acts of this Session of Parliament*; it was enacted, That in case any Act of Parliament had passed, or did, or should pass, at any Time whatsoever, during that Session of Parliament, upon or after the Day specified in any such Act for the first Meeting of the Commissioners or Trustees appointed to put the same, or any Part thereof,

'thereof, in Execution; in each and every such Case, such Commissioners or Trustees respectively, or the 'same Number of such respective Commissioners or Trustees, as was, or should be authorized to hold such 'first Meeting, or any greater Number of them, should and might hold their first Meeting, upon the four-'teenth Day after the passing of the said first above recited Act, and proceed to the Execution of such Acts 'respectively, as effectually as if they had been assembled on the respective Days appointed in such Acts 'for holding their first Meeting: And whereas the said fourteen Days have been found in Experience too 'short a Time for the holding the first Meeting in some of the Cases aforesaid, in a proper Manner, where-'by several Doubts and Difficulties have arisen, with respect to the due Execution of some of the said Acts;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such Commissioners or Trustees for putting such Acts as aforesaid, or any Part or Parts thereof, in Execution respectively, or the same Number of such respective Commissioners or Trustees as was or were authorized to hold such first Meeting, or any greater Number of them, shall and may hold a Meeting on the twenty-first Day after the Day of the passing of this Act, at such Places as were respectively appointed in such Acts, for holding the first Meetings on the Days therein specified; and all such Commissioners or Trustees, or any sufficient Number of them, as aforesaid, being so assembled respectively, on the said twenty-first Day after the Day of the passing of this Act, shall and may proceed to the Execution of such Acts respectively, and then, and from time to time afterwards, adjourn, and do and perform all such Matters and Things, and execute all such Powers and Authorities, as are mentioned or granted to them respectively in the said Acts, in the same Manner, and as fully and effectually to all Intents and Purposes, as if such Commissioners or Trustees had been assembled, in pursuance of, and on the respective Days specified or appointed in such respective Acts for holding the first Meeting of such Commissioners or Trustees; any thing in the said Acts or any of them contained to the contrary notwithstanding.

Commissioners for certain Acts of the last Session, are to meet on 21st Day after passing this Act, and put the same then in Execution.

CAP. XIV.

An Act for further explaining the Laws touching the Electors of Knights of the Shire to serve in Parliament for that Part of *Great Britain* called *England*.

For former Laws touching Elections refer to 7 H. 4. c. 15. 11 H. 4. c. 1. 1 H. 5. c. 1. 8 H. 6. c. 7. 10 H. 6 c. 2. 23 H. 6. c. 14. 7 W. 3. c. 4. 7 & 8 W. 3. c. 7 & 25. 10 & 11 W. 3. c. 7. 6 Ann. c. 7 & 23. 9 Ann. c. 5. 10 Ann. c. 19 & 23. 2 Geo. 2. c. 24. 8 Geo. 2. c. 30. 13 Geo. 2. c. 20. 15 Geo. 2. c. 22. 19 Geo. 2. c. 28.

Preamble. 18 Geo. 2. c. 18.

'WHEREAS by an Act made in the eighteenth Year of the Reign of his present Majesty, intituled, *An Act to explain and amend the Laws touching the Elections of Knights of the Shire to serve in Parliament for that Part of* Great Britain *called* England; it is enacted, That no Person shall vote at the 'Election of any Knight or Knights of a Shire within that Part of *Great Britain* called *England*, or Principality of *Wales*, without having a Freehold Estate in the County for which he votes, of the clear yearly 'Value of forty Shillings, over and above all Rents and Charges payable out of or in respect of the same: 'And whereas, notwithstanding the said Act, certain Persons who hold their Estates by Copy or Court 'Roll, pretend to have a Right to vote, and have, at certain Times, taken upon them to vote at such Elections;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, no Person, who holds his Estate by Copy of Court Roll, shall be intitled thereby to vote at the Election of any Knight or Knights of a Shire within that Part of *Great Britain* called *England*, or Principality of *Wales*: And if any Person shall vote in any such Election, contrary to the true Intent and Meaning hereof, every such Vote shall be void to all Intents and Purposes whatsoever; and every Person so voting shall forfeit to any Candidate for whom such Vote shall not have been given, and who shall first sue for the same, the Sum of fifty Pounds, to be recovered by him or them, his, her or their Executors and Administrators, together with full Costs of Suit, by Action of Debt in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Wager of Law, Privilege or Imparlance shall be admitted or allowed; and in every such Action the Proof shall lie on the Person against whom such Action shall be brought.

Copyholders disabled from voting for Knights of the Shire; their Vote void, and they to forfeit 50 *l.* with full Costs of Suit.

Onus probandi.

II. And be it further enacted by the Authority aforesaid, That it shall and may be sufficient for the Plaintiff in any such Action of Debt to set forth in the Declaration or Bill, that the Defendant is indebted to him in the Sum of fifty Pounds, and to alledge the Offence for which the Action or Suit is brought, and that the Defendant hath acted contrary to this Act, without mentioning the Writ of Summons to Parliament, or the Return thereof; and upon Trial of any Issue in any such Action or Suit, the Plaintiff shall not be obliged to prove the Writ of Summons to Parliament, or the Return thereof, or any Warrant or Authority to the Sheriff grounded upon any such Writ of Summons.

Plaintiff's Plea in the Action upon the Case.

III. Provided always, That every such Action or Suit shall be commenced within the Space of nine Calendar Months next after the Fact, upon which the same is grounded, shall have been committed.

Limitation of Actions.

IV. And be it further enacted by the Authority aforesaid, That all the Statutes of Jeofails, and Amendments of the Law whatsoever, shall and may be construed to extend to all Proceedings in any such Action or Suit.

Statutes of Jeofails, &c. extended to such Suits.

V. Provided always, and be it further enacted by the Authority aforesaid, That in case the Plaintiff in any such Action or Suit, shall discontinue the same, or be nonsuited, or Judgment be otherwise given against him, then, and in any of the said Cases, the Defendant, against whom such Action or Suit shall have been brought, shall recover his Treble Costs.

Plaintiff nonsuited, &c. to pay treble Costs. *See further* 33 Geo. 2. c. 20. *and* 2 Geo. 3. c. 15 & 24.

CAP.

CAP. XV.

An Act for the Encouragement of the Exportation of Culm to *Lisbon*, in the Kingdom of *Portugal*.

Preamble.

For former Duties on Culm refer to 9 & 10 W. 3. c. 13. 8 Ann. c. 4. 9 Ann. c. 6. 5 Geo. 1. c. 9.

'WHEREAS since the late dreadful Earthquake at *Lisbon*, a considerable Demand hath arisen for Culm to be there used, in the burning or calcining of Lime, for the Purpose of rebuilding of the said City, and the Exportation of Culm to *Lisbon*, under a small Duty, will greatly contribute to the more speedy and effectual rebuilding of the said City, as well as to the Encouragement of the Trade and Navigation of this Kingdom;' May it therefore please your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, it shall be lawful for any Person or Persons, for and during the Term of fifteen Years, and from thence to the End of the then next Session of Parliament, to export any Quantity or Quantities of Culm to the City of *Lisbon*, in the Kingdom of *Portugal*, upon Payment of a Duty of one Shilling for every Chalder *(Newcastle-measure)* of Culm so exported, and no more, and after that Rate for any greater or lesser Quantity; so as the Exporter shall, before the lading of such Culm, or laying the same on Board, become bound with other sufficient Security in treble the Value thereof, to the Commissioners or Chief Officer or Officers of his Majesty's Customs, belonging to the Port or Place where such Culm shall be shipped or put on Board (who hath or have hereby Power to take such Security in his Majesty's Name, and to his Majesty's Use, and for which Security no Fee or Reward shall be given or taken) that such Culm shall be landed at *Lisbon*, in the Kingdom of *Portugal*, and not elsewhere; and that a Certificate under the Hand and Seal of the *British* Consul General, or Deputy Consul residing at *Lisbon*, shall, within twelve Calendar Months from the Date of the said Bonds (the Danger of the Seas and Enemies excepted) be returned to the Officers who took the said Bonds, that such Culm hath been landed at *Lisbon*; and in case the Ship or Vessel on which any Culm shall be put on Board, for which such Security ought to be given, shall depart or go out of Port before such Security is given, in every such Case the Ship or Vessel, and the Culm therein, or the Value thereof, shall be forfeited, and shall and may be recovered, to wit, One Moiety thereof to the Use of the King, and the other Moiety thereof to the Person or Persons who will seize, inform or sue for the same.

Culm may be exported for 15 Years,

upon Payment of 1 s. per Chalder Duty;

and the Exporter giving Security thereof,

of landing the same at Lisbon only,

and returning a Certificate thereof within 12 Months.

Ship and Culm otherwise to be forfeited.

Duty to be levied, &c. as the Duty upon Coals.

II. And be it further enacted by the Authority aforesaid, That the said Duty on Culm exported to *Lisbon* shall be raised, collected, levied, recovered and paid, in the same Manner, and under such Penalties and Forfeitures, and by such Rules, Ways and Methods, as the Duties payable to his Majesty upon the Exportation of Coals are, by virtue of any Law or Statute now in Force, to be raised, collected, levied or recovered.

Limitation of Actions.

General Issue.

III. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance, and by the Authority of this Act: And if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuit, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant and Defendants shall and may recover Treble Costs, and have the like Remedy for the same as the Defendant or Defendants hath or have in other Cases by Law.

Treble Costs. See 33 Geo. 2. c. 15.

CAP. XVI.

An Act to enforce and render more effectual an Act made in the twenty-fifth Year of his present Majesty's Reign, intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future.*

Preamble, reciting Clauses in Act,

20 Geo. 2. c. 41.

25 Geo. 2. c. 41.

'WHEREAS the Lands, Lordships, Baronies, Patronages, Tythes, Fishings and other like Heretages of *Donald Cameron* of *Lochiel*, *Charles Stewart* of *Ardshiel*, *Donald Mack Donald* of *Kintochnaydart*, *Evan Macpherson* of *Cluny*, *Francis Buchanan* of *Ampryor*, *Donald Mack Donald* of *Lochgarry*, *Allan Cameron* of *Callart*, *Francis Farquharson* of *Monaltrie*, and *Alexander Mack Donald* of *Keppoch*, by their Attainders of High Treason for their being engaged in the late unnatural and wicked Rebellion, became forfeited and vested in his Majesty, by virtue of an Act made in the twentieth Year of his Majesty's Reign, intituled, *An Act for vesting in his Majesty the Estates of certain Traitors, and for more effectually discovering the same, and applying the Produce thereof to the Use of his Majesty, and for ascertaining and satisfying the lawful Debts and Claims thereupon:* And whereas by an Act made in the twenty-fifth Year of his Majesty's Reign, intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same, and applying the Rents and Profits thereof, for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future*; reciting, That the Lands and Estates of the said *Donald Cameron* of *Lochiel*, and the several other Persons therein before-mentioned, which by virtue of the

'before-

'before-mentioned Act of the twentieth Year of his Majesty's Reign, and of the said Persons Attainder of 'High Treason, became vested in his Majesty, were holden of Subject Superiors, who had entered Claims 'in the Court of Session to the Property thereof; it is, amongst other Things, enacted, That it shall and 'may be lawful for his Majesty, his Heirs and Successors, by proper Persons to be appointed for that Pur-'pose, under his or their Sign Manual, to transact or compound with such Subject Superiors, concerning 'their Claims to the Property of the said forfeited Estates held of them respectively: And whereas his Ma-'jesty has been pleased, by his Royal Sign Manual, dated the twentieth Day of *March* one thousand seven 'hundred and fifty-five, to appoint *James West* and *Nicholas Harding*, Esquires, to transact and compound 'with the said Subject Superiors, and considerable Progress has been made therein: And whereas Claims 'have been entered in the Court of Session, in Terms of the said Act of the twentieth Year of his Ma-'jesty's Reign, by sundry Creditors of the said forfeiting Persons, upon the said forfeited Estates: And 'whereas the said Transactions and Compositions cannot be concluded, and the Price to be paid to the Sub-'ject Superiors ascertained, until the said Claims, entered in the Court of Session by the Creditors of the 'said forfeiting Persons, are enquired into, and the Extent of them ascertained, which cannot be done 'without the Authority and Interposition of Parliament:' For Remedy whereof, and for rendering effec-tual the good and valuable Purposes intended by the said in Part recited Act made in the twenty-fifth Year of his Majesty's Reign;' Be it enacted by the King's most Excellent Majesty, by and with the Advice of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Court of Session in *Scotland*, shall, and is hereby authorized and required to proceed upon and determine all Claims entered, or that shall be entered, by virtue of and in Terms of the before-mentioned Act of the twentieth Year of his Majesty's Reign, by the Creditors of the said *Donald Cameron* of *Lochiel*, *Charles Stewart* of *Ardsheil*, *Donald Mack Donald* of *Kinlochmoydart*, *Evan Macpherson* of *Clunie*, *Francis Buchanan* of *Amprior*, *Donald Mack Donald* of *Lochgarry*, *Allan Cameron* of *Callart*, *Francis Farquharson* of *Monaltry*, and *Alexander Mack Donald* of *Keppoch*, upon the Lands and Estates of the said forfeiting Persons, or upon any other Lands and Estates vested in his Majesty by the aforesaid Act of the twentieth Year of his Majesty's Reign, held of Subject Superiors, according to the Rules and Regulations, and in the Manner and Form prescribed by the above-mentioned Act of the twentieth Year of his Majesty's Reign, for determining Claims entered upon the Estates of forfeiting Persons holding of the Crown.

Court of Session to proceed on and determine all Claims entered by the Creditors of the forfeited Estates.

'II. And whereas it is necessary to determine and ascertain the annual Produce or Value of the said 'Estates;' Be it further enacted by the Authority aforesaid, That Actions may be brought before the Court of Session, at the Instance of his Majesty's Advocate, for proving the said annual Value and Rental, and also the Value of the said Lands and real Estates; which Actions shall be served against the Defendants, and shall otherways be proceeded in before the Court of Session, in the same Way and Manner, and agreeable to the Rules and Regulations prescribed by the said Act of the twenty fifth Year of his Majesty's Reign, concerning the Valuation of the other forfeited Estates annexed to the Crown.

Actions may be brought before the Court for proving the annual Rental and Value.

III. And be it further enacted by the Authority aforesaid, That every Decree or Determination of the Court of Session in the said Matters and Things, shall be final and binding upon the Subject Superiors, and all other Persons and Parties concerned, in case Application for reversing or amending such Decrees is not duly made in the Manner prescribed, and within the Time limited, by the said last-mentioned Act of the twenty-fifth Year of his Majesty's Reign.

Decree of the Court to be final, unless Application for reversing the same be made within a limited Time.

IV. And, to the End that the Interest of the Subject Superiors may no ways be prejudged, it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to the said Subject Superiors, by themselves, or by their Counsel, to appear in the said Court when the Claims entered upon the said Estates respectively held of them, or when the said Actions of Valuation are heard and determined, and to object thereto as they shall see Cause.

Subject Superiors may appear in Court, and object, when the Claims are entered, or Actions of Valuation heard.

V. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act shall be construed to hurt or prejudice the Right accruing to his Majesty, by the Forfeiture of the foresaid Persons, or to invalidate or destroy the Claim of the said Subject Superiors duly entered in the Court of Session to the Property of the said Estates.

Rights of the Crown and of the Subject Superiors reserved.

CAP. XVII.

An Act to explain, amend and render more effectual an Act passed in the twenty-ninth Year of the Reign of his present Majesty, intituled, An Act for appointing a sufficient Number of Constables for the Service of the City and Liberty of Westminster; *and to compel proper Persons to take upon them the Office of Jurymen, to present Nuisances and other Offences within the said City and Liberty.*

'WHEREAS an Act passed in the twenty-ninth Year of the Reign of his present Majesty, intitul-'ed, *An Act for appointing a sufficient Number of Constables for the Service of the City and Liberty of* 'Westminster; *and to compel proper Persons to take upon them the Office of Jurymen, to prevent Nuisances and* 'other Offences within the said City and Liberty: And whereas Difficulties have arisen in ascertaining, who 'ought, in many Cases, to repair Pavements and remove Annoyances, and the said Act hath in other Re-'spects been found insufficient to answer the several Purposes thereby intended:' Therefore, to render the same more effectual; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Pavements, within the said City and Liberty, belonging or opposite to Churches, or other publick Buildings or Grounds, which are the Property of any Parish, and which of Right ought to be repaired by such Parish, shall, from time to time be repaired, and kept in Repair, and

Preamble, reciting the Act 29 Geo. 2. c. 25.

Repairs of Pavements, and Removal of Annoyances, belonging to Parish Churches, publick Buildings or Grounds, to be

done by the Churchwardens; of belonging to Markets, by the Proprietors, &c. to Hospitals, Alms-houses, charitable Foundations, &c. by the principal Officer thereof; and to private Grounds, by the Owners.

and also all Annoyances belonging thereto be removed, by the Churchwardens of such Parish for the time being; and all Pavements belonging or opposite to Markets, shall be repaired and kept in Repair, and all Annoyances belonging thereto be removed, by the Proprietors of such Markets, their Agents or Lessees; and all Pavements belonging or opposite to Hospitals, Alms-houses, charitable Foundations, and all other publick Buildings, not being the Property of any Parish, shall be repaired, and all Annoyances belonging thereto be removed, by the principal Officer or Person residing in such Buildings respectively, who are hereby declared to be the Occupier or Occupiers thereof; and all Pavements belonging or opposite to Lands and Grounds, or adjoining to any Wall or Fence, where no Houses are erected or built, shall be repaired, and all Annoyances belonging thereto be removed, by the Owners of such Lands and Grounds, or other Person or Persons, who of Right ought to repair such Pavements, or remove such Annoyances, as the Case shall be: And it shall be lawful for the said Annoyance Jury appointed by the said recited Act, and qualified as therein is directed, or any twelve or more of them, and they are hereby required to present all bad and defective Pavements, and all Annoyances belonging or opposite to all such Buildings, Places and Grounds, as aforesaid, first leaving Notice in Writing with such Churchwardens, Proprietors of Markets, their Agents or Lessees, principal Officers or Persons residing in such Buildings, or Owners of such Grounds, as aforesaid, or affixing the same upon some Publick Part of such Buildings, or on the Walls or Fences of such Grounds, where any defective Pavements or Annoyances shall be found, of their Intention to present the same; and in case such Churchwardens, Proprietors of Markets, their Agents or Lessees, principal Officers, or Persons residing in such Buildings, or Owners of Grounds, as aforesaid, shall not within fourteen Days next after such Notice given, cause such Pavements to be amended, and Annoyances to be removed, then the said Jury shall amerce the said Churchwardens, Proprietors of Markets, their Agents or Lessees, principal Officers, or Persons aforesaid, in such Sum or Sums of Money as they shall think proper, according to the Nature of the Offence, not exceeding forty Shillings for any one Offence.

Annoyance Jury may present bad Pavements and Annoyances, first giving Notice of their Intention to the proper Persons; and if the same be not amended, or removed within 14 Days, may amerce the said Persons according to the Nature of the Offence.

Occupiers of Houses are to repair the Pavements, and deduct the Charges out of their Rent; except where they are by Contract, to keep the same in Repair.

II. And be it further enacted by the Authority aforesaid, That all Tenants or Occupiers of Houses, Buildings or Grounds, in all Places within the said City and Liberty, shall be subject and liable to repair the Pavements belonging or opposite to any such Houses, Buildings or Grounds; and it shall be lawful for all Tenants to deduct and detain out of their Rent due or to grow due, all and every such Sum and Sums of Money as they shall have expended in repairing such Pavements, according to Notice to be given for that Purpose by the Annoyance Jury, as aforesaid (except in such Cases only where Tenants are by any Covenant, Contract or Agreement, to keep such Pavements in Repair at their own Expence) any Law or Usage to the contrary notwithstanding.

Pavements broken up by Persons belonging to any Company of Water Works, are to be relaid by them in a substantial Manner, and in a convenient Time.

'III. And whereas the Pavements within the Limits aforesaid are frequently broken up and damaged by 'Persons belonging to the several Proprietors of Water Works, and are often relaid with bad Materials, 'or in an improper Manner;' Be it therefore further enacted by the Authority aforesaid, That when and as often as any Paviour, Agent, Servant or other Person, belonging to or employed by any of the Proprietors of Water Works, or any other Person employed by them, or any of them, shall break, take up, or otherwise damage any Pavement within the said City and Liberty, such Paviour, Agent, Servant or other Person, shall cause the same to be relaid or repaired as soon as conveniently may be, with good durable Stone and Gravel, and in a substantial and Workman-like Manner; and in case they shall not relay or repair such Pavement with all convenient Speed, and to the Satisfaction of the Person to whom the same belongs, such Person may at any Time within fourteen Days next after such Pavement shall have been broken up or damaged, as aforesaid, apply to the Foreman, or to any one of the Annoyance Jurymen, of the Division for the Parish wherein such Pavement shall be, who, upon such Application, is hereby required, together with six or more of the Jurymen for that Division, to view the Premisses in Question; and if upon their View it shall appear to them that such Pavement hath not been relaid in due Time, or in the Manner before directed, the said Jurymen shall direct the Person to whom such Pavement belongs, or who is liable to repair the same, to cause the same to be relaid or repaired in a proper Manner; and when such Pavement shall have been relaid or repaired, according to the Direction of the said Jurymen, the Person to whom such Pavement belongs, and who shall have caused such Pavement to be relaid or repaired, as aforesaid, may apply to a Court, to be held by the Dean of *Westminster* for the time being; or the High Steward of the City and Liberty of *Westminster* for the time being, or his Deputy; the two Chief Burgesses of *Westminster*, and the other Burgesses, or any five or more of them, whereof the said Dean, High Steward, or his Deputy, or one of the said two Chief Burgesses, to be one; and upon such Application made, the said Court are hereby required to examine into the Premisses, upon Oath (which Oath they are hereby impowered to administer to any Person or Persons for that Purpose;) and the said Jury, or any twelve or more of them, shall at the said Court amerce any Collector, Paviour, Agent, Servant, or any other Person belonging to or employed by any of the Proprietors of Water Works, upon whose Account such Pavement shall have been broken up or otherwise damaged, and which shall not have been relaid or repaired as before directed, in so much Money, as shall, upon such Examination, appear to the said Court to have been justly expended in relaying or repairing such Pavements; and also in a further Sum not exceeding forty Shillings, nor less than twenty Shillings, for every such Neglect or Offence; which Money so expended in relaying or repairing such Pavement, shall, when recovered, be forthwith paid by the said Court, to the Person who shall have caused such Pavement to be relaid or repaired, according to the Direction of the said Jurymen, as aforesaid.

In Default, the Annoyance Jury, upon Complaint, and View thereof, may direct the Proprietor to relay the same, and upon his Application to the Court, and Proof of the Charges,

the Jury are to amerce the Company's Agent in the same,

and also in a Sum not exceeding 40s. nor less than 20 s. for such Neglect.

IV. Provided always, That no such Amerciament shall be set or imposed upon any such Collector, Paviour, Agent, Servant or Person aforesaid, unless three Days Notice in Writing shall have first been given by the said Court to such Collector, Paviour, Agent, Servant or other Person aforesaid.

But the Court is to give Notice to the Agent before the Amerciament be imposed.

V. Provided always, and be it further enacted by the Authority aforesaid, That no Paviour, or other Person or Persons belonging to any Company of Water Works, shall break or take up, or otherwise damage,

Paviour belonging to Water

mage, any Pavement within the said City and Liberty, without first giving Notice in Writing, by what Company of Water Works he or they are employed, to the Proprietor or Occupier of the House, Ground, Wall or Building, to which such Pavement shall belong or appertain, or by affixing such Notice upon some conspicuous Part of such House, Ground, Wall or Building, where the Proprietor or Occupier cannot be found; any Law or Usage to the contrary notwithstanding: And in case any such Paviour, or other Person or Persons aforesaid, shall break up or damage any Pavement as aforesaid, without giving such Notice as aforesaid, every such Person shall be amerced by the said Jury in any Sum not exceeding forty Shillings for every Offence.

Works, before he breaks up any Pavement, is to give Notice to what Company he belongs, under Penalty of 40 s.

'VI. And whereas the long Time allowed by the said recited Act, for removing Annoyances, in some 'Cases hath been found inconvenient:' For Remedy whereof, Be it enacted, by the Authority aforesaid, That when and as often as the said Annoyance Jury shall, upon their own View and Knowledge, find any Annoyances, Obstructions or Encroachments, upon any of the publick Ways, Streets or Passages, within the said City and Liberty, of such a Nature as to require as speedy Removal as may be, or which can be removed within a less Time than fourteen Days, it shall be lawful for the said Jury, by an Order in Writing, left at the House of the Person who shall have caused or suffered such Annoyance, Obstruction or Encroachment, to direct such Person to remove the same within a reasonable Time to be specified in such Notice; and if all such Annoyances, Obstructions or Encroachments, shall not be removed within such reasonable Time as by the said Notice shall be directed, then the said Jury shall amerce the Person or Persons causing such Annoyance, Obstruction or Encroachment, in such Sum as they shall think proper, not exceeding forty Shillings for any one Offence.

Annoyance Jury where requisite may order the speedy Removal of any Annoyances or Obstructions; and if not complied with, may amerce the Offender in a Sum not exceeding 40 s.

VII. And be it further enacted by the Authority aforesaid, That no Builder, or other Person, shall erect or set up, or cause to be erected or set up, in any of the publick Streets, Lanes or Passages, within the said City and Liberty, any Hourd or Fence whatsoever, without a Licence under the Common Seal of the said Court first had and obtained; in which Licence shall be expressed the Length and Breadth of such Hourd or Fence, and also the Time the same shall be allowed to continue; which Licences the said Court are hereby required to grant to all Persons applying for the same, under such Restrictions and Limitations, as aforesaid, at the Discretion of the said Court; and no more than five Shillings shall be paid for each Licence: And if any Person shall erect, or cause to be erected, any Hourd or Fence within the Limits aforesaid, without such Licence, or which shall not be agreeable to the Directions thereof, or shall suffer any Materials for building to remain on the Outside of any Hourd or Fence above the Space of forty-eight Hours, every Person offending in any of the Cases aforesaid, shall be amerced by the said Jury in a Sum not exceeding forty Shillings for every such Offence.

No Hourd or Fence to be set up in the Streets, without a Licence first had from the Court.

Fee payable for the Licence.

Penalty.

VIII. Provided always, That such Licences shall not be construed to extend to be a Defence to any Prosecution for a Nuisance.

Licence to be no Defence against Prosecution for a Nuisance.

'IX. And whereas by the said recited Act the said Annoyance Jury are impowered to destroy all unlaw-'ful Weights, Balances and Measures, of Persons dealing by Weight or Measure within the Limits afore-'said; and a Doubt having arisen upon the Construction of such Part of the said Act as relates thereto:' For obviating whereof, be it enacted and declared by the Authority aforesaid, That all Weights and Measures made use of by Persons dealing by Weight or Measure, within the said City and Liberty, shall be sized and sealed by the Standards belonging to the said City, and also marked with a Port-cullis by the Officer already appointed for that Purpose, or by such other Officer as may hereafter be appointed by the said Dean, High Steward or his Deputy, the two Chief Burgesses, and the other Burgesses of *Westminster*, or any five or more of them, whereof the said Dean, High Steward or his Deputy, always to be one, at a Court to be held for that Purpose (and by no other Person or Persons whatsoever) which Officer appointed, or to be appointed, is hereby required, upon Application to him made for that Purpose, to seal and mark, in Manner aforesaid, all Weights and Measures which shall be brought to him for that Purpose, and which shall be agreeable to the Strandards belonging to the said City; and the said Officer shall demand and receive, for each Weight and Measure so by him sealed and marked, as aforesaid, for his Pains and Trouble therein, the Fees following, and no more; that is to say, For every Bushel, four Pence; for every Half Bushel, two Pence; for every Peck, Half Peck and Quarter Peck, one Penny; for all Half Pecks or Quarter Pecks, *per* Dozen, ten Pence; for every Sack, two Pence; for every Ale and Beer Measure, one Farthing; for every hundred Weight, four Pence; for every Half hundred Weight, two Pence; for all Pound Weights, and all other Weights under Half a hundred Weight, one Halfpenny; for all Ounce Weights, and all other Weights under a Pound, one Farthing: And all Weights and Measures belonging to Persons dealing by Weight or Measure within the said City and Liberty, which shall not be sealed and marked in Manner before directed, shall be deemed unlawful; and it shall and may be lawful for the said Annoyance Jury, or any twelve or more of them, and they are hereby authorized and required, to destroy all such unlawful Weights and Measures, and to amerce the Owner or Owners thereof, or the Person in whose Possession the same shall be found, in any Sum or Sums of Money not exceeding forty Shillings for any one Offence.

Weights and Measures to be sized, sealed and marked by the proper Officer.

Officers Fees for sealing and marking the same.

Unsealed Weights and Measures may be destroyed as unlawful, and the Owners amerced in a Sum not exceeding 40 s.

X. And be it further enacted by the Authority aforesaid, That the Officer already appointed, or hereafter to be appointed as aforesaid, after all necessary Charges and Expences attending the Sizing, Sealing and Marking such Weights and Measures as aforesaid, shall have been first deducted, shall, and he is hereby directed and required Half-yearly, within one Calendar Month next after the twenty-fifth Day of *March*, and the twenty-ninth Day of *September* in every Year, to pay, or cause to be paid to the Deputy Steward of *Westminster* for the time being, on account of his Trouble and Expence in attending his Office of Deputy Steward of *Westminster*, one Moiety of the clear Money arising from or on account of such Sizing, Sealing and Marking as aforesaid.

Sealing Officer to pay Half-yearly to the Deputy Steward a Moiety of his Profits.

XI. And, for the better executing the Purposes of the said recited Act, and this present Act; Be it further enacted by the Authority aforesaid, That if any Annoyance Juryman shall in any Manner neglect or refuse

Court, upon Complaint, may amerce Annoy-

ance Juryman, for Non-execution of his Office.

fuse to execute the Duty of his Office of Juryman, it shall be lawful for the said Court, upon Complaint to them made of any such Neglect or Refusal, to fine such Juryman for every such Offence, in any Sum not exceeding forty Shillings.

High Constable to obey the Orders of the Court, and Petty Constables to be assisting to him; under Penalty of being amerced by the Court.

XII. And be it further enacted by the Authority aforesaid, That the High Constable for the said City and Liberty is hereby required to obey all lawful Orders which he shall from time to time receive from the said Dean, High Steward, or his Deputy, at any Court to be holden for the said City and Liberty; and all Petty Constables are required to be aiding and assisting to the High Constable in the Execution of all such Orders and Directions; and if the said High Constable or any Petty Constable, shall refuse or neglect to obey such Orders, or in any other Manner misbehave in their respective Offices, the said Court shall and may fine any High and Petty Constable, so offending, in any Sum not exceeding forty Shillings for every such Offence.

Aged Persons exempted from serving as Constables, or as Leet or Annoyance Jurymen.

XIII. And be it further enacted by the Authority aforesaid, That no Person within the said City or Liberty of *Westminster*, shall be liable or compelled to serve as a Constable, or to find a Person to serve in his Stead, who is of the Age of sixty-three Years, or upwards; nor shall any Person be liable or compelled to serve either as a Leet or Annoyance Juryman, who is of the Age of seventy Years, or upwards; any thing in the said recited Act, or this present Act, contained to the contrary notwithstanding.

Adjournments of the Court Leet.

XIV. And be it further enacted by the Authority aforesaid, That the said Dean, High Steward, or his Deputy, shall, and are hereby authorized and impowered to adjourn the Court Leet held for the said City and Liberty, from time to time, as often as shall be convenient; any Law or Usage to the contrary notwithstanding: And if any Leet Juryman appointed, or to be appointed by virtue of the said recited Act, shall neglect or refuse to attend the said Court Leet as often as thereunto required by the said Court, or in any other Manner neglect or refuse to execute the Duty of his Office of Juryman, it shall be lawful for the said Court Leet to fine such Juryman for every such Offence, in any Sum not exceeding forty Shillings.

Court may amerce Jurymen for Non-attendance, or other Neglect.

High Bailiff, or his Deputy, to execute all Warrants of the Court Leet, or Court of Burgesses,

XV. And be it further enacted by the Authority aforesaid, That the said High Bailiff or his Deputy or Deputies, is and are hereby directed and required forthwith to execute all Warrants which he or they have already received, or may hereafter receive, for levying any Fine set or imposed, or to be set or imposed, for any Offences against the said recited Act, or this present Act, from the said Court Leet, or from the said Court of Burgesses, or from any Justice of the Peace before whom any Person shall have been, or may be convicted for any Offence against the said Acts, or either of them; and in case the said High Bailiff, or his Deputy or Deputies, shall refuse or neglect to execute any such Warrant or Warrants, as aforesaid, according to the true Intent and Meaning thereof, or to pay over all such Fines as as he shall, from time to time, receive by virtue of any such Warrant or Warrants, according to the true Intent and Meaning of the said recited Act, or this present Act, it shall and may be lawful for the said Court Leet, or Court of Burgesses respectively, and they are hereby authorized and impowered to fine such High Bailiff, or his Deputy or Deputies, so offending, in any Sum not exceeding five Pounds for every such Offence; and if any Fine or Fines set or imposed upon the said High Bailiff, or his Deputy or Deputies, by the said Court Leet, or Court of Burgesses, as aforesaid, shall remain unpaid for the Space of one Calendar Month next after the same shall have been so set or imposed, the High Constable of the City and Liberty of *Westminster*, is hereby authorized and required by any Warrant or Warrants from the said Court Leet, or Court of Burgesses respectively, directed to him for that Purpose, to levy all and every such Fine and Fines, so to be set or imposed on the said High Bailiff, or his Deputy or Deputies, as aforesaid, by Distress of the Goods and Chattles of the said High Bailiff, or his Deputy or Deputies, and to cause Sale to be made thereof, in case they shall not be redeemed within five Days next after such Distress made, tendering the Overplus, if any, to the Owner upon Demand, after deducting the reasonable Charges of making such Distress and Sale, as aforesaid.

and to pay over the Sums received, on Penalty of being fined by the Court.

Fines imposed on the High Bailiff, &c. for Default in the Premises, to be levied by the High Constable, by Distress and Sale.

High Bailiff to retain a Fourth of the Fines levied by him;

XVI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said High Bailiff, or his Deputy or Deputies, to retain in his or their Hand or Hands, one fourth Part of the several Sums of Money that shall be levied by him or them, for the respective Fines set by virtue of this or the said recited Act, in Consideration of his or their Trouble and Expence in levying the same.

and pay over the Remainder to the Overseers of the Parish, to be applied as the former Act directs.

XVII. Provided always, and be it declared and enacted by the Authority aforesaid, That the remaining three fourth Parts of the said Fines shall be paid over by the said High Bailiff, his Deputy or Deputies, to the respective Overseers of the several Parishes in *Westminster*, within the like Time, and applied by them to the same Uses and Purposes, as are directed by the said recited Act, with respect to the Whole of such Fines.

Fines and Amerciaments in general, except where otherwise directed to be Levied and applied as the former Act directs.

XVIII. And be it further enacted by the Authority aforesaid, That all Fines and Amerciaments which shall be set or imposed upon any Person by virtue or in pursuance of this Act, shall and may be levied, recovered and applied, except where the same are directed to be otherwise levied, recovered, applied or disposed of by this Act, in the same Manner as the Fines and Amerciaments set or imposed by the said recited Act, are thereby directed to be levied, recovered and applied.

High Bailiff to transmit an Account thereof to the Court of Burgesses, to be entered, together with the Licence Fees for Hourds, &c. and their Application, in proper Books,

XIX. And be it enacted by the Authority aforesaid, That the said High Bailiff, or his Deputy or Deputies, shall, from time to time, transmit to the said Court of Burgesses, an Account in Writing of all Fines and Amerciaments by him levied or received, in pursuance of this or the said recited Act; and that the Clerk of the said Court of Burgesses shall, in a Book to be kept for that Purpose, make a just and due Entry of all Fines and Amerciaments set or imposed by virtue of this, or the said recited Act, and likewise an Account of all Monies received in pursuance thereof, or on Account of Licences granted for erecting Hourds, by virtue of this Act, and the Application of the several Sums so received; which Account the respective Overseers of the several Parishes in *Westminster*, for the time being, shall have Liberty to inspect at

at all seasonable and convenient Times, upon Application to the said Clerk, and take Copies thereof so far as relates to the said Fines. Which may be inspected by the Overseers; and Copies taken thereof.

XX. And be it further enacted by the Authority aforesaid, That this Act and all the Powers and Authorities herein contained, shall commence and have Continuance from and after the twenty-ninth Day of *September* in the Year of our Lord one thousand seven hundred and fifty-eight. Commencement and Continuance of this Act.

XXI. And be it further enacted by the Authority aforesaid, That if any Suit shall be brought or commenced against any Person or Persons, for any thing done in pursuance of this Act, or in relation to the Premisses, that in every such Case, the Action shall be commenced within six Months next after the Fact committed, and not afterwards; and shall be laid and brought in the County of *Middlesex*, and not elsewhere, except such Person or Persons against whom such Action shall be brought, shall remove into and reside in the City of *London*, in which Case the said Action shall be laid and brought in the said City of *London*; and the Defendant and Defendants in such Action or Actions to be brought, may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority hereof; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County, City or Place, than the County of *Middlesex* (except in such Case as aforesaid) that then and in such Case, the Jury shall find for the Defendant or Defendants; and if upon such Verdict, or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his, her or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs; the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

XXII. Provided always, That this Act, or any Thing or Matter herein contained, shall not extend to the Church or College of *Westminster*, nor to the Close of *Westminster*, nor to any Person or Persons inhabiting within the Site, Circuit or Precinct of the said Church, College or Close, for any Offence or Misgovernment to be committed by them, or any of them, within the Site, Circuit or Precinct of the said Church, College or Close. Places and Persons exempted from the Jurisdiction of the Act.

CAP. XVIII.

An Act for draining and preserving certain Fen Lands and Low Grounds in the Isle of *Ely* and County of *Cambridge*, between the *Cam*, otherwise *Grant*, *Ouse* and *Mildenhall* Rivers, and bounded on the South East by the Hard Lands of *Isleham*, *Fordham*, *Soham* and *Wicken*; and for impowering the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens, called *Bedford Level*, to sell certain Lands within the said Limits, commonly called *Invested Lands*.

'WHEREAS certain Fen Lands and Low Grounds lying and being in the several Parishes of *Soham*, *Isleham* and *Wicken*, in the County of *Cambridge*, and in the Parish of *Stretham cum Thetford*, and 'Township of *Ely*, in the Isle of *Ely* and County aforesaid, containing in the Whole seventeen thousand 'Acres, or thereabouts, and which are bounded as follows; (that is to say) From the Hard Lands of '*Wicken*, along the East Bank of the River *Cam*, otherwise *Grant*, and the East Bank of the River *Ouze*, 'to the South Bank of the *Mildenhall* River; and then along the said Bank of the *Mildenhall* River (in'cluding all the said Banks) to the Skirts of the Hard Lands of *Isleham*; and along the Skirts of the Hard 'Lands of *Isleham*, to the Skirts of the Hard Lands of *Fordham*; and along the Skirts of the Hard Lands 'of *Fordham*, to the Skirts of the Hard Lands of *Soham*; and along the Skirts of the Hard Lands of *Soham*, 'by *Soham Coates*, to the Counter Bank of *Soham Meer*; and along the West Side of the said Bank to the 'Hard Lands of *Wicken*; and then along the Skirts of the Hard Lands of *Wicken*, to the East Bank of the 'River *Cam*, otherwise *Grant* aforesaid; have, for divers Years last past been, and still are, frequently 'overflowed and annoyed with Waters, through the Defect of their Outfalls to Sea, and thereby rendered 'of very little Value, to the great Loss and Impoverishment of the Owners of such Lands, and of the 'Inhabitants of the several Parishes and Places where the same do lie: And whereas the said Fen Lands 'and Low Grounds cannot be drained and preserved, without the Aid of Parliament:' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Lord Bishop of *Ely*, the Lord or Lords, Lady or Ladies, of the several and respective Manor of *Soham* and *Fordham*, Parcel of the Duchy of *Lancaster*, *Netherhall*, *Wigorn*, *Great Isleham*, with *Barnets Beck*, otherwise *Beckhall* in *Isleham*, *Newhall* and *Uphall* in *Isleham*, *Wicken*, *Thetford in the Isle*, and *Stuntney*, for the time being, or in his, her or their Absence respectively, his, her or their respective Agents or Deputies appointed by Writing under his, her or their respective Hands; an Agent appointed by the Dean and Chapter of *Ely*; an Agent appointed by the Master and Fellows of *Pembroke Hall* in *Cambridge*, for each of their Manors of *Soham Rectory* and *Barway* under their respective Common Seals; every Person who shall be *bona fide* seized or possessed, in his or her own Right, of two hundred Acres of Land taxed by virtue of this Act, not being Tenant at Rack-rent, or, in the Absence of any such Person, his or her Agent, to be appointed under his or her Hand as aforesaid; and also seven Persons so seized or possessed as aforesaid of thirty Acres of Land taxed by virtue of this Act, lying in the Township of *Ely*; nine Persons so seized or possessed of thirty Acres of Land taxed by virtue of this Act, lying in the said Parish of *Soham*; six Persons so seized or possessed of thirty Acres of Land taxed by virtue Preamble. Certain Persons appointed Commissioners, with others, to be chosen for the several Places, to execute the Act.

virtue of this Act, lying in the said Parish of *Isleham*, hereby nominated, and to be chosen as herein after is directed; together with the Agents of such Persons as are herein after mentioned, shall be Commissioners for putting this Act, and all the Powers and Authorities herein after contained, in Execution.

An Agent to be appointed for every 200 Acres any Commissioner shall be possessed of, more than is required for his own Qualification. Lords and Ladies to appoint Agents in like Manner.

II. And also be it further enacted by the Authority aforesaid, That every Person who shall be *bona fide* seized or possessed as aforesaid of two hundred Acres, or more, of Land taxed by virtue of this Act, over and above such two hundred Acres as is before mentioned, may, and every such Person is hereby authorized to appoint, by Writing under his or her Hand, one Agent for every two hundred Acres of such Land that such Person shall be so seized or possessed of over and above the first mentioned two hundred Acres, as aforesaid, to be a Commissioner or Commissioners; and also, that all and every the Lord or Lords, Lady or Ladies, of the said several and respective Manors for the time being, who shall be *bona fide* seized or possessed as aforesaid of two hundred Acres, or more, of Land taxed by virtue of this Act, may, and every such Owner is hereby authorized to appoint, by Writing under his or her Hand, an Agent for every two hundred Acres of such Land that such Lord or Lady shall be so seized or possessed of, as aforesaid, to be a Commissioner or Commissioners; and that all and every Person and Persons, so appointed, shall, during the Pleasure of the said respective Owners, and the Time that such Owners shall be so seized or possessed, as aforesaid, likewise be, and he is hereby appointed a Commissioner, together with the Persons before mentioned, for putting this Act, and all and every the Powers and Authorities herein contained, in Execution.

The First Commissioners for the several Places.

III. And be it further enacted by the Authority aforesaid, That *William Cole* Esquire, the Reverend *Thomas Jones* Clerk, Rector of *Downham*; *Henry Morley* junior, Gentleman; *William Groom*, *John Lamb*, *Thomas Gotobed* and *William Jugg*, being severally seized or possessed as aforesaid of thirty Acres of Land taxed by virtue of this Act, lying in the said Township of *Ely*, shall be the first Commissioners in respect of Lands lying in that Township; and that *Richard Pechey*, *William Mayer*, *Thomas Wilkin*, Gentlemen; *John Fletcher*, *Luke Staples*, *James Palmer*, *Zachary Goldsbrow*, *Cornelius Harvey* and *John Taylor*, being severally seized or possessed as aforesaid of thirty Acres of such Land, lying in the said Parish of *Soham*, shall be the first Commissioners in respect of Lands lying in that Parish; and that *Hugh Hare* Esquire, *Edward Gunston*, *Robert Knight*, *John Rumbelow*, *George Gunston* and *William Sharpe*, being severally seized or possessed as aforesaid of thirty Acres of such Land, lying in the said Parish of *Isleham*, shall be the first Commissioners in respect of Lands lying in that Parish; and that the said Persons shall continue Commissioners in respect of Lands lying in the said Township and Parishes respectively, until the first *Thursday* in *March* one thousand seven hundred and fifty-nine: And that all such Persons who shall be *bona fide* seized or possessed as aforesaid of fifteen Acres of Land, taxed by virtue of this Act, lying within the said Township of *Ely*, shall and may meet at the Shire House in *Ely*; and all such Persons who shall be *bona fide* seized or possessed as aforesaid of fifteen Acres of such Lands, lying within the several Parishes of *Soham* and *Isleham*, shall and may meet in the Churches of their respective Parishes, upon the first *Thursday* in *March* one thousand seven hundred and fifty-nine, and upon the first *Thursday* in *March* in every succeeding Year; and shall and may chuse, as they, or the major Part of them so met, and there present, can agree, the same Number of Owners as are herein before mentioned, so severally seized or possessed as aforesaid of thirty Acres of Land taxed by virtue of this Act, and lying in the Township or Parishes, in respect whereof they shall be so chosen to be Commissioners, together with the aforesaid Agents, and other Persons, above described, for putting this Act in Execution: And in case Neglect or Default shall be made in the chusing, as aforesaid, such Owners qualified as above mentioned to be Commissioners in respect of the said Township, or any of the said Parishes; that then the Persons who were Commissioners in respect of the said Township, or Parish or Parishes, where such Neglect or Default shall happen in the preceding Year, shall continue Commissioners in respect of the same, until other Commissioners shall be chosen as aforesaid, in respect thereof, upon the first *Thursday* in *March* in the next or some succeeding Year; and in case only Part of such Number of Owners as is above directed to be chosen in respect of the said Township, or any of the said Parishes, shall be so chosen, then it shall be lawful for the Owners who were Commissioners in the preceding Year, in respect of that Township or Parish where only Part shall be chosen as aforesaid, or the major Part of them, to determine by Lot which of the Commissioners in the preceding Year shall act in the then next Year with the new Commissioners chosen as aforesaid; and if they shall not determine the same within one Month next after such Choice of Part of such Number, then it shall be lawful for all the rest of the Commissioners appointed to put this Act in Execution, at their then next Meeting to be held as hereafter mentioned, or the major Part of them there present, to make such Determination by Lot, as aforesaid; and in case any Person or Persons chosen to be Commissioner or Commissioners by any of the Ways or Means aforesaid, shall die or be disqualified during the Time of his or their being a Commissioner or Commissioners as aforesaid, then it shall and may be lawful to and for such Owners of fifteen Acres of Land, as aforesaid, lying in the Township or Parish or Parishes, in respect whereof the Person or Persons so dying or becoming disqualified was or were Commissioner or Commissioners, to meet at the respective Places above mentioned, Notice in Writing of such Meeting being affixed on the Out-side of the Door of the Places respectively where the said Meeting is to be, five Days at the least before such Meeting, and to chuse an Owner or Owners qualified as aforesaid, to be Commissioner or Commissioners in the Place of the Person or Persons so dying, or becoming disqualified.

Their Continuance.

Future Commissioners to be chosen annually.

Commissioners dying, or becoming disqualified, others to be chosen.

Penalty on Commissioners acting, if not qualified. Exception.

IV. Provided always, and it is hereby further enacted, That if any Person not respectively qualified as aforesaid (except the Deputies or Agents to be appointed as before directed) shall presume to act, or shall depute or appoint any Person or Persons to act, or shall vote for or in the Choice of any Person or Persons to act as a Commissioner or Commissioners in the Execution of this Act, he and she shall, for every such Offence, forfeit the Sum of twenty Pounds, to be recovered, with full Costs of Suit, by any Person who will inform or sue for the same, in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, or upon the Case, Bill, Suit or Information; wherein no Essoin, Protection, Privilege or Wager of Law, nor more than one Imparlence shall be allowed; and in which Action or Suit, it shall be only necessary for the

the Plaintiff or Informer to prove that the Defendant acted as a Commissioner, or deputed or appointed a Person to act, or voted for, or in the Choice of any Person or Persons to act as Commissioner or Commissioners in the Execution of this Act, and a Verdict shall be found against the Defendant, unless he or she shall prove in his or her Defence, that he or she was at the Time of his or her so acting, deputing or appointing, or voting, qualified according to the true Intent and Meaning of this Act.

Commissioners to meet twice in every Year, or oftener, if necessary.

V. And, for the better putting this Act in Execution; Be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall meet twice in every Year; *videlicet*, Upon the last *Thursday* in *March* at *Soham* aforesaid, and upon the last *Tursday* in *September* at *Ely* aforesaid, or at such other Time or Times at *Soham* aforesaid, as they shall see Cause or think convenient (pursuant to Notice in Writing for that Purpose, signed by any seven or more of the said Commissioners, and affixed upon the Market Cross at *Ely*, and the Church Doors at *Soham*, *Isleham* and *Wicken*, six Days at the least before any such Meeting, except those upon the last *Thursday* in *March* and *September*; the first Meeting to be at the *Lamb Inn* in *Ely*, upon the third *Thursday* after the passing of this Act) and may from time to time adjourn themselves, and meet again pursuant to such Adjournments, as often as they shall think proper.

First General Meeting when to be held.

Allowance to be made to Commissioners for their Attendance.

VI. Provided always, and it is hereby further enacted, That towards defraying the Expences of the said Commissioners, upon account of their Attendance at any of the Meetings to be held as aforesaid, for putting this Act in Execution, the Sum of one Shilling and no more, shall be paid by the Collector or Receiver of the Rates and Taxes assessed by virtue of this Act, to each of the said Commissioners present at any such Meeting, and shall be allowed in the Accounts of such Collector or Receiver as so much Money paid for the Purposes of this Act, but so that the whole Expence at any one Meeting shall not exceed the Sum of twenty Shillings; any thing herein contained to the contrary notwithstanding.

Commissioners impowered to raise and strengthen the Banks of the Rivers Cam, Ouze, &c. and of the several Drains; and to lay proper Tunnels, and Bridges; and to repair the same, &c.

VII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, such major Part being not less than seven, assembled at such Meeting or Meetings to be held as aforesaid, shall have full Power, and are hereby authorized, from time to time, and at all Times hereafter, at their Wills and Pleasures, to raise and strengthen the said East Banks of the Rivers *Cam* or *Grant*, and *Ouze*, and the said South Bank of *Mildenhall River*; and also the Banks on each Side of *Soham Drain*, otherwise *Barroway Load*, and of *Clipshall Rivulet*; and also to cleanse out, widen and deepen the Drain called *Middle Fen Drain*, from *Barroway Load* to *Shell Tunnell*; another Drain running from a Place near the said *Soham Drain* or *Barroway Load*, between *Hennoy Hill* and *Soham Coates*, through or under a Bridge called *Delf Bridge*, and from thence by or through *Norney Fen* and *Great Metlam* in *Soham*, unto *Mildenhall River*; another Drain called the *Sixteen Foot Drain*, running from the Hard Lands of *Soham* into *Mildenhall River*; and another Drain leading from a Place near the said Hard Lands of *Isleham*, through *Isleham Common* and *West Fen* in *Isleham*, for conveying the Waters into a Drain lying between the said Common and certain Lands belonging to *Bedford Level* Corporation, and by a Tunnel to be made from the said Drain through the South Bank of *Mildenhall River*, into the said River; and also to make and support the Bridges over, and Tunnels in the said Drains, or any of them; and also to erect, work, support and repair such and so many Mills or Engines, not exceeding nine in Number, unless by the Consent of the said Corporation, upon or near the Banks of the aforesaid Rivers; and to make and cause to be made, through the said Banks, such Tunnels or Outlets from each of the said Mills for the throwing out and discharging the Waters from the said Fen Lands or Low Grounds above described, into the said Rivers; and also to cleanse, deepen and widen such other Drains; and likewise to make and support such other Banks, Bridges, Cuts, Drains, Dams, Outlets and Works, within the aforesaid Boundaries of the above described Fen Lands and Low Grounds (but not in the Invested Lands belonging to the said Corporation without their Consent) for draining and conveying the Waters therefrom, into the *Cam*, otherwise *Grant*, *Ouze* and *Mildenhall Rivers*, or any of them, through the Banks of any of those Rivers, in such Manner as shall by them the said Commissioners, or the major Part of them, as aforesaid, be thought fit, necessary and convenient, without any Let, Hindrance, Obstruction, or Controul, of from or by the said Governor, Bailiffs and Commonalty of the Company of Conservators of the *Great Level* of the Fens, or their Successors, in any Manner, or under any Right whatsoever; and further also, to take and use such Earth and Ground, near or adjoining to the said Banks, as shall be necessary for the making, raising, strengthening and maintaining thereof, as the said Commissioners, or the major Part of them assembled at such Meeting or Meetings, as aforesaid, shall think necessary and proper; and also to make Orders and give Directions for carrying on and for the better Government and more orderly Management of all the said Works, and the Maintenance thereof.

Invested Lands not to be meddled with, without Consent of the Corporation.

Power of making Orders.

Satisfaction to be made to private Owners for Damages done to their Grounds.

To be determined, in case of Difference by the Justices at the Quarter Sessions.

VIII. Provided always, That if the said Commissioners shall make, or cause to be made, any Bank, Cut, Drain, Dam, Tunnel, Outlet, or other Work, in or through any several Grounds, or erect or make, or cause to be erected or made, any Engine or Engines, or other Work thereupon, or shall take or use any Earth or Ground thereout, they shall pay such a reasonable Satisfaction to the Person or Persons having Right to the said several Grounds, in or through which such Bank, Cut, Drain, Dam, Tunnel, Outlet or other Work shall be made, or whereupon such Engine or Engines, or other Work, shall be erected, or from whence such Earth or Ground shall be taken or used, for the Damage done thereby, as shall be agreed upon between the said Commissioners assembled as aforesaid, or the major Part of them, such major Part being not less than seven, and the Person or Persons having Right to such several Grounds; and if the said Commissioners, and such Person or Persons, cannot agree about the Value of such Damage, then as shall be assessed and adjudged reasonable, by the Justices of the Peace, or the major Part of them, not interested in the Premises, or in the Fen Lands to be drained by virtue of this Act, at any General or Quarter-Session of the Peace to be held for the said County of *Cambridge*, within twelve Months after such Damage shall be done.

Navigation of the Rivers not to be obstructed, &c.

IX. Provided also, and it is hereby further enacted and declared, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to impower the said Commissioners appointed for putting

putting this Act in Execution, to erect or set up any Sluice or Dam across the Rivers *Cam*, otherwise *Grant*, *Ouze* or *Mildenhall*, or *Soham Drain* otherwise *Barroway Load*, or to do or perform any other Work or Works which may prejudice the Navigation of the said Rivers, or obstruct or hinder any Waters from falling down the said Rivers through *Lynn Channel* to Sea.

Commissioners to appoint Collectors, and other Officers;

X. And be it further enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, such major Part being not less than seven, assembled at any such Meeting or Meetings to be held as aforesaid, shall have full Power, and are hereby authorized to appoint one or more Collector or Collectors, Receiver or Receivers, and such other proper Officer or Officers, with such reasonable Salaries for making and taking care of such Works, and for collecting the Rates and Assessments assessed or to be assessed by virtue of this Act, as the said Commissioners, or the major Part of them, such major Part being not less than seven, assembled at such Meeting or Meetings, shall think proper; which said Collector or Collectors, Receiver or Receivers, or other Officer or Officers, so to be appointed as aforesaid, may be altered and removed at the Will and Pleasure of the said Commissioners, or the major Part of them, such major Part being not less than seven, assembled at any such Meeting or Meetings to be held as aforesaid, who shall and may chuse and appoint another or others in the Room and Stead of the Person or Persons so altered and removed, as they the said Commissioners shall see Occasion; and such Collector or Collectors, Receiver or Receivers, and other Officer or Officers, so to be nominated and appointed, as aforesaid, before he or they shall act in the Execution of their several Offices, shall give such Security for the due and faithful Execution of such their respective Offices, and for performing the several Trusts committed to them, as the said Commissioners in their Discretion shall require.

who are to be removable,

and to give Security.

An Acre Rate to be laid on the Lands for raising Money for carrying on the Purposes of this Act.

XI. And, for carrying on and effecting the said Work of Draining, and securing the Repayment of such Sum and Sums of Money as shall be borrowed for that Purpose; Be it enacted by the Authority aforesaid, That all and singular the Fen Lands and Low Grounds, bounded and described as aforesaid, and all and every the respective Owner and Owners, Occuper and Occupiers, of such Lands and Grounds, shall be, and the same are hereby assessed, rated, taxed and charged, during the first four Years after the passing of this Act, with the yearly Sum of two Shillings, and from and after the Expiration of the said four Years, with the yearly Sum of one Shilling and six Pence for every Acre of the said Fen Lands and Low Grounds, so long as any Money which shall have been borrowed for the Purposes of this Act, or the Interest thereof, shall remain unpaid; and that when there shall be no such Debt remaining, it shall and may be lawful for the said Commissioners, or the major Part of them, such major Part being not less than seven, at any half-yearly Meeting to be held as aforesaid, to assess, rate, tax and charge, all and singular the said Fen Lands and Low Grounds, and all and singular the respective Owner or Owners, Occupier or Occupiers thereof, with such yearly Sum not exceeding one Shilling *per* Acre, as they shall judge necessary for compleating and maintaining the said Works.

Lands exempted from Tax.

XII. Provided always, That no Assessment, Rate or Tax shall be made, collected or levied upon the imbanked Lands of the Right Honourable *William Ponsonby*, commonly called Lord Viscount *Duncannon* in the Kingdom of *Ireland*, known by the Name of *Wicken High Fen*; nor upon the imbanked Lands of *John Drage* Gentleman, in *Wicken High Fen* aforesaid, for so long Time only, as the Owners or Occupiers of those Lands shall keep and maintain the Bank now kept and maintained by them, of a sufficient Height and Strength to keep the Waters (except such Waters as shall overflow by Breach of the Corporation Banks) draining from the Lands which are defended by the said Bank from overflowing into the Lands without the said Bank.

Such Lands only as are subject to Inundations are to be taxed.

XIII. Provided also, That no Assessment, Rate or Tax shall be made, collected or levied upon or in respect of any High Lands within the Boundaries aforesaid, which have not been subject to Inundations; and that no Assessment, Rate or Tax shall, during the first four Years after the passing of this Act, be made, collected or levied upon such Low Grounds, within the Limits above mentioned, as are now so dug into Hod or Turf Pools, that no Profit can be made thereof.

Hod or Turf Pools not taxable for 4 Years.

'XIV. And whereas the poor Inhabitants of *Soham* have a certain Common in or near the Fen called '*Great Metlam* in *Soham* aforesaid, lying within the Bounds before described, containing by Estimation one 'hundred Acres, or thereabouts: And whereas there are fifty Acres of Fen Land belonging to the Work-'ing Poor in *Isleham*, and seventeen Acres of Fen Land belonging to the Hospital, and other Poor of *Isle-'ham*, and as the charging of the said Lands with the same Tax as is hereby imposed on other Lands within 'this District, would be taxing them more than they are able to pay;' It is hereby further enacted, That the said Lands shall never be taxed or charged with more than Half of the Tax wherewith other Lands within the said District are or shall be charged by virtue of this Act.

Common Ground belonging to the Poor, to pay only half the Tax charged on other Lands.

'XV. And whereas some of the poor Inhabitants of the said Parishes of *Soham* and *Isleham* make consi-'derably more Use of the said Common and Lands than others of them do, by reason whereof, and of the 'great Number of Poor who use the same, it would be very difficult to collect the Taxes charged there-'upon, from the said Poor themselves;' Be it therefore enacted, That it shall and may be lawful for the Commissioners for putting this Act in Execution, to sever so much of the said Common and Lands from the rest thereof, as shall be sufficient to raise the Taxes charged thereupon, and to let the same, from Year to Year; and in case Default be made in Payment of the Rent due for such Part thereof so severed and let, the said Commissioners, and their Successors, shall have the same Powers for recovering the Rent so in Arrear, that other Landlords have by the Laws and Statutes of this Realm.

Commissioners may sever so much of the Common Lands, and let the same, as shall be sufficient to pay the Taxes charged on the rest.

Taxes how to be levied in Default of Payment.

XVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall neglect to pay to the Receiver or Receivers to be appointed as aforesaid, at his or their Place of Abode, the Money assessed, rated or charged upon him, her or them respectively, by virtue of this Act, within the Space of twenty-eight Days after the Times of Payment, to be appointed by the said Commissioners (Publick Notice thereof being affixed upon the Market Cross in *Ely*, and the Outside of the Door of the Parish Church, where such Lands lie, by the Collector or Collectors, Receiver or Receivers, of the said Commissioners,

sioners, for the time being) it shall be lawful for such Collector or Collectors, Receiver or Receivers, or for any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of any three or more of the said Commissioners (which said Warrant or Precept such Commissioners, or any three or more of them, are hereby impowered and required from time to time, to make, as Occasion shall require) to distrain any Goods, Chattles or Cattle, which shall be found upon all or any of the Grounds and Premisses for or in respect of which any such Money shall be or is so charged or assessed, or upon any other taxable Lands within the Bounds before described, belonging to the Person or Persons so neglecting to pay such Rates or Taxes; and the Goods, Chattles and Cattle so distrained, to keep by the Space of five Days, at the Costs and Charges of the Owner or Owners thereof; and if such Owner or Owners shall not within the said Space of five Days pay the Money so charged or assessed, and the Charges of taking and keeping the said Distress, that then the Goods, Chattels and Cattle so distrained shall be appraised by two or more of the Inhabitants of the Parish where the same shall be taken, or by other sufficient Persons, and shall be sold by the Collector or Collectors, Receiver or Receivers, or other Person or Persons employed by the said Commissioners, or any three or more of them, upon such Occasion, for Payment of the said Money and Charges, and the Overplus arising by such Sale (if any be) shall be returned to the Owner or Owners thereof, upon Demand; and the several and respective Tenants or Occupiers of all and singular the said Fen Lands and Low Grounds, so bounded and described as aforesaid, are hereby authorized and required to pay such Sum or Sums of Money as shall be so assessed, rated or charged as aforesaid, upon or in respect of such Fen Lands and Low Grounds, in their several Tenures or Occupations, and to deduct the Money so paid out of their respective Rents; and the respective Landlords, both mediate and immediate, according to their respective Interests in the Premisses, are hereby required to allow such Payment and Deduction upon Receipt of the Residue of their respective Rents; and every such Tenant or Occupier as aforesaid, paying such Assessment, shall be acquitted and discharged for so much Money as the same shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands and Grounds, except where there is a Lease for three or more Years to come from the tenth Day of *October* next after passing of this Act; in which Case, upon Request of either Landlord or Tenant, the Proportion of the Assessment or Rate which the Tenant ought to bear and pay in Consideration of the Benefit he receives by such Lease, shall be adjusted and finally determined by the said Commissioners, or the major Part of them, assembled at any of their Meetings as aforesaid, such major Part being not less than seven, and not interested in the Premisses comprised in such Lease.

Taxes to be paid by the Tenants, and deducted out of their Rent.

In case of a Lease, Tenant to pay in Proportion.

XVII. And to the End that the full Sum which is or shall be so rated or assessed may be duly answered and paid, Be it enacted by the Authority aforesaid, That if any Person or Persons shall refuse or neglect to pay, or cause to be paid, to the Collector or Collectors for the time being, the Sum with which he, she or they shall be respectively charged, by the Space of two Months after a Personal Demand hath been made thereof by the said Collector or Collectors, every such Person shall forfeit and pay the further Sum of two Shillings for every twenty Shillings which shall be so in Arrear and unpaid, to be levied by Distress and Sale of his, her or their Goods and Chattles, in such Manner as the aforesaid Rates, Taxes or Assessments themselves are herein and hereby directed to be levied; and the Money so forfeited and levied shall be applied towards carrying on the said Works of Draining and other the Purposes of this Act.

Person not paying the Taxes within two after Demand, to forfeit as for every 20 s. he shall be in Arrear.

XVIII. Provided always, and be it further enacted by the Authority aforesaid, That in case any of the said Fen Lands or Low Grounds shall at any Time hereafter be untenanted or unoccupied, so that no sufficient Distress can be found whereupon to levy the Money so charged or assessed as aforesaid, then the Lands or Grounds, for or in respect of which the said Money is or shall be so charged or assessed, shall always remain a Security for Payment thereof; and it shall and may be lawful to and for the said Collector or Collectors, Receiver or Receivers, for the time being, to enter upon and let the same from Year to Year only, for the best Rent that can be gotten for the same, and to take the Rents and Profits thereof for the Use of the said Commissioners, to be applied for the Purposes of this Act, until all Arrears of the said Taxes, Rates and Charges shall be fully satisfied and paid, rendering the Overplus of such Rents and Profits (if any) after the discharging such Arrears, to the Owner or Owners of such Lands and Grounds.

Lands unoccupied to remain a Security for Payment of the Tax.

XIX. And forasmuch as the Money so to be rated, levied, collected and gathered as aforesaid, will not be sufficient to defray the immediate Expences of making such Banks, Cuts, Drains, Dams, Tunnels, Outlets and other Works, and erecting such Engines and other Works as will be necessary for draining, and for the speedy Improvement of the said Fen Lands and Low Grounds; Be it further enacted by the Authority aforesaid, That the said Commissioners, or the major Part of them, such major Part being not less than nine, assembled at any publick Meeting to be held as aforesaid, shall and may, and are hereby impowered, from time to time, to borrow any Sum or Sums of Money which they shall think necessary for the making, carrying on, repairing and preserving the said Works; and by Writing under their Hands and Seals, to assign over the said yearly Rates, Taxes and Sums of Money hereby charged, and to be charged, upon the said Fen Lands and Low Grounds, and every or any Part thereof (the Costs and Charges of which Assignments shall be borne and paid out of the said Taxes) in such Manner and Form as to the said Commissioners shall seem meet, as a Security or Securities for any Sum or Sums of Money by them to be borrowed for that Purpose, to such Person or Persons, or their Trustees, as shall advance or lend the same, to secure the Repayment thereof, with Interest (not exceeding five Pounds *per Centum per Annum*); which Money so borrowed, shall be applied in the first Place, to pay and discharge so much and such Part of the Charges and Expences of obtaining of this Act of Parliament, as shall remain unpaid, after the Application of the Sum of one hundred and fifty Pounds, which the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens, have agreed to advance towards discharging the said Charges and Expences, and then shall be applied and disposed of, in making, repairing, carrying on, erecting and preserving such Banks, Cuts, Drains, Dams, Tunnels, Outlets, Engines and other Works,

Commissioners may take up Money at Interest for carrying on the Works, and assign the Rates as a Security for the same.

Charges of this Act to be paid thereout.

for the draining and improving the said Fen Lands and Low Grounds as are before-mentioned, and shall be applied and disposed of to no other Purpose whatsoever.

Rates chargeable with the Monies borrowed thereon.

XX. And be it further enacted and declared, That the Rates, Taxes and Sums of Money, hereby assessed, or to be assessed, upon, and paid by the Owners or Occupiers of the said Fen Lands and Low Grounds, shall be charged and chargeable in the first Place, with and for the Payment of all and every the Sum and Sums of Money so to be borrowed, and the Interest of such Money, from time to time, and shall vest in the respective Creditor or Creditors, upon Default of Payment of such Principal Money and Interest, until the same shall be fully satisfied and paid, together with the Costs and Charges occasioned by Nonpayment thereof as aforesaid; and the said Creditors, their Executors, Administrators and Assigns respectively, shall have the same Powers, Rights and Privileges, of raising and recovering the several Taxes and Sums of Money payable by the several Owners and Occupiers of the said Fen Lands and Low Grounds, for and in respect of such Principal Money and Interest, in case of Default of Payment thereof, as the said Commissioners or their Collectors could have had, in case the said Principal and Interest had been regularly paid.

and upon Default of Payment to vest in the Creditors.

Assignments may be transferred.

Assignments to be entered in a Book.

XXI. And be it further enacted, That all Assignments or Securities to be made by the said Commissioners as aforesaid, shall and may be transferrable or assignable by Indorsement upon such original Grant or Security thereof, or otherwise, without Stamps, to any Person or Persons whomsoever; and such Transfer or Assignment being produced to the said Receiver, to be by him entered in a Book for that Purpose, shall sufficiently intitle the Person or Persons to whom the same shall be made, his, her or their Executors, Administrators or Assigns, to all the Monies due, and to grow due, on the said original Grant or Security.

Penalty upon Persons cutting down or destroying Banks or other Works.

Offender may be transported.

Persons convicted of destroying, stopping or damming up the Drains, forfeit 50 l.

XXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall at any Time or Times hereafter wilfully and maliciously cut, throw down, burn, or otherwise destroy any Bank, Mill, Engine, Flood-gate or Sluice, which at any Time or Times hereafter shall be making and erecting, or made or erected, for draining or improving the said Fen Lands or Low Grounds as aforesaid, and shall be thereof lawfully convicted, such Person or Persons shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person or Persons shall be tried and convicted, shall, and hereby have Power and Authority to transport such Person or Persons for seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm; and that if any Person or Persons shall, at any Time or Times hereafter, wilfully or maliciously destroy, stop, dam up, spoil or damage, any Drain, Watercourse, Door, Dam, Bridge, or other Work or Works, which, at any Time or Times hereafter, shall be making or erecting, or made or erected, for answering the Purposes aforesaid, or shall lay or throw, or place any Rubbish, or other Obstruction, therein, and shall be thereof convicted before two or more Justices of the Peace for the said Isle of *Ely*, if the Offence shall be committed within the said Isle, or before two or more Justices of the Peace for the said County of *Cambridge*, if the Offence shall be committed in the said County (which Justices are hereby respectively required to hear and determine the same on the Oath of one or more credible Witness or Witnesses, or on the Confession of the Party offending) every such Person or Persons so convicted of destroying, stopping, damming up, spoiling or damaging such Drain, or other Work as aforesaid, shall, for every such Offence, forfeit the Sum of fifty Pounds; and every such Person or Persons so convicted of laying, throwing or placing any Rubbish, or other Obstruction therein, shall forfeit, for every such Offence, the Sum of five Pounds; which Penalties shall be paid to the said Commissioners, to be applied for the Purposes for which the said Rates and Taxes are hereby directed to be applied, and to be levied by Distress and Sale of the Goods and Chattles of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the said Justices before whom such Conviction shall be made; and for want of such sufficient Distress, or Payment of the said full Sum of fifty Pounds, such Offender or Offenders so convicted of destroying, stopping, damming up, spoiling or damaging such Drain, or other Work as aforesaid, shall, by the said Justices, be committed to the House of Correction, or Common Gaol of the said *Isle of Ely*, or County of *Cambridge*, for any Time not exceeding six Months; and such Offender or Offenders, so convicted of laying, throwing or placing any Rubbish, or other Obstruction, therein, shall, by the said Justices, be committed to the House of Correction, or Common Gaol of the said *Isle of Ely*, or County of *Cambridge*, for such Time, not exceeding two Months, as the Justices by whom such Commitments shall be made, shall in their Discretion order and direct.

and convicted of throwing Rubbish or other Obstructions, 5 l.

For want of Distress, the Offender to be committed.

10 s. Penalty on making or continuing the Use of Watering Places for Cattle, after Notice given to the contrary:

or of driving Carriages over the Banks.

XXIII. And it is hereby further enacted, That if any Person or Persons shall at any Time make, or cause to be made, any Watering Place, or Place of Access for Cattle to drink, in any of the Mill Drains within the said Fen Lands or Low Grounds, or shall continue to use any such Watering Place already made, after Notice in Writing to the contrary thereof given to him, her or them, by any two or more of the said Commissioners; or if any Person or Persons shall drive, or cause to be driven, any Waggon, Cart or other Carriage, upon any Bank which shall be made or maintained by virtue of this Act (unless such Bank hath been of Right used as a Cart Way, or be made upon a Common Droveway, and a sufficient Passage shall not be left along the Side of the said Bank) every Person or Persons so offending, and being thereof convicted before one Justice of the Peace within whose Jurisdiction such Offence shall be committed, as aforesaid, on the Oath of one or more credible Witness or Witnesses, or on the Confession of the Party offending, shall forfeit, for every such Offence, the Sum of ten Shillings to the said Commissioners, to be applied as aforesaid, and to be levied by Distress and Sale of the Goods and Chattles of every such Offender or Offenders, by Warrant under the Hand and Seal of the said Justice before whom such Conviction shall be made.

Outring or Division Dykes, to be kept of a certain Width and Depth, and effectually roded and scoured;

XXIV. And be it further enacted by the Authority aforesaid, That all Owners and Occupiers of the said Lands intended to be drained by virtue of this Act, shall make, and, from time to time, and at all Times hereafter keep, all the Outring or Division Dykes or Drains belonging to the said Lands respectively eight Feet three Inches wide, and three Feet deep from the level Soil; and shall also, from time to time, and at all Times hereafter, cause the same Dykes and Drains to be well and effectually roded, scoured and cleansed from Weeds and other Rubbish and Obstructions; and cause Bridges to be laid over, and Tunnels in, the

said

said Dykes and Drains, where the said Commissioners, or the major Part of them (such major Part not being less than seven) at any of their said Meetings shall judge necessary, and continue the same in good Repair, for the better issuing, running and conveying away the Waters therein; and if any such Owner or Occupier shall refuse or neglect to make and keep such his or her Dykes or Drains of the Dimensions aforesaid, or to rode, scour and cleanse the same from Weeds or other Rubbish or Obstructions, or to make and continue such Bridges and Tunnels as aforesaid, after twenty-one Days Notice to be given to him, her or them, by any Officer appointed by the said Commissioners for that Purpose, personally, or by Writing under the Hands of two or more of the said Commissioners, left at the usual Place of Abode of such Owner or Occupier, then such Owner or Occupier shall forfeit four Pence *per* Rod for every Rod neglected to be so roded, scoured and cleansed, and ten Shillings for every Bridge, and ten Shillings for every Tunnel, so neglected to be made or continued as aforesaid; and it shall be lawful for the said Commissioners, or any two or more of them, and they are hereby authorized and required, to cause such Drain, Outring, or other Dyke, to be roded, scoured and cleansed, and such Bridge and Tunnel to be made, in a proper and effectual Manner, and, by Warrant under their Hands and Seals, to authorize and impower their Collector or Collectors, or any other Person or Persons, to levy and raise the Money expended in doing thereof, and also the said Penalties of four Pence for every Rod, and ten Shillings for every Bridge, and ten Shillings for every Tunnel, so neglected as aforesaid, by Distress and Sale of such Goods, Chattles, and Cattle, as shall at any Time thereafter be found upon the Grounds to which such Drains or Dykes, Bridges or Tunnels, shall respectively belong; such Penalties to be applied as is herein before directed concerning the Penalty for damaging any of the Works to be made or erected under the Authority of this Act; and the Person or Persons to whom such Warrant or Warrants shall be directed, shall and may levy the Money so expended, and the said Penalties, by Distress and Sale of the same Goods, Chattles and Cattle, together with all incident Charges, in the same Manner as the said Rates and Taxes are herein before directed to be levied, rendering the Overplus (if any be) to the Owner or Owners thereof, when demanded.

Bridges and Tunnels to be also laid, &c. where the Commissioners shall judge necessary, under certain Penalties.

Commissioners may cause the same to be done, and levy the Charges, with the Penalty.

Application of the Penalties.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That if any Tunnel or Tunnels shall be laid for taking Water out of the Rivers *Cam*, otherwise *Grant*, *Ouze*, or *Mildenhall*, or *Soham Drain*, otherwise *Barroway Lead*, into the said Fen Lands, the Bottom of such Tunnel or Tunnels shall not, at any Time, be laid lower than two Feet below the Surface or Level of the lowest whole Ground in that Part of the said Fen Lands into which such Water shall be taken; and if any Person shall lay the Bottom of any such Tunnel lower than two Feet below the Surface or Level of the lowest whole Ground in any such respective Part of the said Fen Lands, and shall be lawfully convicted thereof before any Justice of the Peace for the County or Place where such Offence shall be committed, he or she so offending shall, for every such Offence, forfeit, to the Use of the Person giving Information thereof, the Sum of five Pounds for every such Offence, to be levied by Distress and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of the Justice before whom he or she shall be convicted as aforesaid.

Regulations to be observed in laying Tunnels;

Penalty 5 l.

XXVI. And to the End that it may appear clearly what Money has been raised, from time to time, by virtue of this Act, and that the Owners and Occupiers of the said Fen Lands and Low Grounds may be satisfied that the Monies so raised have been duly applied; Be it further enacted by the Authority aforesaid, That the said Commissioners, or any seven or more of them, shall cause a Book of Assessment to be made and kept, and all Rates and Assessments made as aforesaid under this Act, to be fairly entered therein; and also a Book of Account to be made and kept, and an Account of all the Receipts and Disbursments relating to all Monies received or disbursed by virtue of this Act, to be fairly entered in the same; and that no Accounts shall be passed or allowed, unless the same shall be kept and made up in such Books as aforesaid; and that twice in every Year, *videlicet*, on the last *Thursday* in *September*, and on the last *Thursday* in *March* in every Year, the said Commissioners, or any seven or more of them, assembled as aforesaid, shall carefully inspect and examine all Receipts and Disbursements of such Monies as shall have been raised, received and disbursed, by virtue of this Act, and all Accounts and Vouchers relating to the same; at which said Times the Collector or Collectors, Receiver or Receivers, of the Rates and Sums of Money to be raised as aforesaid, are hereby required to attend with his or their Books of Assessment, Receipts and Disbursements, and all Vouchers for the same; and upon Consideration and Examination of the said Accounts upon Oath (which Oath any one of the said Commissioners is hereby impowered in that Case to administer) the said Commissioners, or the major Part of them, such major Part being not less than seven, are hereby impowered and ordered to allow and pass the said Accounts, or such Part or Parts of the same as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts of the same as shall be allowed by the said Commissioners, or any seven or more of them as aforesaid, under their Hands, shall be fairly entered in two several Sets of Books to be kept for that Purpose, one Set whereof shall be kept by the said Commissioners, and the other Set shall remain in the Parish Church of *Soham* aforesaid; and the said Books shall and may be inspected and perused at any Time, at seasonable Hours, by any Person or Persons (being an Owner or Owners of any of the said Fen Lands and Low Grounds) requiring the same, without Fee, or any other Reward.

Rates and Assessments to be entered in proper Books; and also Accounts of Receipts and Disbursements.

Accounts to be audited on Oath Half-yearly;

at which Times the Collectors and Receivers are to attend with their Vouchers, &c.

Accounts, after they are passed, to be entered in 2 Sets of Books, &c.

XXVII. And to the End that the said Banks, or any other Banks to be raised by virtue of this Act, may be the better preserved; Be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers, of any of the said Fen Lands or Low Grounds adjoining or near to such Bank or Banks, shall neglect or refuse to catch or destroy the Moles in such Lands, after ten Days Notice given to him, her or them, for that Purpose, by any Officer appointed by any two of the said Commissioners; then it shall be lawful for the said Commissioners, or any seven or more of them, to employ some Person or Persons to catch and destroy the same, and by Warrant or Precept under their Hands and Seals, (which Warrant or Precept such Commissioners, or any seven or more of them, are hereby impowered and required from time to time to make, as Occasion shall require) to levy the usual Charge of catching such Moles, by Distress and Sale of the Goods, Chattles, or Cattle, which shall be found upon the Grounds and Premisses

Moles in Lands adjoining to Banks to be destroyed by the Owners of the said Lands;

or the Charges thereof to be levied on them.

misses respectively wherein such Moles shall be caught, over and above the said other Rates and Taxes charged or to be charged upon the same by virtue of this Act, and in the same Manner as the said Rates and Taxes are herein before directed to be levied, together with the Charges of making and keeping and selling such Distress, rendering the Overplus (if any be) to such Owner or Owners, Occupier or Occupiers respectively, after all Charges paid.

No Trees, Holts or Buildings, to be suffered to stand near any Mill or Engine.

XXVIII. And, in order that the Mills or Engines to be erected or employed by virtue of this Act, may the better answer the Purposes for which they are intended; Be it further enacted by the Authority aforesaid, That no Trees or Holts shall be planted, or Buildings erected, nearer to any Mill or Engine erected or employed for the Purposes of this Act, than one hundred and fifty Yards; and if any Trees or Holts shall be planted, or Building hereafter erected, within the Distance aforesaid, then it shall and may be lawful for the said Commissioners, or any seven or more of them, to cause such Trees or Holts to be taken up and carried away, and such Building to be pulled down and removed; and it shall and may be lawful for the said Commissioners, or any seven or more of them, to cause any Trees or Holts which shall be growing within the Distance of one hundred and fifty Yards from any Mill to be erected or employed for the Purposes of this Act at the Time such Mill or Engine shall be first erected or used, to be cut down; making such Satisfaction to the Owner of such Trees or Holts as shall be agreed upon between such Owner and the said Commissioners, or any seven or more of them, or as shall, in case of any Difference, be ascertained by the Justices of the Peace at any Quarter-Session which shall be held for the said County of *Cambridge*, within six Months after the cutting down such Trees or Holts.

Commissioners impowered to erect Staunches for keeping up a Head of Water at proper Places, in the Drains leading from the Skirt Lands.

XXIX. And whereas Part of the said Fen Lands, lying near the Skirts of the High Lands, are higher in their Situation than the rest, and it is apprehended that such Lands, if the Sewers should lie in common, may be made too dry, by such Time as the lowest Lands are well drained: Therefore, for the avoiding this Inconvenience, be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any seven or more of them, to erect Staunches or Overfalls, at proper Places, in the Drains or Dykes leading from such Lands, as they the said Commissioners shall in their Discretion judge necessary for the keeping up a sufficient Head of Water for the Benefit of such Lands.

Mills may be erected for draining arable Lands which produce Winter Crops.

XXX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Owners or Occupiers of such Part of the said Fen Lands, lying within the Boundaries aforesaid, as are arable, and produce Winter Crops, or have actually been dug up into Turf, to erect Horse Mills, or other Small Engines, thereupon, in order to drain such Lands, so as to preserve the said Crops, and to render the Lands so dug up useful, and for no other Purpose whatsoever.

Mills to be erected, &c. by the Commissioners for draining the Tract of Land principally belonging to Lord Townshend, &c.

'XXXI. And whereas a considerable Tract of the said Fen Lands and Low Grounds, whereof the Right 'Honourable *Charles* Lord Viscount *Townshend* is Owner of far the greatest Part, is separated from the rest 'by an imbanked Drain or Rivulet, called *Soham Drain*, otherwise *Barroway Load*; and it is apprehended 'that the said Tract may be more commodiously drained, by discharging the Waters immediately into the 'River *Ouze*;' Be it therefore enacted, That the Commissioners for putting this Act in Execution shall erect, or cause to be erected, one proper Mill or Engine, or, if the said Lord Viscount *Townshend*, his Heirs or Assigns, Owners as aforesaid, shall think two necessary, shall erect, or cause to be erected, two proper Mills or Engines for the Purpose aforesaid, upon such Part of the said Tract above *Barroway Bridge* as the said Lord Viscount *Townshend*, his Heirs or Assigns, Owners as aforesaid, shall direct and appoint; and shall support and maintain the same; and shall likewise make and cleanse, or cause to be made and cleansed, such proper Drain or Drains, Cuts and Tunnels, in and through the said Tract, and the Banks thereof, as shall be necessary for draining the said Tract, and shall cause the said Mill or Mills, Engine or Engines, when erected, to be worked, as the said Lord Viscount *Townshend*, his Heirs or Assigns, being principal Owners of the Lands within the said Tract, shall direct; and in Default of such Direction, then as the said Commissioners, or the major Part of them, such major Part not being less than seven, assembled as aforesaid, shall direct.

General Reservation of Rights.

XXXII. Provided always, and be it hereby enacted, That all such Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred, or Half Hundred, have heretofore had within his or their respective Manor or Manors, Liberties, Hundred, or Half Hundred, within or without the said Boundaries, to Waifs, Estrays, Felons Goods, Privileges of Arrests, Escheats, and all Royalties, not prejudicial to the Draining, be hereby saved to them, their Heirs, Successors and Assigns, severally and respectively; any thing in this Act to the contrary thereof notwithstanding.

Rights of the Conservators of the Great Level reserved.

XXXIII. Saving also, and always reserving to the said Governor, Bailiffs and Commonalty, of the Company of Conservators of the Great Level of the Fens, and their Successors, and to all and every other Person or Persons, his, her and their Heirs, Executors and Administrators, all such lawful Rights, Powers, Jurisdictions and Authorities, now vested in, and enjoyed by them, as are not hereby taken away, altered or repealed: And also saving and reserving to the said Lord Viscount *Townshend*, his Heirs and Assigns, being the Owner or Owners of *Soham Meer*, the Right of draining and running the Waters from the said Meer, in such Manner as the same have been accustomed, and of Right ought to drain and run.

Recital of Clauses in Act 15 Car. 2.

'XXXIV. And whereas by an Act of Parliament made in the fifteenth Year of King CHARLES the Second, intituled, *An Act for settling the Draining the Great Level of the Fens, called* Bedford Level, it was, 'amongst other Things, enacted, That the Governor, Bailiffs and Conservators of the said Great Level 'should have Power to lay Taxes upon the ninety-five thousand Acres of Land allotted as a Recompence 'for the Draining of the said Great Level, for the Support, Maintenance and Preservation of the said Great 'Level, and to levy the same, with Penalties for Non-payment; and that the said Governor, Bailiffs and 'Conservators should have Power to sell so much of such Parts and Proportions of the said ninety-five thou-'sand Acres, upon which any Taxes should be in Arrear, or Penalties, in such Proportions as the said Go-'vernors, Bailiffs and Conservators, should judge to be sufficient to raise such Taxes and Penalties: And 'whereas several Parcels of the said ninety-five thousand Acres of Land, lying within the Bounds herein

'before

'before described, were at different Times put up to Sale in pursuance of, and according to the Directions 'of the before-recited Act of the fifteenth of King CHARLES the Second, and of one other Act passed in & 20 Car. 2.
'the twentieth Year of the said King, intituled, *An Act for Taxing and Assessing the Lands of the Adventurers 'in the Great Level of the Fens*, in order to raise the Taxes and Penalties in Arrear for and in respect of the 'said Lands; but the same not being thought worth the Taxes and Penalties due thereon, such Lands could 'not be sold so as to raise such Penalties and Taxes; and the said Governor, Bailiffs and Conservators, ha-'ving directed their Officers, from time to time, to bid for such Lands as could not be sold for the Amount 'of the Taxes and Penalties respectively due thereon, they the said Officers became the Purchasers of such 'Lands, and have either conveyed the same to the said Governor, Bailiffs and Commonalty, or declared 'such Purchases to have been made in Trust for the said Corporation; and the Lands so purchased have re-'mained vested in the said Corporation, and are called *Invested Lands*, and have been annually rated and as-'sessed to the Taxes laid upon the said ninety-five thousand Acres, according to the respective Proportions 'in pursuance of the said Acts of the fifteenth and twentieth Years of the Reign of King CHARLES the 'Second; but such Taxes not having been raised or paid, the said Corporation have, from time to time, let 'such invested Lands, or such Parts of them as they could find Tenants for, at such Rents as could be pro-'cured for the same; but the Profits arising from the Lands so let, have been very small and inconsiderable, 'and much less than the Taxes with which such Lands have been assessed: And whereas it will be for the 'Benefit of the said Corporation, that the said invested Lands should be sold for the best Price that can be 'gotten for the same, discharged of all Arrears of Taxes assessed or to be assessed thereon, before the said 'Lands shall be sold by virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the 'Second, but subject nevertheless in like Manner as the rest of the said ninety-five thousand Acres, to the 'Taxes to be assessed by virtue of the said Acts, after the said Lands shall be so sold; and that in the mean 'Time, and until such Lands can be sold, the said Corporation should be enabled to pay the Rates and 'Taxes to be assessed by virtue of this Act, upon the said Lands, for draining the same;' Be it therefore The Corporation's Receiver to pay to the Commissioners Collector the Rates charged on the Invested Lands, until the same be sold.
further enacted by the Authority aforesaid, That the Receiver for the time being of the said Corporation, shall, out of the Taxes and Revenues of the South and Middle Levels (Part of the said Great Level) pay upon Demand, to the Collector or Collectors to be appointed by the said Commissioners, all such Rates and Taxes as are or shall be charged by virtue of this Act, upon the said invested Lands, or any Part thereof, until the same shall be sold as herein after is directed; and such Receiver shall be, and he is hereby absolutely discharged and indemnified, of and for the Sums so by him paid to the said Collector or Collectors, as if such Sums had been paid to and by the Order and Direction of the said Corporation.

XXXV. Provided always, and be it further enacted, That the said Governor, Bailiffs and Conservators, Conservators to appoint annually a Commissioner for every 200 Acres of the Invested Lands taxed by this Act.
or any five or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, shall have full Power and Authority to appoint annually at their *April* Meeting, one Commissioner for every two hundred Acres of the said invested Lands, for which the Taxes to be imposed by virtue of this Act, shall be paid as aforesaid, for so long Time as two hundred Acres of the said Lands shall remain invested.

XXXVI. And be it further enacted, That it shall be lawful for the said Governor, Bailiffs and Conservators, or any seven or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, to cause the said invested Lands to be publickly sold by Auction, either all together, or in Lots as they now lie, to the best Bidder or Bidders, at the Shire House in *Ely*, at any *April* Meeting of the said Corporation; of which Sale or Sales publick Notice shall be given in the *London Gazette*, and also in the *Cambridge* and *Ipswich Journals*, if such News Papers shall then continue to be published, and shall also be affixed in Writing under the Seal of the said Corporation, at or upon the said Shire House, one Month at the least before the Time of such Sale; and that after any of the said Lands shall be so sold, the said Governor, Bailiffs and Conservators, or any seven or more of them as aforesaid, shall grant or convey under the Seal of the said Corporation, the Lands so sold to the respective Purchaser or Purchasers thereof, freed and discharged of and from all Rates and Taxes, which at any Time before such Sale shall have been rated or charged upon the said Lands by virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second, or of any other Act or Acts of Parliament now in Force, relating to the said Great Level; and every such Grant or Conveyance shall be valid and effectual to all Intents and Purposes, as if such Lands had been sold for Non-payment of Taxes, pursuant to the said Acts of the fifteenth and twentieth Years of King CHARLES the Second. Sale may be made of the Invested Lands; giving one Month's publick Notice thereof. The same to be discharged of all former Taxes;

XXXVII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to impower the said Corporation to discharge the said invested Lands, or any Part thereof, from any Rates or Taxes which the same shall, after Sale thereof, as aforesaid, be liable to be rated or assessed with, by virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second, or by virtue of any other Act or Acts of Parliament whatsoever, relating to the said Great Level, but that the said invested Lands after they shall be so sold, shall be liable to be rated and assessed in the same Manner as they were before the making of this Act; any thing herein before contained to the contrary notwithstanding. But not from Taxes liable to be assessed thereon after such Sale.

XXXVIII. Provided always, and be it further enacted, That all such Bordering of Skirt Lands as are herein after particularly mentioned, shall be for ever exempted from all Taxes assessed or to be assessed, rated or charged, by virtue of this Act; that is to say, Particular Lands exempted from Taxes.

In the Parish of WICKEN.

In PADNEY DROVE.

FIVE Acres, Part of nine Acres, of *John Drage* Gentleman.
Fourteen Acres, Part of twenty-four Acres, of *Edward Gray*.
Two Acres, Part of six Acres, of *Robert Hall*.

Five Acres, Part of twelve Acres, of *John Drage* Gentleman.
One Acre and an Half, Part of six Acres, of *William Haylock*.
One Acre and Half, Part of six Acres, of *Robert Fuller* senior.
One Acre, Part of six Acres, of *William Pammant*.
One Acre, Part of six Acres, of *John Drage* Gentleman.
Two Acres, Part of eighteen Acres (three Parts) of *Abraham Sheath*.
Eight Acres, Part of twelve Acres, of *John Drage* Gentleman, called *West Hill*.

In the Parish of SOHAM.

In FORDY FARM, *belonging to Lord* Townshend.

Thirty-eight Acres, Part of forty Acres, by Estimation.
Eighteen Acres, Part of twenty-six Acres, by *Ditto*.
Three Acres, Part of fourteen Acres, by *Ditto*.
Six Acres, Part of twelve Acres, by *Ditto*.

Skirt Lands round BARROWAY *and* HENNEY.

One Acre and an Half, Part of two Acres, of *John Drage* Gentleman.
Four Acres, Part of eight Acres, of *William Hall*.
Five Acres and a Half, Part of eleven Acres, of *Ditto*.
All *Great Sandfords*, except five Acres, } Of Lord *Townshend*.
Four Acres, Part of *Spirits Holt*, }
The Upper Part of *Lady's Dolver*, except one Acre.
Four Acres, Part of sixteen Acres, of *John Taylor*.

In the BLOCKMORES *below the last House in* COATS.

Two Acres, Part of three Acres, of *James Palmer*.
Six Acres, Part of twelve Acres, of *John Drage* Gentleman.
Four Acres, Part of eight Acres, of Doctor *Piper*.
Six Acres, Part of sixteen Acres, of Doctor *Piper*.
Four Acres, Part of twelve Acres, of *John Taylor*.
Six Acres, Part of sixteen Acres, of *Benjamin Bottle*.
Nine Acres, Part of sixteen Acres, of *Jos. Cropley*.

In ROSE FIELD.

Eight Acres, of *Richard Peachy* Gentleman.
Seven Acres, Part of eight Acres, of *John Scurvine* Clerk.

About HIGH HILL.

Six Acres, Part of eight Acres, of *Alice Marske*.
Three Acres, Part of twelve Acres, of *Luke Staples*.
Four Acres, Part of sixteen Acres, of *William Cropley*.
Six Acres, Part of sixteen Acres, of *Jos. Arthy*.
Thirty-two Acres, of *Thomas Cockayne* Esquire.
Ten Acres, Part of thirty-two Acres, of *John Power*.
Four Acres, Part of sixteen Acres, of *William Fyson*.
Six Acres, Part of sixteen Acres, of *Thomas Cockayne* Esquire.
Six Acres, Part of twenty Acres, of *Luke Staples*.
Seventeen Acres, Part of thirty-two Acres, of Lord *Granby*.
Seven Acres, Part of eight Acres, of *John Drage* Gentleman.
Sixteen Acres, of *William Fyson*, being two *Dolvers*.

In LITTLE BARSHAM.

Twenty Acres, Part of thirty-two Acres, of *John Slater* and Mistress *Redmore*.
Ten Acres, Part of eleven Acres, of *Ann Fyson*.
Five Acres, Part of seven Acres, of *Richard Peachy* Gentleman.
Four Acres, Part of seven Acres, of *John Hammond*.
Four Acres, Part of seven Acres, of *William White*'s Heirs.
Four Acres, Part of seven Acres, of Master *Blackbourne*.
Three Acres, belonging to *Soham Town* by *Ely Causeway*.

In RED LANDS.

Seven Acres, Part of eight Acres, of *Mary Smith* Widow.
Three Acres, Part of four Acres, of *Zachary Goldberry*.
Sixteen Acres, Part of twenty Acres, of *Rachael Mayer*.
Seven Acres, Part of twelve Acres, of *Zachary Goldberry*, by *Ely Causeway*.

In GREAT BARSHAM.

Seven Acres, Part of eight Acres, of *Morley Unwin* Clerk.
Six Acres, Part of eight Acres, of *John Cropley*.
Seven Acres, Part of eleven Acres, of Widow *Godfrey*.
Nine Acres, Part of eleven Acres of *John Cropley* ſenior.
Eight Acres, Part of eleven Acres, of *Richard Peachey* Gentleman.
Seven Acres, Part of eight Acres, of *William Norfolk*.
Four Acres, Part of eight Acres, of *Oliver Hills*.
Five Acres, Part of eight Acres, of *Thomas Harvey* Eſquire, in *Horſeſen*.

In METLAM.

Seven Acres and a Half, Part of nine Acres, of *Robert Moody*.
Eight Acres, Part of ſixteen Acres, of *William Palmer*.
Two Acres and a Half, Part of ſixteen Acres, of *Berham Ruſbrooke* Eſquire.
Three Acres, Part of ſixteen Acres, of *William Hills*.
Five Acres, Part of ſixteen Acres, of Sir *William Bunbury*.
Nine Acres, Part of thirty-two Acres, of *Thomas Harvey* Eſquire.
Six Acres, Part of ſixteen Acres, of Sir *William Bunbury*.
Eight Acres, Part of ſixteen Acres, of *Elizabeth Mayer*.
Fourteen Acres, Part of thirty-two Acres, belonging to *Soham Town*.

In BROAD HILL.

Ten Acres, Part of twenty-four Acres, of Miſtreſs *Hyde*.
Eight Acres of *Richard Peachey* Gentleman.
Seven Acres, Part of eight Acres, of *John Drage* Gentleman.
Two Acres, Part of eight Acres, of *Thomas Blancher*.
Six Acres, Part of eight Acres, of *Cornelius Harvey*.
Eight Acres, of *Cornelius Harvey*.
Seven Acres and a Half, Part of ſixteen Acres, of Widow *Long*.
Eleven Acres, Part of ſixteen Acres, of Miſs *Sheppard*.
Seven Acres, Part of eight Acres, of *Thomas Danby*.
Eleven Acres, Part of ſixteen Acres, of *William Haylock*.
Nine Acres, Part of eleven Acres, of *Fran. Palmer*.
Six Acres, Part of nine Acres, of *Friend Stephenſon*.
Seven Acres, Part of ſixteen Acres, of Miſtreſs *Long*.
Six Acres, Part of ſeventeen Acres, of Lord *Granby*.
Seven Acres, Part of ſixteen Acres, of *John Drage* Gentleman. } Hodſons.
Eight Acres, Part of twelve Acres, of Miſtreſs *Cockſedge* }

In STUD FIELD.

Fourteen Acres, Part of ſixteen Acres, of *John Drage* Gentleman.
Seven Acres, Part of eight Acres, of *William Peachey*.
Seven Acres, Part of eight Acres, of *Edward Peachey*.
Seven Acres and a Half, Part of eight Acres, of *John Robinſon*.
Twenty-two Acres, Part of twenty-four Acres, of *John Drage* Gentleman.
Seven Acres and a Half, Part of eight Acres, of *Francis Trowell* Gentleman.
Seven Acres, Part of eight Acres, of *John Howlett*.
Nine Acres, Part of ſixteen Acres, of *Robert Peachey*'s Heirs.
Thirty-two Acres, of Miſs *Sheppard*, called *Long Dolver*.
Four Acres, Part of eight Acres, of Miſtreſs *Norfolk*.
Eight Acres, of *William White*.
Eight Acres, of Miſtreſs *Bringhurſt*.

In the HASSE.

Six Acres, Part of eight Acres, of Miſtreſs *Bringhurſt*.
Five Acres and a Half, Part of eight Acres, of *James Jardine*.
Twelve Acres, Part of twenty-four Acres, of Mrs. *Baxter*.
One Acre, Part of eight Acres, of *John Drage* Gentleman.
One Acre, Part of eight Acres, of *John Howlett*.
One Acre, Part of eight Acres, of *John Liſle*.

On the other Side the HASSE DROVE.

One Acre, Part of eight Acres, of *William Horſley*.
One Acre, Part of four Acres, of Miſtreſs *Bringhurſt*.
Seven Acres, Part of eight Acres, of *Robert Horſley*.
Three Acres, Part of four Acres, of Miſtreſs *Bringhurſt*.
Twelve Acres, Part of twenty Acres, of Maſter *Andrew*'s Heirs.
Twelve Acres, Part of twenty Acres, of *Richard Peachey* Gentleman.
Seven Acres, Part of ſixteen Acres, of Miſtreſs *Chatteris*.

In

Seven

Seven Acres and a Half, Part of sixteen Acres, of *Ellis Peachey*.
Eleven Acres, Part of sixteen Acres, of Mistress *Bringhurst*.
Twenty-seven Acres, Part of thirty-two Acres, of *John Drage* Gentleman, below *Calf Fen Drove*.

In CALF FEN.

Seven Acres, Part of sixteen Acres, of *Thomas Bland*.
Twelve Acres, Part of sixteen Acres, of Mistress *Alexander*'s Heirs.
Eight Acres, Part of sixteen Acres, of *William White*.
Fourteen Acres, Part of sixteen Acres, of *John Wilkin*.
Two Acres, Part of twelve Acres, of *Thomas Wilkin*.

In EAST FEN.

Three Acres, Part of eight Acres, of Sir *William Bunbury*.
Six Acres, Part of twelve Acres, of *William Mayer*.
Six Acres, Part of twelve Acres, of *Ditto*.
Eight Acres, Part of thirty-two Acres, belonging to *Soham* Feoffees.
Three Acres, Part of eight Acres, of Master *William Mayer*.

In HALF-ACRE FARM, *belonging to Lord* Townshend.

Seventeen Acres, Part of twenty Acres, the *Great Hill*.
Eight Acres, Part of eleven Acres, the *Little Hill*.
Three Acres, Part of four Acres, the *Ploughed Piece*.

In the Parish of ISLEHAM.

In the first Went, from the Division Ditch called Soham Load, *which divides the Grounds in* Fordham *and* Soham *from those in* Isleham, *beginning next the* High Lands, *at ten Acres of* Robert Moody *Gentleman*.

Ten Acres of *George Coote*
Ten Acres of *Robert Moody* junior
Ten Acres of Miss *Shepheard*
Forty Acres of *James Buller* Esquire, called the *Bank Ground*
Ten Acres of *Robert Moody* junior
Ten Acres, called the *Hospital Ground*
} West Side of *Bank Ground Drove Way*.

In the SECOND WENT.

Twenty-two Acres of *James Buller* Esquire
Twenty Acres of *Ditto*
Thirteen Acres of *Ditto*
Ten Acres of *Ditto*
Sixty Acres of *James Buller* Esquire, called the *Sheep Walk*, Part of two hundred Acres and upwards, in his Ground called *West Fen*
} East Side of *Bank Ground Drove Way*.

In the THIRD WENT.

At Five Acres of Robert Sharpe.

Five Acres of Mistress *Overslow*
Five Acres of *Francis Norman*
Five Acres of *Joseph Sharpe*
Five Acres of Lord *Sandys*
Five Acres of *Robert Sharpe*
Five Acres of *Bradwell Brown*
} West Side of *Norman*'s *Drove Way*.

Five Acres of *James Buller* Esquire
Five Acres of *Joseph Sharpe*
Five Acres of *Francis Norman*
Fifteen Acres of *Alice Moore*
} East Side of *Ditto*.

Ten Acres of *Robert* and *Edward Cropley*
Ten Acres of *Robert Sharpe*
Twenty Acres of *Edward Pearson*
Ten Acres of *Humphry Diver*
} Siding next *Cross Causey Drove Way*, South.

In the FOURTH WENT.

Lord *Sandys*'s Acre
Twenty Acres of *Robert Moody* junior
Twenty Acres of *The Hospital*
Twenty Acres of *King's College*
} Abutting on *Cross Causey Drove Way*, South.

In

In the FIFTH WENT.

The Skirts of the Hives, and other Grounds, to *Sheeplayer Drove Way.*
Fifteen Acres of *Robert Knight.*
Six Acres, Part of fifteen Acres, of *George Edwards.*
Four Acres, Part of fifteen Acres, of *Elizabeth Wells.*

In the Townſhip of ELY.

Skirt Lands about *Stuntney.*
Two Acres, Part of three Acres, of *Joſ. Long*, called *The Aſh Holt.*

Below STUNTNEY FIELD.

Half an Acre, Part of five Acres, of *Thomas Gotobed.*
Two Acres, Part of thirty Acres, of *Morley Unwin* Clerk.

In the DAIRYS.

Four Acres, Part of twelve Acres, of *Richard Egney.*
Five Acres and an half, Part of twelve Acres, of *Thomas Lawrence.*
Eight Acres, Part of twelve Acres, of *William Hail.*
Five Acres of *Henry Robinſon* Eſquire.
Two Acres, Part of ſix Acres, of *William Jugg.*
Two Acres, Part of five Acres, of Lord *Townſhend (Long Half Acre.)*

In the TURF FEN *Parts.*

Ten Acres, Part of thirteen Acres, of *Thomas Lawrence.*
Seven Acres and a Half, Part of twelve Acres, of *William Jugg.*
Eight Acres, Part of twelve Acres, of Maſter *Brokalſby.*
Six Acres, Part of twelve Acres, of *William Jugg.*
Four Acres, Part of thirty-two Acres, of *Joſ. Long (Long Swaths.)*
Twelve Acres of *Thomas Lawrence.*
Twelve Acres of *Henry Gunning* Clerk.
Twenty-ſix Acres, Part of twenty-eight Acres, of Miſs *Sheppard (Bugs Cloſe)*
Three Acres, Part of thirty-two Acres, of Miſtreſs *Leeds Delf Bridge Holts)*
Eight Acres, Part of eleven Acres, of Miſs *Sheppard.*
Thirteen Acres, Part of twenty-four Acres, of the *Lay Clerks.*
Fourteen Acres, Part of ſeventeen Acres, of *Ditto.*
Thirty-five Acres and a half, Part of forty-ſeven Acres, of the *Lay Clerks*, in four Pieces.
Thirty Acres, Part of thirty-four Acres, of *Thomas Evans.*
Seventeen Acres, Part of twenty Acres, of *Henry Robinſon* Eſquire.
Two Acres, Part of eighteen Acres, of *Thomas Gotobed.*
One Acre, Part of nine Acres, of Maſter *Outlaw.*
One Acre and a Half, Part of nine Acres, of *Joſeph Long.*
Half an Acre, Part of nine Acres, of *William Hall.*
Half an Acre, Part of one Acre, of *Henry Robinſon* Eſquire, *Fenſide Yare.*
One Acre, Part of ſix Acres, of *Ditto. (Long Holt.)*
Half an Acre, Part of four Acres, of *Ditto. (Kitchin Holt.)*
Six Acres, Part of ſeven Acres, of *Ditto. (The Hill.)*

In NORNEY FARM *belonging to* Thomas Cockayne *Eſquire.*

One Acre and a Half, Part of three Acres.

The SIX ACRES CLOSE.

Four Acres, Part of twenty-four Acres.
Sixteen Acres, the *Little Hill.*
Twenty-three Acres, Part of twenty-four Acres, the *Middle Hill.*
Seven Acres and a Half, Part of nine Acres, of Miſtreſs *Leeds*, called *The Thorowfare Ground.*

In THORNEY FARM *belonging to Mrs.* Markham.

Six Acres, Part of twenty-one Acres, in three Pieces.
Five Acres, Part of ſeven Acres.
Ten Acres, Part of fifteen Acres.
Six Acres, Part of ſixteen Acres.
Nine Acres, Part of ſixteen Acres.

In QUANEY FARM *belonging to* Thomas Jones *Clerk.*

Four Acres, Part of ſeven Acres.

'XXXIX. And whereas all Lands which ought to be exempted from Taxes, may not have been before 'particularly mentioned;' Be it further enacted, That if any Diſpute ſhall ariſe concerning the Exemption Diſputes concerning the Exemption of Lands

Herein omitted to be exempted, to be determined by View of 9 Commissioners on Oath.

of such Lands from Taxes, the same shall be determined upon View within four Months after passing this Act, by nine or more of the said Commissioners no ways interested in the Property of the Lands in question; and all such Commissioners, before they proceed to determine such Disputes, shall take an Oath well and truly, to the best of their Judgment, to determine whether such Lands ought, or ought not to be exempted from Taxes; which Oath any one or more of the Commissioners are hereby impowered to administer; and such Commissioners shall set forth their Determination in two distinct Writings, and shall sign the same; and one of such Writings shall be delivered to the Owner or Owners of such Lands, and the other of such Writings shall be deposited in the Parish Church of the *Holy Trinity* in *Ely*.

Two Copies to be made of such Determinations, &c.

Limitation of Actions.

XL. And be it further enacted, That if any Action, Suit or Information, shall be commenced or prosecuted against any Person or Persons, for any thing done or to be done in pursuance of this Act, and in the Execution of any of the Powers and Authorities hereby given, every such Action or Suit shall be commenced within six Calendar Months next after the Fact committed; and shall be laid or brought in the Court of Pleas of the said Isle of *Ely*, or in the said County of *Cambridge*, and not elsewhere; and the Defendant or Defendants in such Action or Suit shall and may plead the General Issue, and if in Replevin, may justify and avow, by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do; and may give this Act, and the Special Matter, in Evidence, without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon, and that the Fact alledged in such Action or Suit to have been done, was done in pursuance, and by the Authority of this Act; and if the same shall appear to have been so done, or if such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuit, or forbear Prosecution, or discontinue his, her or their Suit or Suits; or if any Judgment shall be given against him, her or them, upon a Demurrer or otherwise; then, or in any of the said Cases, the Defendant or Defendants, Avowant or Avowants, shall recover Treble Costs, for which he, she or they shall have like Remedy as where Costs by Law are awarded.

General Issue.

Treble Costs.

Publick Act.

XLI. And be it further enacted and declared, That this Act shall be deemed and allowed to be a Publick Act; and all Judges, Justices and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

CAP. XIX.

An Act for draining and preserving certain Fen Lands, Low Grounds and Commons, in the Parishes of *Chatteris* and *Doddington*, in the Isle of *Ely*, in the County of *Cambridge*.

Preamble.

'WHEREAS certain Fen Lands, Low Grounds and Commons, lying and being in the Parishes of *Chatteris* and *Doddington*, within the Isle of *Ely*, in the County of *Cambridge*, containing in the Whole two thousand two hundred and fifty Acres, or thereabouts, and which are bounded and described as follows; (that is to say) From *Slade-Bridge*, by the West Side of the Drain called *Wimblington-leam*, or the *Twenty-foot*, to the Drain called *Vermuydens Drain*, or the *Forty-foot* at *Gorewillow*; and from thence by the South Side of the said *Forty-foot*, to *Garter's Bridge*; and from thence by the Hard Lands of *Curf* and *Gore Common*, to *Slade-bridge* again; and from thence by the East Side of the said *Wimblington-leam*, to the said *Forty-foot* at *Gorewillow*; and from thence on the South Side of the said *Forty-foot*, to *Langwood Hill*, near *Horseway*, and so by the Hard Lands on the West Side of *Longwood Hill*, and by the Hard Lands, round *Hick's-Mar-Fen*, *Birch-Fen*, *Dellfield* and *Northo*, and the Hard Lands, to *Slade-bridge*; and all the Low Lands and Grounds lying within such Boundaries, containing, by Estimation, one thousand two hundred Acres, or threabouts; which said Lands and Grounds may be conveniently, and are therefore herein after, made the first District of the Lands, Grounds and Commons, intended by this Act to be drained and preserved; and also all those Lands and Grounds bounded and described as follows (that is to say) From *Garter's Bridge*, by or along the Bank on the North Side of the said Drain called *Vermuydens*, or the *Forty-foot*, to *Wimblington-leam* aforesaid; and along the North West Side of the said *Leam*, to the *Turf-Fen*; and across the said *Turf-Fen*, to the South West Corner of the Low Lands belonging to Sir *Thomas Peyton* Baronet; and from thence by *Weel Bank*, to a Piece of Land called *Low Brakeny*; and by *Low Brakeny*, to *Woodley Grove*; and by the Hard Lands of *Woodley Grove*, including the Low Lands of *Woodley Grove*, to the South East Corner of the Town-Land called *Athrow Piece*; and from thence by the North Side of *Eastall-Moor*, to the *Turf-Fen-Lane*; and from thence by the Hard Lands of *Underhills* and *Gents-Piece*, to the common Highway; and by the common Highway to *Garter's Bridge*; and all the Low Lands and Grounds lying within such Boundaries, containing, by Estimation, one thousand and fifty Acres, or thereabouts; which said Lands and Grounds may be conveniently, and are therefore herein after, made the second District of the Lands, Grounds and Commons, hereby intended to be drained and preserved;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Fen Lands, Low Grounds and Commons, shall be, and are hereby divided into two Districts, in such and the same Manner as the same are herein before set forth, bounded and described, and shall be called and known by the Names of *The First* and *Second Districts*; in such Manner as is herein before particularly mentioned.

The Fen and Low Grounds before described, divided into two Districts.

Certain Persons appointed Commissioners, with others, to be chosen for the several Places,

II. And be it further enacted by the Authority aforesaid, That the Lord or Lords, Lady or Ladies, for the time being, of the several and respective Manors of *Doddington*, with the Members, *Chatteris*, *Chatteris-Ramsey*, *Chatteris Nuns*, *Tindalls* and *Lisles*, and *Bartles* lately *Gardner's*, or in his or their Absence; an Agent appointed by such Lord or Lords, Lady or Ladies, under his, her or their Hand or Hands, for each Member respectively, the Rector of *Doddington* for the time being, and the Vicar of *Chatteris* for the time being;

being; and also each and every real Owner for the time being respectively of twenty Acres or more of several Lands, subject to be taxed by virtue of this Act, lying within the said Parishes of *Chatteris* or *Doddington*, or within either of them; and also each and every real Owner for the time being respectively of two or more Rights of Common, on the Commons and Commonable Parts lying within the said Parish of *Chatteris*, shall be, and are hereby appointed Commissioners for putting this Act and all the Powers herein contained in Execution, within and in relation to the said Districts. to execute the Act.

III. Provided always, and be it further enacted by the Authority aforesaid, That it shall be lawful for any Commissioner who is the real Owner of twenty Acres or more of such several Lands as aforesaid, or of two or more Rights of Common as aforesaid, and every such respective Commissioner is hereby authorized to appoint, by Writing under his or her Hand, from time to time, and for such Time as he or she shall think proper, an Agent to act in his or her Absence as a Commissioner, and such Agents shall and may, in the Absence of the Persons respectively by whom they shall be so appointed, act as Commissioners in the Execution of this Act, in such and the same Manner, and as fully to all Intents and Purposes, as such Commissioners respectively might act and do, if they were personally present. An Agent to be appointed for 20 Acres any Commissioner shall be possessed of.

IV. Provided also, and be it further enacted by the Authority aforesaid, That every Person who shall be joint Owner with any other Person or Persons of several Lands subject to be taxed by virtue of this Act, or of any such Rights of Common, as aforesaid, and the Property of such Person in such Lands, or in such Rights of Common, shall be equal to, or exceed, the respective Quantities of several Lands, or the Numbers of such Rights of Common, as are herein before respectively mentioned for the Qualification of Commissioners to act, or to appoint Agents to act in their Absence; every such Person shall be, and is hereby respectively impowered to act as a Commissioner in the Execution of this Act, and the Powers therein contained, and to appoint an Agent as aforesaid, in the same Manner, and as fully and effectually, to all Intents and Purposes, as if such Person was distinctly and separately possessed of such Interest or Property in such respective several Lands or Rights of Common; any thing herein before contained to the contrary notwithstanding. Joint Owners of Lands sufficient for a Qualification, &c. may act as Commissioners, and appoint Agents.

V. Provided nevertheless, That no Person whatsoever shall act as a Commissioner during the Time he shall hold any Office of Profit in or relating to the Execution of this Act. Persons disqualified from acting as Commissioners.

VI. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall hold two General Meetings in every Year; that is to say, on the first *Thursday* in *May*, and on the first *Thursday* in *October*; and the said Commissioners, or any five or more of them, may meet at such other Time or Times as they shall think proper; and the first Meeting of the said Commissioners shall be held at the House known by the Sign of the *George* in the Town of *Chatteris*, on the fourteenth Day after the Day of passing of this Act; and the said Commissioners assembled at the said first Meeting, or at any General Meeting, shall and may then, and, from time to time afterwards, adjourn themselves to, and meet at, such other Time and Times, as they, or any five or more of them respectively, shall think fit; and such Commissioners, or any five or more of them, may also meet at such other Time and Times as any five or more of them respectively shall think necessary to appoint, by Notice in Writing, under their Hands, to be affixed on the Doors of the Churches in the Towns of *Chatteris* and *Doddington*, seven Days at the least before the holding any such Meeting; and no more shall be expended out of the Monies to arise by virtue of this Act, than the Sum of ten Shillings at any one of the said Half-yearly General Meetings; nor more than the Sum of two Shillings and six Pence at any other Meeting to be held by virtue of this Act, to be paid in equal Moieties out of the Monies arising within, or in relation to each respective District. Commissioners to meet twice in every Year. First general Meeting when to be held. Adjournments, and other Meetings of the Commissioners. Sums allowed to be expended at Half-yearly and other Meetings.

VII. Provided always, That all the General Meetings, and all the Meetings which shall be held by Adjournment, or be summoned, in Manner as aforesaid, shall be held at such convenient Place or Places in the said Towns of *Chatteris* or *Doddington*, as the Commissioners, or the major Part of them, who shall be assembled at the previous Meeting which shall be held by Adjournment, shall appoint, or as shall be specified in the Notice for summoning such Meetings respectively, and not elsewhere; so that every seventh Meeting at least, shall always be held at the said Town of *Doddington*. Meetings where to be held.

VIII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, assembled at all or any of their Meetings to be held by virtue of this Act, shall be, and are hereby fully impowered, from time to time, to make, support, alter and maintain, or cause to be made, supported, altered and maintained, such Cuts, Drains, Dams, Banks, Tunnels, Headings, Trays, Stamps, Outlets, Works and Engines, in, through and upon the said Fen Lands, Low Grounds and Commons, or any Part thereof, in such respective Districts, and to make, erect, remove, alter, repair and maintain, all such Works and Engines thereupon; and if any Works or Engines are already made or erected in or upon such Fen Lands, Low Grounds or Commons, to remove, alter, repair or continue the same, in such Manner as they the said Commissioners, or any five or more of them, shall, from time to time, think necessary or convenient for draining and preserving the said Lands, Grounds and Commons; and also to make such Orders, and give such Directions for carrying on, and for the better and more orderly Government of the said Works, and for executing the Purposes of this Act, as they the said Commissioners, or any five or more of them, shall think proper; making such reasonable Satisfaction to the Person or Persons who hath or have a Right to the Soil through or upon which any such Cut, Drain, Dam, Bank, Tunnel, Heading, Tray, Stamp, Outlet, Work or Engine, shall be made or erected, for the Damages he, she or they shall thereby sustain, as shall be agreed upon between such Commissioners, or any five or more of them, and such Person or Persons; and in case of Difference concerning the same, such Recompence shall be assessed and determined by any four Commissioners, or other Persons, not having Property in the District wherein such Lands lie, two of which Commissioners or Persons shall be nominated by the said Commissioners, or any five or more of them, and the other two Commissioners or Persons, by the Owner or Owners of such Soil; and such four Commissioners, or Persons so nominated, shall, before they proceed to determine such Commissioners impowered to cut Drains, and perform all other Works proper for draining the Lands. Satisfaction to be made to private Owners for Damages done to their Grounds; to be determined, in case of Difference, by 4 Commissioners,

who are to choose an Umpire.

Diſpute, chuſe one other Commiſſioner or Perſon, not having Property in ſuch Diſtrict, as an Umpire, to determine ſuch Diſpute, in caſe ſuch four Commiſſioners or Perſons ſhould be equally divided in their Opinions; and all ſuch Commiſſioners and Perſons, before they proceed to determine ſuch Diſpute, ſhall take an Oath well and truly, to the beſt of their Judgment and Knowledge, to aſſeſs and determine ſuch Damages and Recompence (which Oath any one or more of the Commiſſioners is or are hereby impowered to adminiſter) and ſuch Commiſſioners or Perſons ſhall ſet forth their Determination in two diſtinct Writings, and ſhall ſign the ſame; one of which Writings ſhall be delivered to ſuch Owner or Owners, and the other of ſuch Writings ſhall be depoſited with ſuch Perſon, or in ſuch Place, as the Commiſſioners, or any five or more of them, ſhall, from time to time, direct and appoint; and ſuch Determination ſhall be final and concluſive to all Parties.

Commiſſioners to appoint Collectors, and other Officers;

IX. And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, aſſembled at all or any of the Meetings to be held in purſuance of this Act, ſhall be, and are hereby reſpectively impowered to appoint ſuch Treaſurer or Treaſurers, Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, and ſuch other proper Officer or Officers for each of the ſaid Diſtricts, as they the ſaid Commiſſioners, or any five or more of them, ſhall think fit, for the taking Care of all ſuch Works, and for collecting the Taxes or Aſſeſſments which ſhall be made, rated or aſſeſſed, in each of the ſaid Diſtricts, and to allow to ſuch Officers, out of ſuch Taxes or Aſſeſſments, ſuch yearly or other Wages or Salaries for their Trouble and Pains in their reſpective Offices, as they the ſaid Commiſſioners, or any

who are to be removable,

five or more of them, preſent at any ſuch Meeting, ſhall think reaſonable; which ſaid Treaſurer or Treaſurers, Collector or Collectors, Receiver or Receivers, Surveyor or Surveyors, and other Officer or Officers ſo to be appointed, may be removed at the Will and Pleaſure of the ſaid Commiſſioners, or any five or more of them, aſſembled at a Meeting to be held for that Purpoſe, of which ten Days Notice at the leaſt ſhall be given in Writing, to be affixed on the Doors of the Churches in the Towns of *Chatteris* and *Doddington*; and another or others appointed in his or their Stead, as Occaſion ſhall require; and ſuch Treaſurers, Collectors or Receivers ſhall, before they act in the Execution of their reſpective Offices, give ſuch

and to give Security.

Security, (if the ſame ſhall be required) for the due Execution of ſuch reſpective Offices, and for performing the ſeveral Truſts to them committed, as the ſaid Commiſſioners, or any five or more of them, aſſembled at any Meeting, ſhall think fit.

An Acre Rate to be laid on the Lands for raiſing Money for carrying on the Purpoſes of this Act.

X. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the ſaid Commiſſioners, or any five or more of them, aſſembled at their firſt, and at any General Half-yearly Meeting or Meetings, yearly and every Year, to aſſeſs, rate, tax and charge, all and every the reſpective Owner or Owners, Occupier or Occupiers, of all and ſingular the ſaid ſeveral Fen Lands, Low Grounds and Commons, within the ſaid Diſtricts, by an equal and proportionable Tax or Aſſeſſment, in any Rate or Sum not exceeding one Shilling and ſix Pence for every Acre of ſuch ſeveral Lands in the ſaid firſt Diſtrict, and not exceeding two Shillings for every Acre of ſuch ſeveral Lands in the ſaid ſecond Diſtrict, and not exceeding ſeven Shillings and ſix Pence for every Right of Common on the ſaid Commons and commonable Parts, in any one Year, over and above ſuch Taxes and Aſſeſſments, whereto the ſaid Fen Lands, Low Grounds and Commons, now are or hereafter may be chargeable; and alſo to limit and appoint ſuch Days and Places for the reſpective Payments of ſuch Taxes or Aſſeſſments to the reſpective Collector or Collectors, Receiver or Receivers, for ſuch reſpective Diſtricts, as they the ſaid Commiſſioners, or any five or more of them, by Writing under their Hands and Seals, ſhall think proper.

Proviſo.

XI. Provided always, That the Taxes to be aſſeſſed upon the ſaid Common Rights, ſhall always be in exact Proportion to the Taxes aſſeſſed upon ſuch ſeveral Lands, according to the Rates herein before authorized to be aſſeſſed on ſuch Lands and Common Rights reſpectively.

'XII. And whereas there are three Rights of Common, on the Commons and commonable Parts, lying 'within the ſaid firſt Diſtrict, in the ſaid Pariſh of *Chatteris*, and now belonging to *Richard Read* Eſquire, '*John Gardener* junior, and *Henry Brown*, which can and do Stock only Part of the Year, and are each of 'them of no more than Half the Value of any other of the Rights of Common, on the ſame Commons 'and commonable Parts;' Be it therefore provided and enacted by the Authority aforeſaid, That the Owners and Occupiers of the ſaid three Rights of Common, ſhall not be liable to be rated or aſſeſſed, or to pay in any one Year, for or in Reſpect of ſuch Rights, more than after the Rate of one Moiety of the Tax which ſhall be rated, aſſeſſed or paid, for or in Reſpect of the other Rights in the ſaid firſt Diſtrict in each reſpective Year; any thing in this Act contained to the contrary notwithſtanding.

Lands exempted from Tax.

Quantities of Land to be taxed, to be given in to Commiſſioners.

Penalty on Neglect.

XIII. Provided always, and it is hereby enacted and declared by the Authority aforeſaid, That the Quantities of the ſeveral Lands to be rated and taxed as aforeſaid within the ſaid reſpective Diſtricts, ſhall, on or before the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty-eight, be given in to the Receivers or Collectors of ſuch reſpective Diſtricts, by the Owners, Proprietors or Occupiers of ſuch Lands; and if any of ſuch Owners, Proprietors or Occupiers, ſhall neglect or refuſe to give in to any ſuch Receivers or Collectors a particular Account of the Number of Acres contained in their ſeveral Lands; or in caſe there ſhall be reaſon to ſuſpect the Number of Acres is not truly ſtated in any ſuch Account, it ſhall be lawful for the ſaid Commiſſioners, or any five or more of them, to order a Survey to be made of any of the ſaid Lands, by an able Surveyor, not being a Proprietor of any Lands in the Diſtrict, upon Oath, which Oath any two of the ſaid Commiſſioners are hereby impowered to adminiſter, and any Survey which ſhall be ſo made, ſhall be a ſufficient Warrant and Authority to the ſaid Commiſſioners, or any five or more of them, to aſcertain and determine the Quantities of ſuch Lands, and the Charge of ſurveying the Lands of ſuch Perſon or Perſons as ſhall neglect or refuſe to give in ſuch Account, or deliver in a falſe Account, ſhall be paid by ſuch Perſon or Perſons reſpectively; and in caſe of Nonpayment thereof, ſhall be recovered in ſuch Manner as the Taxes are herein directed to be recovered; and in caſe it ſhall appear upon any ſuch Survey, that the Number of Acres was truly ſtated in any ſuch Account, the Charge of ſuch Survey ſhall be

be defrayed out of the Monies arising by virtue of this Act, within the District wherein such Survey shall be so made.

XIV. Provided also, That no Tax or Assessment shall be rated, charged or levied, for or in respect of any Lands, being Part of the Lands bounded and described as aforesaid, which are known and distinguished by the Name of *Highlands*, and have not been subject to Inundations; and if any Dispute shall arise whether any of such Lands shall or shall not be deemed *Highlands*, the same shall be finally determined, in such and the same Manner as is herein before mentioned and prescribed, for ascertaining the Recompence to be made for Damages sustained by making or erecting any Works in pursuance of this Act. Such Lands only as are subject to Inundations, are to be taxed.

'XV. And whereas there is a certain Quantity of Waste Land called the *Turf-Fen*, containing three 'hundred Acres or thereabouts, lying in the said second District, and is common to both the said Parishes 'of *Chatteris* and *Doddington*, which for Time immemorial hath been used for the digging of Fuel by the 'Inhabitants of both the said Parishes, and being of a very low Situation, is subject to be overflowed, and 'is become almost useless, but may be made of Advantage to both the said Parishes by draining the same, but 'no Tax can be laid thereon, by Reason it is not known who are the Persons to be charged with such 'Tax;' Be it therefore enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any five or more of them, and they are hereby impowered to sever and divide into Lots or Parcels, and inclose by Ditches or otherwise, any Part of the said waste Land, not exceeding forty Acres in the Whole, to hold the same to the said Commissioners and their Successors for ever, in Severalty, freed and discharged of and from all Right of Common or Claim of what Kind soever, to be had or made thereto by any Commoner or Commoners, or any other Person or Persons whomsoever; and it shall be lawful for the said Commissioners, or any five or more of them, from time to time, to demise or let from Year to Year, and not otherwise, all or any Part of the said Land so severed, divided and inclosed, to any Person or Persons who will contract for and hire the same; and the said Commissioners, or any five or more of them, shall have the like Remedy by Distress and Sale, or otherwise howsoever, for the Recovery of any Arrears of Rent that shall or may hereafter be incurred by the Tenant or Tenants thereof, or for recovering the Possession thereof, or of any Part thereof, as any Lessor or Landlord may or can have by virtue of any of the Laws or Statutes of this Realm; and the Rents, Issues and Profits thereof, shall be applied and disposed of, in such Manner as the Taxes arising within the said second District are by this Act directed to be applied. Commissioners may sever so much of the Common Lands, and let the same as shall be sufficient to pay the Taxes charged on the rest.

XVI. And it is hereby further enacted, That it shall be lawful for the said Commissioners, or any seven or more of them, to borrow, take up and receive any Sum or Sums of Money that they shall think proper, upon the Credit of the Taxes or Assessments in each respective District, and by Writing, without Stamps, under the Hands and Seals of any seven or more of them, to mortgage, charge, assign and convey, or incumber the Taxes or Assessments so to be assessed and levied within each respective District, with and for the Repayment of the Sums so borrowed, with such Interest, at such Times, and with such Provisoes and Conditions of Redemption, as shall be agreed on, but the Interest for such Monies shall not exceed the Rate of five Pounds *per Centum per Annum*; and such Monies shall be separately and distinctly borrowed for the Use of each District; and it shall be particularly set forth in every such Assignment, for which of the said Districts such Monies are so respectively borrowed. Commissioners may take up Money at Interest for carrying on the Works, and assign the Rates as a Security for the same.

XVII. And it is hereby further enacted, That the said Mortgages and Securities shall and may be assignable or transferrable by Indorsement on the original Grant or Security, or otherwise, without Stamp, to any Person or Persons whatsoever; and the Person or Persons to whom such Transfer or Assignment shall be made, shall, from and after the Time that the same is entered in a Book or Books to be kept for that Purpose, in the District to which such Mortgage or Security shall relate, be well and sufficiently intitled to such Mortgage Monies and Interest, and all the Monies due and to grow due thereon; which Entry is hereby required to be made upon Request, and producing such Assignment, and paying two Shillings and six Pence for every such Entry; and such Assignee or Assignees, and every after Assignee and Assignees, shall and may in like Manner by Indorsement, or otherwise, without Stamp, assign and make over such Mortgage or Mortgages, and Securities so assigned as aforesaid, and so *toties quoties*, as Occasion shall require; every such Assignment or Transfer being entered in such Book, as aforesaid. Assignments may be transferred. Assignments to be entered in a Book.

XVIII. Provided always, and be it further enacted by the Authority aforesaid, That no more than the respective Sums following shall be borrowed or owing at any one Time on the Credit or Security of the Taxes or Assessments arising within or in relation to the said respective Districts; that is to say, on the Taxes for the first District, six hundred Pounds; or on the Taxes for the second District, seven hundred Pounds; and that the Taxes in each respective District shall not, during the Time any Principal or Interest Monies shall be due on the Security thereof, be less in any one Year than one Shilling for every Acre of several Lands in the first District; or than one Shilling and six Pence for every Acre of several Lands in the second District; or than five Shillings for each Right of Common. Limitation of the Sum to be borrowed.

XIX. Provided always, and it is further enacted and declared, That the Taxes or Assessments within the said respective Districts, shall be chargeable with the Payment of the Principal Money so to be borrowed by the said Commissioners, and the Interest of such Money, from time to time, and shall vest in the respective Creditors, upon Default of Payment of such Principal and Interest, until the same shall be fully satisfied and paid, together with the Costs and Charges occasioned by the Nonpayment thereof; and the said Creditors, their Executors, Administrators and Assigns respectively, shall have the same Powers, Rights and Privileges of assessing, raising and recovering the several Taxes or Assessments payable by the several Owners and Occupiers of Lands and Grounds within such Districts respectively, for or in respect of such Principal Money and Interest, in case of Default of Payment thereof, as the said Commissioners and their Collectors or Receivers could have had, in case such Principal and Interest had been regularly and fully satisfied and paid. Rates chargeable with the Monies borrowed thereon, and upon Default of Payment to vest in the Creditors.

XX. And it is hereby further enacted by the Authority aforesaid, That all the Taxes or Assessments which shall be rated and paid by virtue of this Act in each of the said Districts, and the Monies borrowed Application of the Assessments, &c.

on

on the Credit of such Taxes or Assessments respectively, shall be applied and expended in defraying such Proportion of the Expences of this Act, as is herein after particularly appointed to be defrayed, by or on the Behalf of such Districts; and also in making, performing, erecting and maintaining the Works for draining, imbanking and preserving the Lands in each District respectively, wherein or upon Account whereof such Taxes or Assessments shall be raised and paid, and such Monies shall be borrowed, and in defraying the other necessary Expences of executing this Act, and in discharging of the Principal and Interest of the Monies borrowed in relation to and upon account of each of such Districts respectively.

Charges of passing this Act to be first paid.

XXI. And it is hereby further enacted by the Authority aforesaid, That the Charges and Expences of obtaining this Act, shall, in the first Place, be borne and defrayed out of the Taxes or Assessments raised in each of the said Districts respectively, or out of the Monies to be borrowed on the Credit of such Taxes or Assessments, in the Proportions following; that is to say, three Parts in five of such Charges and Expences shall be paid out of the Monies arising within or in relation to the first District; and the remaining two fifths of such Charges and Expences, shall be paid out of the Monies arising within or in relation to the second District.

Taxes how to be levied in Default of Payment.

XXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons so rated and assessed as aforesaid, shall refuse or neglect to pay the Tax or Assessment charged upon him, her or them respectively, for the Space of twenty-one Days after the respective Times of Payment, to be limited and appointed as aforesaid, publick Notice thereof being affixed on some publick Places in *Chatteris* or *Doddington*, and demand made by the respective Collector or Collectors, Receiver or Receivers, or by some other Person or Persons authorized by him or them respectively for that Purpose, it shall be lawful for such respective Collector or Collectors, Receiver or Receivers, or for any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of three or more of the said Commissioners (which Warrant or Precept such Commissioners, or any three or more of them, are hereby impowered and required, from time to time, to make as occasion shall require) to enter into and upon the Lands, Grounds and Commons, so rated and taxed, in Possession of such Person or Persons as shall so make Default in Payment as aforesaid, and all Messuages or Tenements thereupon standing, or thereunto belonging, with the Appurtenances, and to levy the Sum or Sums of Money by him, her or them payable for such Rate or Tax, by Distress of the Goods and Chattles which shall be found on the Premisses so charged with any such Rate or Tax in Arrear as aforesaid; and in case no sufficient Distress can be found on the Premisses, it shall be lawful for such Collector or Collectors, Receiver or Receivers, or other Person or Persons, by virtue of such Warrant or Precept as aforesaid, to levy all Arrears of the said Taxes by Distress of the Goods and Chattles of the Person or Persons so making Default in Payment as aforesaid, in any other Place within the Kingdom of *Great Britain*; and the Goods and Chattles so distrained, to impound on the Premisses, or take, lead, drive, carry away and keep for the Space of five Days, at the Costs and Charges of the Owner or Owners thereof, leaving at such Messuage or Tenement, Grounds or Premisses, Notice in Writing of the Cause of such Distress; and if the Owner or Owners of the Goods and Chattles so distrained shall not pay the Sum or Sums of Money so assessed or rated, and in Arrear as aforesaid, with all Charges attending such Distress, or replevy the Goods and Chattles so distrained, with sufficient Sureties to be given to the Sheriff of the said County, or Chief Bailiff of the Isle of *Ely*, according to the Laws now in Being for Distresses in Cases of Non-payment of Rent, within five Days next after such Distress made, and Notice thereof given as aforesaid, the Person or Persons so distraining, may, with the Sheriff or Under-Sheriff of the County, Bailiff of the Isle of *Ely*, or Constable or Headborough of the Parish or Place where such Distress shall be made (who are hereby required to assist therein) cause the Goods and Chattles so distrained, to be appraised by two or more indifferent Persons, to be sworn by such Sheriff, Under-sheriff, Bailiff, Constable or Headborough (who are hereby impowered to administer such Oath) to appraise the same according to the best of their Judgment; and after such Appraisement, it shall be lawful for such Collector or Collectors, Receiver or Receivers, or other Person or Persons making such Distress, to sell the Goods and Chattles so distrained, for the best Price that can be got for the same, for and towards Satisfaction of the Monies for which such Distress shall be so made, and the Charges of taking, keeping, appraising and selling the Goods and Chattles so distrained, leaving the Overplus (if any be) in the Hands of such Sheriff, Under-sheriff, Bailiff, Constable or Headborough, for the Owner's Use; and the Tenant and Tenants of all and singular the said Fen Lands, Low Grounds and Commons, which shall be rated and assessed by virtue of this Act, is and are hereby required and authorized to pay such Taxes or Assessments, and to deduct the same out of his, her and their Rent; and every Tenant paying such Tax or Assessment, shall be acquitted and discharged for so much Money as such Tax or Assessment shall amount unto, as if the same had been actually paid to the Person or Persons intitled to the Rent of such Lands, Grounds and Commons, except where there is a Lease for three or more Years to come from the Commencement of this Act; in which Case the Proportion of the Tax or Assessment which the Tenant ought to bear and pay, in Consideration of the Benefit he or she receives by such Lease, shall be adjusted and awarded by the said Commissioners, or any five or more of them.

Tax to be paid by the Tenants, and deducted out of their Rent.

No Order made by the Commissioners to be repealed, unless 5 consent.

XXIII. Provided always, and be it further enacted by the Authority aforesaid, That no Order which shall be made by the said Commissioners, or any of them, by virtue of this Act, at any of their Meetings, shall be altered, reversed, annulled or made void, at any subsequent Meeting, unless seven or more of the Commissioners be present at such Meeting, and five or more be consenting thereto; nor unless ten Days Notice in Writing be affixed on the Doors of the Churches in *Chatteris* and *Doddington*, in which said Notice the Intent and Design of such Meeting shall be declared; and that every Order for executing the Powers of this Act shall be made at a Meeting of the Commissioners to be held in such Manner as is herein before appointed or authorized, and not otherwise; except only as to the granting of Precepts or Warrants for levying Taxes or Penalties, which shall and may be granted and signed by such Commissioners, whenever the same shall be necessary, and be required.

XXIV. And

XXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully and maliciously cut, break down, burn, demolish or destroy any Bank, Mill, Engine, Flood-gate or Sluice, already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported, maintained or used, in either of the said Districts, for answering the Purposes of this Act, every Person or Persons so offending, and being thereof convicted, shall be guilty of Felony, and shall be subject and liable to the like Pains and Penalties as in Cases of Felony; and the Court by or before whom such Person or Persons shall be tried and convicted, shall and hereby have Power and Authority to transport such Felons for seven Years, in the like Manner as other Felons are directed to be transported by the Laws of this Realm: And if any Person or Persons shall wilfully and maliciously stop, dam up, demolish, damage or destroy any River, Drain, Watercourse, Door, Dam, Bridge, Stile or other Work or Works already made or erected, or which shall at any Time hereafter be making or erecting, or made or erected, supported, maintained or used, for answering the Purposes of this Act; every Person or Persons so offending, and being thereof convicted before any two or more Justices of the Peace for the Isle of *Ely* (who are hereby required to hear and determine the same on the Oath of one or more credible Witness or Witnesses) shall forfeit the Sum of one hundred Pounds, to be levied by Distress and Sale of the Goods and Chattles of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the Justices before whom such Conviction shall be had, to be applied and laid out in carrying on the Works and Improvements in that District, wherein or in Relation whereto such Offence shall be committed; and for want of such sufficient Distress such Offender or Offenders shall, by the said Justices, be committed to the common Gaol of the said Isle of *Ely*, for any Time not exceeding twelve Months, at the Discretion of the said Justices.

Penalty upon Persons cutting down or destroying Banks or other Works.

Offender may be transported.

Persons convicted of destroying, stopping, or damming up the Drains, forfeit 50 l.

For want of Distress the Offender to be committed.

XXV. And be it further enacted by the Authority aforesaid, That the said Commissioners may, and they are hereby impowered, out of the Monies arising in or upon Account of the said respective Districts, to make such Allowances for the catching or destroying of Moles in the Banks or Lands belonging to the said respective Districts, as they the said Commissioners, or any five or more of them, shall think proper.

Allowance to be made out of the Taxes for destroying Moles.

" XXVI. And whereas it frequently happens, by the Negligence or Carelessness of Servants or other Per-
" sons employed in burning Fen Lands, in order to their being ploughed and broke up into Tillage, that
" the Banks lying contiguous and adjoining to such Lands are burnt and damaged by the Fire being suffered
" to remain too long on such Lands, and to spread to such Banks;" Be it therefore enacted by the Authority aforesaid, That if any Person or Persons, who shall be employed in burning any of the Lands or Grounds lying within either of the said Districts, shall, by Carelessness or Negligence, fire, or cause to be fired, any of the Banks lying near or adjoining to any of the said Lands or Grounds, so as such Banks be by means of such Fire, burned, destroyed or damaged; such Person or Persons, being thereof lawfully convicted by the Oath of one or more credible Witness or Witnesses, or by Confession before any two or more Justices of the Peace for the said Isle of *Ely* (which Oath such Justices are hereby impowered and required to administer, and to hear and determine such Offence) shall give such Recompence and Satisfaction for the Damages done by every such Offender, and within such Time as by such Justices shall be ordered and appointed, to be paid into the Hands of the Treasurer for the District wherein such Offence was committed, to be applied for the repairing and amending such Bank; and in case of Non-payment thereof, the same shall be levied by Distress and Sale of the Offenders Goods and Chattles by Warrant under the Hands and Seals of the Justices before whom such Conviction shall be made; and for want of sufficient Distress, such Offender shall, by such Justices, be committed to the House of Correction for the said *Isle*, there to be kept to hard Labour for such Time as such Justices shall order and direct, not exceeding three Months.

Satisfaction to be made for Damages done to the Banks, by burning of the Grounds.

XXVII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall erect, set up, use or work any Horse Mill, Gigg, or other Engine or Device whatsoever, for draining or discharging Water from any Lands in the said respective Districts, through or upon the Lands of any other Person or Persons, or in any other Manner than directly and immediately from the Lands of the respective Owner of such Mill, Gigg, Engine or Device, into the said Drain called *Vermuydens*, or the *Forty-foot*; every Person shall, for every such Offence, forfeit and pay the Sum of fifty Pounds to any Person who will sue for the same; and the Owner of such Mill, Gigg, Engine or Device, shall also make full Compensation and Satisfaction to all and every Person and Persons who shall be injured thereby, for the Damages such Person or Persons shall thereby sustain; and such Penalty, Compensation and Satisfaction shall be recovered, together with Full Costs of Suit, by Action of Debt, Bill, Plaint or Imformation, in any of his Majesty's Courts of Record at *Westminster*; in which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance shall be allowed.

Penalty of throwing the Waters upon another Person's Lands, and not immediately into the publick Drains.

XXVIII. And be it further enacted by the Authority aforesaid, That once in every Year (that is to say) at the General Meeting on the first *Thursday* in *May*, and on any subsequent Days, to which the said Commissioners, or any five or more of them, shall adjourn, Inspection shall be had by the said Commissioners, or any five or more of them, of the Receipts and Disbursements of such Monies as shall have been raised and received by virtue of this Act, in and in relation to the said Districts respectively, for the Year then last past, and all Accounts relating to the said Districts, shall be at such Meeting, or within ten Days after, made up and settled by the said Commissioners, or any five or more of them then assembled; at which Time the several Treasurers, Collectors or Receivers of the Taxes or Assessments in such respective Districts are hereby required to attend with proper Books of Account of their Receipts and Disbursements, and all Vouchers for the same: And upon Consideration and Examination of such Accounts, and of all other Accounts of the Receipts and Disbursements of the Money raised and received by virtue of this Act, within or in Relation to such Districts respectively, and upon Oath (if the same shall be required by any five or more of the said Commissioners, which Oath any one of the said Commissioners is hereby impowered to administer) the said Commissioners, or any five or more of them, are hereby impowered to allow and pass, under their Hands, the said Account or Accounts, or such Part or Parts of the same, as they shall see just and reasonable; and such Account or Accounts, or such Part or Parts thereof, shall be fairly entered in two distinct

Accounts to be audited on Oath yearly;

at which Times the Collectors and Receivers are to attend with their Vouchers, &c.

Accounts, after they are passed, to be entered in 2 Sets of Books, &c.

ſtinct and ſeparate Sets of Books to be kept for each Diſtrict for that Purpoſe; one Set whereof ſhall be kept by the Treaſurer or Treaſurers, or ſuch other Perſon or Perſons for each Diſtrict reſpectively, as the ſaid Commiſſioners, or any five or more of them, ſhall appoint; and the other Set thereof for the firſt Diſtrict, ſhall be depoſited in the Pariſh Church of *Chatteris* aforeſaid; and the other Set thereof for the ſaid ſecond Diſtrict, in the Pariſh Church of *Doddington* aforeſaid, or in ſuch other convenient Places as the ſaid Commiſſioners, or any five or more of them, ſhall think fit; and the Books ſo depoſited ſhall and may be inſpected and peruſed at any Time, at reaſonable Times, by or at the Requeſt of any Perſon or Perſons rated or taxed in purſuance of this Act, on paying ſix Pence for the ſame.

Proceedings of Commiſſioners to be entered in Books, and ſigned,

and may be produced, and read in Evidence.

XXIX. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That all Orders and Proceedings of the ſaid Commiſſioners, or any of them, at their Meetings, ſhall be entered in diſtinct and ſeparate Books to be provided for that Purpoſe, for the reſpective Diſtrict to which ſuch Orders and Proceedings ſhall relate; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by five or more of the ſaid Commiſſioners aſſembled at ſuch Meetings; and, being ſo ſigned, ſhall be deemed and taken to be Originals; and all ſuch Books, and alſo the Books hereby directed to be kept for regiſtering the Securities, Aſſignments and Transfers, ſhall and may be read in Evidence in all Caſes of Suits or Actions, touching any thing done in relation to, or in purſuance of, this Act.

Penalty of cutting Turf within a certain Diſtance of the Banks; and of making or continuing the Uſe of Watering Places for Cattle; and of making any Sock-dyke, &c. near the Banks;

the ſaid Penalties how to be recovered.

XXX. And it is hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall cut or dig any Turf, Hods or Ceſſes in the ſaid Fen, called *Turf-Fen*, within the Diſtance of ninety Feet from any Bank which may be made by virtue of this Act, from *Wimblington Leam* acroſs ſuch Fen, to the ſaid Low Lands belonging to Sir *Thomas Peyton*, every Perſon ſo offending ſhall, for every ſuch Offence, forfeit the Sum of five Pounds; and if any Perſon or Perſons ſhall make, or cauſe to be made, any Watering Place, or any Place of Acceſs for Cattle to drink, in any Mill Drain, within any of the ſaid Fen Lands, Low Grounds or Commons hereby intended to be drained and preſerved, every Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of five Pounds: And if any Perſon or Perſons ſhall make or cauſe to be made, any Sock-dike or Sock-gripple on any of the ſaid Fen Lands, Low Grounds or Commons, within the Diſtance of ninety Feet from any Bank now made, or hereafter to be made, within either of the ſaid Diſtricts, every ſuch Perſon ſo offending ſhall forfeit, for every ſuch Offence, the Sum of four Pence for every Foot in Length of ſuch Sock-dike or Sock-gripple, and the like Sum for every Month during which the ſame ſhall be continued; all which Forfeitures ſhall, upon Conviction of the Offend r or Offenders before any one or more Juſtice or Juſtices of the Peace for the Iſle of *Ely*, upon the Oath of one or more credible Witneſs or Witneſſes (which Oath ſuch Juſtice or Juſtices is and are hereby impowered and required to adminiſter) be immediately paid into the Hands of the Treaſurer for the Diſtrict wherein, or in relation whereto, ſuch Offence was committed, to be applied for the Improvement of the Works in ſuch Diſtrict; and, in caſe of Nonpayment, ſuch Forfeiture ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of the Juſtice or Juſtices of the Peace before whom ſuch Conviction ſhall be made; and for want of ſufficient Diſtreſs, ſuch Offender ſhall, by ſuch Juſtice or Juſtices, be committed to the Houſe of Correction for the ſaid Iſle, there to be kept to hard Labour for ſuch Time as ſuch Juſtice or Juſtices ſhall order and direct, not exceeding three Months.

Tunnel to be laid under Wimblington Leam, &c.

unleſs a Mill be erected for anſwering the Purpoſe thereof.

XXXI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, any five or more of them, ſhall, and they are hereby enjoined and required, on or before the firſt Day of *December* one thouſand ſeven hundred and fifty-eight, to cauſe a ſufficient Tunnel to be laid, and for ever thereafter to be kept and maintained, under the ſaid Drain called *Wimblington Leam*, or the Twenty Foot Drain, lying within the ſaid firſt Diſtrict, at or near the End of *Curf* and *Gore Severals*, unleſs the ſaid Commiſſioners, or any five or more of them, ſhall think it more convenient and neceſſary to anſwer the Purpoſes of Draining to erect a Mill or Engine there, that then the ſaid Commiſſioners, or any five or more of them, ſhall, in lieu of ſuch Tunnel, cauſe a ſufficient Mill or Engine to be erected and built, and for ever thereafter to be kept and maintained, and worked as often as ſhall be neceſſary, on ſome convenient Place in *Curf* and *Gore Severals* aforeſaid; and the Expences of laying down ſuch Tunnel, or of erecting and building ſuch Mill or Engine, and maintaining and working the ſame, ſhall be defrayed out of the Monies ariſing within, or in relation to, the ſaid firſt Diſtrict.

Charges thereof to be paid by the firſt Diſtrict.

Sufficient Drains to be made in the ſecond Diſtrict, in particular Parts thereof;

XXXII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby enjoined and required, on or before the firſt Day of *December* one thouſand ſeven hundred and fifty-eight, to make, or cauſe to be made, and from time to time, always thereafter kept and maintained, one Cut or Drain acroſs the ſaid Waſte Land called *The Turf Fen*, lying in the ſaid ſecond Diſtrict, from the South Eaſt Corner of the Lands in *Underhill*, belonging to the Rectory of *Doddington*, to the Lands belonging to the Heirs of *Joſeph Pope*, and which are Part of the ninety-five thouſand Acres deſcribed in the Lot Book of the Corporation of *Bedford Level*, Lot (7) Letter B. and alſo one other Drain acroſs the ſaid Turf-fen, from the South Eaſt Corner of the Lands in *Eaſtall Moor*, late *John Ingram's*, to the ſaid Lands belonging to the Heirs of *Joſeph Pope*; which ſaid ſeveral Drains ſhall be made of the Width of nine Feet at the leaſt at the Top, and of other ſufficient Dimenſions; and the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby enjoined and required, immediately after ſuch Drains are completed, to cauſe proper Bridges to built, or Tunnels to be made, and for ever thereafter ſupported and maintained, in or over the ſaid Drains, in ſuch Part thereof as ſhall be neceſſary and convenient for the Paſſage of Cattle and Carriages; and the Expences of making, building and maintaining ſuch Drains and Bridges, or Tunnels, ſhall be defrayed out of the Monies ariſing within, or in relation to, the ſaid ſecond Diſtrict.

and proper Bridges and Tunnels, to be defrayed by the ſecond Diſtrict.

Fences to be erected for each Diſtrict.

XXXII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any five or more of them, ſhall, and they are hereby enjoined and required, from time to time, to make, ſet up and erect, and for ever repair and maintain, ſuch convenient Gates, Stiles or other proper Fences, in and upon

ſuch

such of the Banks as shall be made by virtue of this Act in each of the said Districts, as are necessary to fence in and inclose the separate Property of every Person whose Lands are lying contiguous to, or abut upon the said Banks, so that the Property of one Person shall not lie open to the Property of any other Person; and the Expences of making, setting up, erecting and maintaining the same, shall be defrayed out of the Monies arising within, or in relation to, the District wherein such Gates, Stiles or other Fences shall be so made, set up or erected.

Proprietors of Lands in Normore, to maintain such Parts of the Bank on the West Side of the Sixteen Foot, as adjoin to the said Lands.

XXXIV. And be it further enacted by the Authority aforesaid, That the Owner or Owners for the time being of certain Lands in *Normore*, lying upon the said Drain, called *Thurlois Drain*, or the *Sixteen Foot*, and now in the Possession of *Edward Vernam* (which said Lands are described in the Great Map of the Great Level of the Fens called *Bedford Level* (Lot 15. Letter D) shall, from time to time, and at all Times hereafter, maintain and support in good and sufficient Repair, such Parts of the Bank on the West Side of the said Sixteen Foot, as lie within or are adjoining to his, her or their said Lands, and are now maintained, supported and repaired by the Proprietor or Proprietors, Occupier or Occupiers thereof, in order to prevent the Waters of the said Sixteen Foot from flowing into, or annoying the Lands lying in the said Second District; and if at any Time hereafter the Water shall overflow such Parts of the said Bank (except such Overflowing shall be occasioned by a Breach of the Great Banks of the Corporation of *Bedford Level*) or if the Waters shall pass through any Breach therein, into the said Second District, or into the Lands adjoining thereto, and the said *Edward Vernam*, or any future Owner or Owners, or the Occuper or Occupiers of such Lands as aforesaid, shall not immediately upon Notice thereof being delivered to him, her or them, or left at his, her or their Place or Places of Abode, or at the Place or Places of Abode of such Occupier or Occupiers, raise or repair the said Bank, in such Manner as may prevent the Overflowing or Passage of the Water as aforesaid; then and as often as such Case shall so happen, it shall be lawful for the said Commissioners, or any five or more of them, from time to time, to cause such Bank to be raised and repaired in such Manner as may effectually prevent such Overflowing or Passage of the Water as aforesaid, and the Expences necessarily incurred in raising or repairing such Banks, shall be reimbursed to the said Commissioners, by the said *Edward Vernam*, or the future Owner or Owners of such Lands, or the Occupier or Occupiers thereof; and in case of Nonpayment, shall and may be levied by Distress and Sale of the Goods and Chattles of such Occupier or Occupiers respectively, by Warrant or Precept under the Hands of any three or more of the said Commissioners (which Warrant or Precept, the said Commissioners, or any three or more of them, are hereby impowered and required to grant for that Purpose) rendering the Overplus to such Occupier or Occupiers, after such Expences, and the Charges of such Distress and Sale shall be deducted; and if the Tenant or Tenants of such Lands, shall, upon such Notice as aforesaid, raise or repair such Bank, at his, her or their own Expence, or shall pay the Expence of doing thereof as aforesaid, by the Direction of the said Commissioners, or any five or more of them, or in case such Expence shall be levied on him, her or them, the same shall be deducted by such Tenant or Tenants, out of his, her or their Rent, and shall be allowed by such Owner or Owners (unless an Agreement be made to the contrary between such Owner or Owners, and Tenant or Tenants) in such Manner as the Taxes paid by the Tenants are by this Act directed to be deducted and allowed; and if any such Dispute shall arise between any such Occupiers and the said Commissioners, touching the Amount of the Expences which shall have been necessarily incurred, in raising or repairing such Banks, such Dispute shall be finally determined, in such and the same Manner, as is herein before-mentioned and prescribed, for ascertaining the Recompence to be made for Damages sustained by making or erecting any Works in pursuance of this Act.

Tenants repairing the same, or the Charge thereof being levied on them, are to be reimbursed.

Disputes relating to such Charges how to be determined.

No Trees or Holts to be suffered to stand near any Mill.

XXXV. Provided always, and be it further enacted by the Authority aforesaid, That from and after the first Day of *July* one thousand seven hundred and fifty-eight, no Trees or Holts shall be planted nearer to any Mill which shall be erected or employed for the Purposes of this Act, than twenty Poles (being the Pole of Eighteen Feet); and if any Person or Persons shall plant any Tree or Holt within the Space aforesaid, every such Person shall forfeit and pay the Sum of one Shilling for every Tree, and five Pounds for every Holt so planted; and such Trees and Holts shall and may be taken up and carried away, by such Person or Persons as shall be authorized for that Purpose by the said Commissioners, or any five or more of them; and it shall be lawful for such Person or Persons as shall be so authorized for that Purpose, to cut down any Trees or Holts which shall be growing within the Distance of twenty Poles from any Mill erected or employed for the Purposes of this Act, at the Time such Mill shall be so erected or first used, making such Satisfaction to the Owner of such Trees or Holts, as shall be agreed upon between such Owner and the said Commissioners, or any five or more of them, or in case of Difference, such Satisfaction shall be finally determined in such and the same Manner as is herein before mentioned and prescribed for ascertaining the Recompence to be made for Damages sustained by making or erecting any Works in pursuance of this Act.

Penalty on Occupiers neglecting to rode and scour, &c. the Outring and Division Dikes.

XXXVI. And be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers of any Lands lying within the said Districts, to which any Droveway Dike, Outring Dike or Division Dike, doth or shall belong, shall neglect or refuse sufficiently to rode, scour, cleanse, open or repair any such Dike, or to make the same of a sufficient Depth, and of the Width of nine Feet at the least, after fourteen Days Notice in Writing, given to him, her or them, or left at his or their Place of Abode, from time to time, for that Purpose, by the Collector or Collectors, Receiver or Receivers, of the District wherein such Lands lie (such Collectors or Receivers having an Order in Writing for that Purpose, under the Hands of three or more of the said Commissioners) every such Owner or Occupier shall, for every such Neglect or Refusal, forfeit and pay the Sum of twelve Pence for every Rod of the Dike so neglected to be roded, scoured, cleansed, opened, repaired, depthened and widened; and it shall be lawful, from time to time, for such Collector or Collectors, Receiver or Receivers, to cause such Dikes, at the proper Charge and Expence of such Owners or Occupiers, to be roded, scoured, cleansed, opened, repaired and depthened, in a sufficient Manner, and made of the Width aforesaid, at the least; and where a Way shall

Collectors may cause the same to be done, &c. and levy the Charge.

shall have been made over any Dike without a sufficient Tunnel, to cause such Ways to be taken up, and such Dike to be made of a proper Width and Depth; and by Warrant or Precept under the Hands of three or more of the said Commissioners, to levy such Penalty, and also such Charges and Expences, upon such Owner or Owners, Occupier or Occupiers, by Distress and Sale of his, her or their Goods and Chattles; and such Penalties shall be applied to the Use of the District wherein such Lands shall be situate.

Mills to be insured against Fire.

XXXVII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall cause each and every Mill and Mills which shall be be erected or employed by virtue of this Act, to be insured against Fire, at some Publick Office or Offices; and from time to time to pay the Expence attending such Insurances out of the Monies arising by virtue of this Act, in or upon account of the respective District wherein such Mill or Mills shall be erected or employed.

Rights of the Conservators of the Great Level reserved.

XXXVIII. Provided always, and it is hereby further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend, or be construed to extend, to impower the said Commissioners, or any of them, to have, use or exercise any Power or Authority over, or to intermeddle with, any of the Banks, Sewers, Drains or Works already made, or hereafter to be made, by the Governor, Bailiffs and Commonalty of the Company of Conservators of the Great Level of the Fens called *Bedford Level*, by virtue of an Act made in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for settling the Draining of the Great Level of the Fens, called* Bedford Level; or by virtue of any other Act or Statute whatsoever; or to invalidate, lessen, diminish, alter or take away any of the Rights, Powers and Authorities vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators; but that all Rights, Powers and Authorities whatsoever, which by virtue of the said Act made in the fifteenth Year of the Reign of King CHARLES the Second, or any other Act or Statute whatsoever, now are vested in the said Governor, Bailiffs and Commonalty, or in the said Governor, Bailiffs and Conservators, or any of them, shall for ever hereafter remain, continue and be in the said Governor, Bailiffs and Commonalty, and in the said Governor, Bailiffs and Conservators, and every of them, as fully and amply, to all Intents and Purposes, as if this Act had never been made.

General Reservation of Rights.

XXXIX. Provided also, and it is hereby further enacted and declared by the Authority aforesaid, That this Act or any thing herein contained shall not extend, or be construed to extend, to invalidate, lessen, diminish, alter or take away any of the Rights, Powers and Authorities vested in the Commissioners, appointed in and by an Act of Parliament passed in the twenty-seventh Year of the Reign of his present Majesty, intituled, *An Act for improving and preserving the Navigation from* Salter's Load Sluice *in the County of* Norfolk, *to* Standground Sluice *in the County of* Huntingdon; *and from* Flood's Ferry *in the Isle of* Ely *in the County of* Cambridge, *to* Ramsey High Load *in the said County of* Huntingdon; *and also the Navigation from* Old Bedford Sluice *in the said County of* Norfolk, *to the River* Nene *in the Parish of* Ramsey *in the said County of* Huntingdon; but that all Rights, Powers and Authorities whatsoever, which by virtue of the said Act passed in the twenty-seventh Year of the Reign of his present Majesty, now are vested in the said Commissioners thereby appointed, or any of them, shall for ever hereafter remain, continue and be in the said Commissioners, and every of them, as fully and amply to all Intents and Purposes, as if this Act had never been made.

Limitation of Actions.

XL. And it is hereby further enacted by the Authority aforesaid, That if any Action, Suit or Information shall be commenced or prosecuted against any Person or Persons, for any thing done or to be done in pursuance of this Act, every such Action or Suit shall be commenced within six Calendar Months next after the Fact be committed, and not afterwards; and shall be laid or brought in the Court of Pleas of the said Isle of *Ely*, or in the County of *Cambridge*, and not elsewhere; and the Defendant or Defendants in

General Issue.

such Action or Suit shall and may plead the General Issue, and if in Replevin, may justify and avow, by virtue of this Act, as Persons acting by Authority of Commissioners of Sewers are enabled to do; and give this Act and the Special Matter in Evidence, without specially pleading the same, otherwise than as aforesaid, at any Trial to be had thereupon, and that the Fact alledged to have been done, was done in pursuance and by Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall be brought after the Time before limited for bringing the same, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs shall become nonsuited, or forbear Prosecution, or discontinue his, her or their Suit or Suits; or if any Verdict shall pass against him, her or them, upon a Demurrer or otherwise; then, and in any of the said Cases, the Defendant or Defendants, Avowant or

Treble Costs.

Avowants, shall recover treble Costs, for which he, she or they shall have like Remedy as where Costs by Law are awarded.

Publick Act.

XLI. And be it further enacted and declared by the Authority aforesaid, That this Act shall be deemed a Publick Act; and all Judges, Justices and other Persons, are hereby required to take Notice thereof as such, without specially pleading the same.

CAP. XX.

An Act for applying a Sum of Money granted in this Session of Parliament, for rebuilding *London Bridge*; and for rendering more effectual an Act passed in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act to improve, widen and enlarge the Passage over and through* London Bridge.

Preamble, reciting Part of the Act 29 Geo. 2. c. 40.

WHEREAS by an Act passed in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act to improve, widen and enlarge the Passage over and through* London Bridge; certain Tolls and Sums of Money, from and after the twenty-fourth Day of *June* one thousand seven hundred and

'and fifty-six, were thereby reserved and made payable, for or upon Account of every Horse, Coach, Chariot, Hearse, Berlin, Landau, Calash, Chaise or Chair, passing over the said Bridge, and also by the Owner or Owners of every Hoy, Barge, Vessel, Lighter or other Craft, having any Goods on Board, except as therein is excepted, every Time such Hoy, Barge, Vessel, Lighter or other Craft should pass through any of the Arches of the said Bridge; and such Tolls or Sums of Money were vested in the Mayor and Commonalty, and Citizens of the City of *London*, for the Purposes of the said Act: And whereas in pursuance of the Powers given by the said Act, a considerable Progress hath been made in taking down the Houses on the said Bridge, and two of the Arches under the same, in order to lay them into one; and also a Temporary Wooden Bridge was at a great Expence erected to preserve a Publick Passage to and from the said City, which said Wooden Bridge hath been entirely consumed by Fire, and must necessarily be rebuilt, at a further considerable Expence: And whereas it hath been found by Experience that the said Tolls, or Sums of Money, will not be sufficient for effecting the Ends and Purposes for which the same were granted and made payable: And whereas a Sum not exceeding fifteen thousand Pounds hath been granted to his Majesty this Session of Parliament, to be applied for rebuilding of *London Bridge*:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of all or any of the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-eight, there may and shall be applied and paid into the Chamber of the City of *London*, the Sum of fifteen thousand Pounds, without Account, to be applied for rebuilding the said Bridge.

15,000 *l.* to be paid out of the Supplies granted for the Year 1758, into the Chamber of London.

II. Provided always, That all and every the said Tolls or Sums of Money made payable by the said recited Act, shall continue and be in Force until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and no longer; any thing in the said recited Act contained to the contrary thereof in any wise notwithstanding.

Tolls granted by the former Act to continue to 24 June next, and no longer.

III. And be it further enacted by the Authority aforesaid, That the Charges and Expences of obtaining and passing this present Act, shall be paid out of any Money which has been or shall be raised and received by virtue of the said former and this Act.

Charges of passing this Act now to be paid.

IV. And it is hereby further enacted, That all and every the Powers, Clauses, Provisoes, Matters and Things contained in the said former Act, except such as are hereby discontinued or altered, shall remain, continue and be in full Force, and be executed, as well for the Purposes of this Act, as of the said former Act, as amply and effectually as if the same were in and by this Act, expressly re-enacted and declared to take Effect and be in Force.

Continuation of such Powers, &c. of the former Act, as are not hereby discontinued or altered.

V. And be it further enacted by the Authority aforesaid, That this Act and all the Powers and Authorities herein contained, shall commence from and after the twenty-first Day of *April* one thousand seven hundred and fifty-eight.

Commencement of this Act.

VI. And for the more effectually preventing any Person or Persons from burning or destroying the said Bridge; Be it enacted by the Authority aforesaid, That if any Person or Persons shall unlawfully, wilfully and maliciously set Fire to, burn, blow up, pull down or destroy the said Bridge, or any Part thereof, or any Works or Buildings which now do or shall belong thereto, or in any wise direct or procure the same to be done, every such Offender or Offenders being lawfully convicted, shall be deemed guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

Penalty of wilfully damaging or destroying the Bridge, or any of the Works thereof, Death.

VII. And be it also enacted by the Authority aforesaid, That the Chamberlain of the City of *London* shall lay an Account of the Application, as well of the said Sum of fifteen thousand Pounds, as of all other Monies received by virtue of this and the said former Act, before both Houses of Parliament, within twenty Days next after the opening of every Session of Parliament, in the same Manner as is directed by the said former Act.

Account of the Application of the Monies received to be laid annually before Parliament.

VIII. And be it enacted by the Authority aforesaid, That if any Action shall be brought, or Suit commenced against any Person or Persons for any thing done in pursuance of this Act, or in relation to the Premisses, or any of them, such Action or Suit shall be laid or brought within six Months next after the Fact done, and shall be laid or brought in the City of *London* or County of *Surry*, and not elsewhere; and the Defendant or Defendants in such Action, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by Authority of this Act; and if the same shall appear to have been so done, or if any such Action or Suit shall not be brought within the Time before limited, or shall be brought in any other County or Place than as aforesaid, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the said Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have for Costs in other Cases by Law.

Limitation of Actions.

General Issue.

Treble Costs.

IX. And it is hereby further enacted, That this Act shall be deemed a Publick Act; and shall be taken Notice of as such, by all Judges, Justices and other Persons whatsoever, without specially pleading the same.

Publick Act.

CAP. XXI.

An Act for allowing further Time for Inrolment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers. *EXP. Farther Time given for inrolling Deeds and Wills of Papists till* 1 *January* 1759. *Refer to* 3 *Geo.* 1. *c.* 18.

Concerning Papists, see further 3 *Geo.* 2. *c.* 13. 2 *Geo.* 3. *c.* 26.

CAP. XXII.

An Act for granting to his Majesty's several Rates and Duties upon Offices and Pensions; and upon Houses; and upon Windows or Lights; and for raising the Sum of five millions by Annuities, and a Lottery, to be charged on the said Rates and Duties.

Most Gracious Sovereign,

Preamble. *Explained and amended by* 32 *Geo.* 2. *c.* 33. *And see* 2 *Geo.* 3. *c.* 8. *For former Provisions relating hereto, refer to* 20 *Geo.* 2. *c.* 3, *&* 42. 21 *Geo.* 2. *c.* 10. 26 *Geo.* 2. *c.* 17.

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament 'assembled, being desirous, by the most easy and effectual Ways and Means, to raise such Supplies as 'are necessary for the Prosecution of the present War, and for enabling your Majesty, at the End thereof, 'to establish a good and lasting Peace, have, for that End and Purpose, given and granted, and, by this 'present Act, do give and grant, unto your Majesty, the several and respective Duties, Impositions and Sums 'of Money following, as well for and upon all Salaries, Fees and Perquisites of Offices and Employments 'in *Great Britain*, and on all Pensions and other Gratuities payable out of any Revenues belonging to your 'Majesty in *Great Britain*, exceeding the Value of one hundred Pounds *per Annum*, as for and upon such 'Houses, and Windows or Lights, as are herein after mentioned; and do most humbly beseech your Ma-'jesty that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *April* one thousand seven hundred and fifty-eight, there shall be yearly raised, levied and paid, unto his Majesty, his Heirs and Successors, the Sum of one Shilling, over and above all other Duties already charged or payable, for every twenty Shillings of the yearly Value or Amount of all Salaries, Fees and Perquisites, incident unto, or received for or in respect of, all Offices and Employments of Profit in *Great Britain*; and the like Sum of one Shilling for every twenty Shillings, of all Pensions and other Gratuities payable out of any Revenue belonging to his Majesty in *Great Britain*, exceeding the Value of one hundred Pounds *per Annum*.

Employments of Profit, Pensions and Gratuities, exceeding 100 *l.* per Annum, to pay 1 *s.* per Pound,

Duty on such as are payable at the Exchequer, to be deducted and stopt by the Officers there;

II. And for the better raising, levying and receiving the said several Sums of Money and Duties hereby charged for and upon the said Offices and Employments of Profit; and for and upon the Pensions and Gratuities aforesaid; and for the more effectual putting of this Act in Execution in reference to the same, it is hereby declared and enacted, That a Deduction shall be made of the said Sum of one Shilling out of every twenty Shillings, payable for or in respect of the Salary, Wages or Fees, of any Offices and Employments payable by the Crown in *Great Britain*, which exceed one hundred Pounds *per Annum*; and for or in respect of any Pension or Gratuity which is or shall be payable out of any Revenue belonging to his Majesty in *Great Britain*, exceeding the Value of one hundred Pounds *per Annum*; and that the Money so deducted by the Officers of his Majesty's Exchequer in *England*, shall remain there for the Purposes herein after declared; and such Part of the said Money as shall be so deducted by any Officer or Officers of the Dutchies of *Lancaster* and *Cornwall*, or by any other Commissioners, Officers and Persons, by whom the said Salaries, Wages, Fees, Pensions and Gratuities, are or shall be respectively payable in *England*, shall be by them paid into the Receipt of his Majesty's Exchequer at *Westminster*; and such Part of the said Money as shall be so deducted by any of the Officers of the Court of Exchequer in *Scotland*, or by any Commissioners, Officers, or other Persons, by whom the said Salaries, Wages, Fees, Pensions and Gratuities, are or shall be respectively payable in *Scotland*, shall be paid at the City of *Edinburgh*, to such Person or Persons as the Commissioners of the Treasury, or the High Treasurer of *Great Britain* for the time being, shall constitute and appoint to be Receiver General, or Receivers thereof, for his Majesty's Use; which said General Receiver or Receivers shall pay the same into the Receipt of his Majesty's Exchequer at *Westminster*; and the Officers of the Exchequer are hereby directed and required to keep separate and distinct Accounts of all Sums of Money by them respectively retained or received, for or in respect of the said Duty on Offices, and on Pensions and other Gratuities, by virtue of this Act, in order that the same may be applied to the Purposes in this Act mentioned, and to and for no other Use or Purpose whatsoever.

and such as shall be deducted at other publick Offices, to be paid over into the Exchequer; and such as shall be deducted in Scotland, to be paid to the Receiver General in Edinburgh, and by him into the Exchequer at Westminster.

Officers of the Exchequer to keep a separate and distinct Account of the Money retained and received by them.

'III. And whereas the Profits of several Offices and Employments in *Great Britain*, arise in the Whole, 'or in Part, from Perquisites, which are due and payable in the Course of Office;' It is hereby further enacted, That such Part of the Sums of Money hereby granted, as are payable for or in respect of the Profits of any Office or Employment, in any Part of *England*, *Wales*, and *Berwick* upon *Tweed*, which arise from such Perquisites, shall be computed, raised, levied and paid, according to the annual Value at which such Profits stand valued and rated in the last Assessment to the Land Tax.

Profits of Offices to be computed and pay as they were rated to the last Land Tax.

IV. Provided always, That such Profits arising from such Perquisites as aforesaid, shall be deemed and taken to have been valued and rated in such last Assessment to the Land Tax, at so much only, as the entire Sum, at which any such Office was valued and rated in the said Assessment, does exceed the Amount of the Salary, Wages or Fees, payable as aforesaid, in respect of the same Office.

Profits to be deemed rated to the Land Tax, at so much only, as the entire Sum charged exceeds the Salary.

V. And be it further enacted by the Authority aforesaid, That for the better rating, ordering, levying and collecting of the Duty by this Act charged, upon such Perquisites of such of the said Offices or Employments as are in that Part of *Great Britain* called *England*, *Wales*, and *Berwick* upon *Tweed*; and for the more effectual putting of this Act in Execution, in reference to the same; the Commissioners of the Land Tax for the time being, within the several Counties, Cities, Boroughs, Cinque Ports, Towns and Places of *England*, *Wales*, and Town of *Berwick* upon *Tweed*, shall be Commissioners for putting so much of this Act in Execution, as relates to the Duty hereby charged upon the Perquisites of Offices.

Commissioners of the Land Tax to put so much of this Act in Execution as relates to the Duties upon Perquisites of Offices.

VI. And be it further enacted and declared, That the several Commissioners aforesaid, shall meet together at the most usual and common Places of Meeting within each of the said Counties, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places respectively, within *England*, *Wales*, and Town of *Berwick* upon *Tweed*, for which they are appointed Commissioners as aforesaid, yearly on or before the third Day of *July*, and afterwards in like Manner, as often as it shall be necessary for putting so much of this Act in Execution, as is hereby committed to their Care and Charge; and the said Commissioners, or so many of them as shall be present at such Meeting or Meetings, or the major Part of them, are hereby authorized and required, to put so much as aforesaid of this present Act in Execution, and shall also, if they see Cause, subdivide and distribute themselves, and the other Commissioners not then present, into less Numbers, so as three or more of the said Commissioners may be appointed for the Service of each Hundred, Lathe, Wapentake, Rape, Ward, or other Division, as may best conduce to the carrying on his Majesty's Services, hereby required; nevertheless, not thereby to restrain the said Commissioners, or any of them, from acting as Commissioners in any other Part of the County or Place for which they are appointed: And the said Commissioners, within the several Hundreds, Lathes, Wapentakes, Rapes, Wards, or other Divisions, in *England*, *Wales*, and *Berwick* upon *Tweed*, or any two or more of them, are hereby authorized and required at such General Meeting, or within eight Days after, according to the best of their Judgments and Discretions, to ascertain and set down in Writing, in a Rate to be prepared by them for that Purpose, the Amount of the said Duty of one Shilling in the Pound, to be paid in pursuance of this Act, by all Commissioners or other Officers, their Clerks, Agents, Secondaries, Substitutes, and other inferior Ministers and Persons whatsoever, having, using or exercising any of the said Offices or Employments, the Salary, Wages, Fees and Perquisites whereof exceed the Value of one hundred Pounds *per Annum*, within their respective Hundreds, Lathes, Wapentakes, Rapes, Wards, or other Divisions, in Proportion to the annual Value at which the Profits of such Offices or Employments respectively stand valued and rated, in the last Assessment to the Land Tax, for the said respective Hundreds and Divisions respectively: And to the End the aforesaid Duty on such Perquisites of Offices and Employments may be duly collected, and true Accounts thereof made, the said Commissioners, or any three or more of them, are hereby required and ordered, within the Time above limited, to sign and seal two Duplicates of the said Rates hereby directed to be made by them, and one of them to deliver, or cause to be delivered, to such Persons as shall then be Collectors of the Land Tax for each Parish and Place, or to such other two or more honest and responsible Persons, which the said Commissioners shall at their Discretion nominate and appoint to be Collectors of this present Duty, for each Parish or Place, with Warrant to the Collectors to collect the Sums contained in such Rates, respectively payable as aforesaid, so as the said several Sums may be paid to the Receiver General at the respective Times herein limited; and if any Person or Persons shall think himself or themselves aggrieved, by being over-rated by the said Commissioners, it shall and may be lawful to and for such Person or Persons, to appeal from the same to the Barons of his Majesty's Court of *Exchequer*, and the Barons of the said Court, or any one or more of them, is and are hereby authorized and required to hear and determine all such Appeals, on or before the last Day of *Michaelmas* Term yearly; and the said Collectors are hereby required, upon the Application of any Person or Persons who shall think himself or themselves over-rated to the said Rates, to permit such Person or Persons, or their Stewards or Bailiffs, or other proper Representatives, to inspect the Duplicates of such Rates, upon the Division or District of which he is Collector, at all seasonable Times in the Day, without any Fee or Reward for the same; and every Person so intending to appeal to the said Barons, shall, and he is hereby required to give Notice thereof in Writing, to one or more of the Collectors of the Parish wherein he is rated, of such his Intention to appeal; and it is hereby declared, that all Appeals once heard and determined by the said Barons, or any one or more of them, shall be final, without any further Appeal upon any Pretence whatsoever: And the said Commissioners are hereby required to deliver, or cause to be delivered, a Schedule or Duplicate in Parchment, under their Hands and Seals, fairly written, containing the whole Sum rated within each Parish or Place, unto the Receiver General of each County, Riding, City, Borough, Town and Place respectively in *England*, *Wales*, and *Berwick* upon *Tweed*, or his Deputy; and shall transmit, or cause to be transmitted, a like Schedule or Duplicate into the King's Remembrancer's Office of the Exchequer; and this the said Commissioners shall cause to be done, upon or before the first Day of *Hilary Term*, or within twenty Days after (all Appeals being first determined) for which Duplicates the Remembrancer, or his Deputy, shall give to the Person who brings the same, a Receipt in Writing *gratis*.

Commissioners to meet on or before 3d July yearly;

and subdivide themselves, &c.

Commissioners at their General Meeting, or within 8 Days after, to rate the Amount of the Duty payable on all Offices and Employments of Profit, in Proportion to the Value at which they stand rated to the last Land Tax.

Duplicates thereof to be signed, &c. by them, and one delivered to the Collectors, &c. with Warrant for collecting.

Persons aggrieved by being over-rated, may appeal to the Barons of the Exchequer.

Collectors to permit Inspection of the Rates,

Notice to be given them of Intention to appeal.

Appeals once heard and determined to be final.

A Duplicate in Parchment of the Rate to be delivered to the Receiver General; and one to the Remembrancer's Office, by the first Day of Hilary Term, or 20 Days after (all Appeals first determined.)

VII. And be it enacted by the Authority aforesaid, That the said Duty by this Act imposed upon Offices or Employments within that Part of the Kingdom of *Great Britain* called *England*, *Wales*, and *Berwick* upon *Tweed*, as aforesaid, shall in all respects (save as is herein otherwise enacted and provided) be raised, levied, collected and paid into his Majesty's Exchequer, for the Purpose in this Act expressed, in such and in like Form and Manner, and with such Allowances, and under such Penalties, Forfeitures and Disabilities, and according to such Rules, Methods and Directions, as are prescribed or appointed for raising, levying, collecting and paying the Aid commonly called *The Land Tax*, within *England*, *Wales*, and *Berwick* upon *Tweed*, in and by an Act of Parliament made and passed in this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-eight; and for enforcing the Payment of the Rates to be assessed upon* Somerset House *in the* Strand; and all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things contained in the said Act, for the raising, levying, collecting and paying the Rates or Duties thereby granted, within *England*, *Wales*, or *Berwick* upon *Tweed*, (so far forth as the same are not with respect to the Duties granted by this present Act varied and altered) shall be in full Force, and be duly observed, practised, and put in Execution, for raising, levying, collecting and paying the said Duty by this Act imposed on Offices and Employments, within *England*, *Wales*, and *Berwick* upon *Tweed*,

Duty to be raised, collected and paid, in like Manner, and with such Allowances, and under such Penalties, &c. as the Land Tax of this Session.

Tweed, as fully and effectually to all Intents and Purposes, as if the same or the like Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated and re-enacted in the Body of this present Act.

Their Royal Highnesses the Princess Dowager of Wales, and Prince of Wales, not chargeable, nor their Officers or Servants;

VIII. Provided always, and it is hereby declared, That this Act, or any Thing herein contained, shall not charge or be construed to charge her Royal Highness the Princess Dowager of *Wales*, or his Royal Highness the Prince of *Wales*, with the above mentioned Duty or Payment of one Shilling out of every twenty Shillings, by the Year, for or in respect of any Sums of Money or Annuities given or granted by his Majesty to their said Royal Highnesses, or the Officers or Servants attending their Persons; but that such Sums of Money and Annuities, and their Royal Highnesses and their Treasurers, or Receivers General for the time being, shall be free and clear of all Taxes, Impositions, and other Publick Charges whatsoever; any thing in this or any former Act to the contrary in any wise notwithstanding.

nor his Royal Highness the Duke of Cumberland, nor the Princess Royal, nor Princess Amelia.

IX. And be it further enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not charge or be construed, deemed or taken to charge his Royal Highness the Duke of *Cumberland*, or her Royal Highness the Princess Royal, or her Royal Highness the Princess *Amelia*, or the Officers or Servants attending their Persons, with the above mentioned Duty or Payment of one Shilling out of every twenty Shillings by the Year, for or in respect of any Annuities or yearly Payments granted or to be granted by his Majesty to their said Royal Highnesses, and their Servants, for the time being, in respect of the same; but that such Sums of Money or Annuities shall be free and clear from all Taxes, Impositions, and other Charges whatsoever.

Perquisites of Offices and Employments to pay where last assessed.

X. Provided always, and be it further enacted and declared by the Authority aforesaid, That for the avoiding all Obstructions and Delays in collecting the Duty by this Act to be rated upon the Perquisites of any Offices or Employments, the same shall pay and be rated in such County, Hundred, Rape, Wapentake, Constablewick, Division, or Place of Allotment, within *England*, *Wales*, and *Berwick* upon *Tweed*, in which the same were last assessed, and not elsewhere.

First Half-yearly Payment to be made on or before 10 October, and the last on or before 5 April yearly.

XI. And be it further enacted, That the first Half-yearly Payment of the said Assessments for *England*, *Wales*, and Town of *Berwick* upon *Tweed*, shall be levied, collected and paid unto the Receivers General of the said several Counties, Cities, and other Places, who shall be appointed as aforesaid, on or before the tenth Day of *October* yearly; and the last of the said Half-yearly Payments, on or before the fifth Day of *April* yearly.

Receiver General within a Month after receiving the full Sum charged, to give the Commissioners a Receipt; which shall be a full Discharge for Payment.

XII. And be it further enacted by the Authority aforesaid, That every Receiver General in *England*, *Wales*, and *Berwick* upon *Tweed*, from time to time, within the Space of one Month next after he shall have received the full Sum that shall be charged within any Hundred or Division, for such particular Payment that is to be made to such Receiver General by virtue of this Act, shall give to such Commissioners as shall act in such Division or Hundred, a Receipt under his Hand and Seal, acknowledging the Receipt of the full Sum charged within such Hundred or Division, for such particular Payments; which Receipt shall be a full Discharge to each Hundred or Division, for such particular Payment, against his Majesty, his Heirs and Successors; which said Receivers General are hereby required forthwith, or at furthest within twenty Days after the Receipt of any Money of the Taxes or Duties by this Act granted, to transmit or cause to be paid the Money by them received into the Receipt of his Majesty's Exchequer.

Receivers General within 20 Days to pay the Monies into the Exchequer.

Collectors keeping the Money in their Hands, or paying it otherwise than to the Receiver General, forfeit 40*l.*

XIII. And be it further enacted, That if any Collector of any Parish or Place in *England*, *Wales*, or *Berwick* upon *Tweed*, shall keep in his Hands any Part of the Money by him collected for any longer Time than is by this Act directed (other than the Allowance made unto him by this Act) or shall pay any Part thereof to any Person or Persons other than the Receiver General of such County or Place, or to his respective Deputy, that every such Collector shall forfeit for every such Offence the Sum of forty Pounds; and in case any Receiver General of any Part of *England*, *Wales*, or *Berwick* upon *Tweed*, or his Deputy, shall pay any Part of the Monies paid to him or them by any Collector by virtue of this Act, to any Person or Persons whatsoever, other than into the Receipt of his Majesty's Exchequer, and at or within the respective Times limited by this Act; or in case any such Receiver General of any Part of *England*, *Wales*, or *Berwick* upon *Tweed*, or his Deputy, shall pay any Part of the said Monies by any Warrant of the High Treasurer, Commissioners of the Treasury, or Under-Treasurer, for the time being, or upon any Tally of Pro, or Tally of Anticipation, or other Way or Device whatsoever, whereby to divert or hinder the actual Payment thereof into the Receipt of the Exchequer, as aforesaid; then every such Receiver General shall, for every such Offence of himself, or his Deputy, forfeit the Sum of five hundred Pounds to him or them that shall sue for the same in any Court of Record, by Bill, Plaint or Information; wherein no Essoin, Protection or Wager of Law is to be allowed.

Receiver General, or his Deputy, paying the Money otherwise than into the Exchequer, forfeit 500*l.*

Commissioners of the Land Tax in Scotland, to put this Act in Execution there;

XIV. And be it further enacted by the Authority aforesaid, That the Commissioners of the Supply for the time being, for putting in Execution any Act for raising the Aid commonly called *The Cess*, or *Land Tax*, within the several Shires of *Scotland*, or such of them who have qualified, or shall qualify themselves, according to the Laws of *Scotland* in that Behalf, shall be Commissioners for ordering, raising and levying the Duty hereby granted on the Perquisites of Offices and Employments exercised within the same Shires, or within any Boroughs within the same respectively; which said Commissioners shall put in Execution this present Act, and the Powers therein contained, within and for the same Shires and Boroughs respectively; and the said Commissioners have hereby Power to chuse their own Clerk, and to do every thing concerning the said Supply, as is prescribed and appointed by the Cess Act of the sixth of *November* one thousand seven hundred and six, and other Acts made in any former Parliament of *Scotland*, to which the said Act of the sixth of *November* one thousand seven hundred and six doth relate, holding the same as if herein repeated.

according to the Cess Act of 6 Nov. 1706, &c.

Execution to be done as by the said Act is prescribed.

XV. And it is hereby further enacted, That Execution shall be done in *Scotland* for bringing the said Duty to be raised there, as is provided by the same Acts in all Points not altered by this Act; and that the first

Meeting

Meeting of the said Commissioners for Shires in *Scotland*, shall be at the respective Head Burghs thereof, the second *Monday* in *July* in every Year; and that the Sheriffs, or their Deputies, do intimate the same to the said Commissioners of their Shires, with Power to the said Commissioners, to appoint the subsequent Diets of their Meetings, and their Conveners, from time to time; and also to appoint Collectors, with such Caution as they shall think fit.

First Meeting to be at the Head Burghs on the second Monday in July yearly, &c.

XVI. And be it further enacted by the Authority aforesaid, That all Clauses contained in former Acts of Parliament of *Scotland*, and Convention of Estates there, in relation to the bringing in of the Cess, and quartering, and touching Riding Money, shall stand in full Force, as to the Supply now imposed upon *Scotland*, as if they were herein expressed, and as they were observed before the making this Act.

All Clauses in former Acts relating to the bringing in the Cess, &c. to be in Force as to the Supply herein granted.

XVII. And it is hereby further enacted, That the Clerk of the *Sheriff's Court* in each Shire in *Scotland*, shall yearly on or before the tenth Day of *June* deliver to the said Commissioners of Supply for such Shire, a true and exact List of all and every Office of Employment of Profit, exercised in such Shire, and in every Burgh within the same; and also do, and shall, within the Time aforesaid, deliver, or cause to be delivered, a Duplicate of such List, to the Deputy Remembrancer of his Majesty's Court of *Exchequer* in *Scotland*; and in case any Clerk of the *Sheriff's Court* shall neglect to deliver such List, or the Duplicate thereof, within the Time herein before mentioned, or shall wilfully omit out of such Lists, or the Duplicate thereof, any Office or Employment that ought to have been inserted therein, he shall, for every such Offence, forfeit the Sum of fifty Pounds Sterling.

Clerks of the Sheriff's Court to deliver yearly, on or before 10 June, to the Commissioners, Lists of all Offices of Profit in each Shire; and a Duplicate thereof to the Deputy Remembrancer of the Exchequer; on Penalty of 50l.

XVIII. And it is further enacted, That the said Commissioners in their respective Shires do, and shall yearly on or before the tenth Day of *July*, according to the best of their Judgments and Discretions, ascertain, and set down in Writing, in a Rate or Assessment to be prepared by them for that Purpose, the annual Value of all and every Office and Employment, exercised in such Shire, and in every Burgh within the same; and do therein rate and assess the said Sum of one Shilling for every twenty Shillings of the annual Value thereof, on the Officers and Persons who then do or shall execute any such Office or Employment, the Salary, Fees and Perquisites of Office whereof, exceed one hundred Pounds *per Annum*; and in case the said Commissioners of Supply for any Shire in *Scotland*, shall neglect to make such Rate and Assessment within the Time herein before limited for that Purpose, in that Case, the Sheriff Depute of the County shall, and is hereby required, on or before the twenty-fifth Day of *July* yearly, according to the best of his Judgment and Discretion, to make and perfect such Rate or Assessment in Writing; and a Note of the said respective Rates or Assessments, shall, within six Days after the making and perfecting thereof, be lodged by the Clerk of the Commissioners, or the said Sheriff Depute respectively, in the Hands of the Collector of the Cess or Land Tax, for the time being, for each County and Burgh within *Scotland*, who shall be, and is hereby appointed, impowered and required, to be Collector thereof; and every such Collector of the Cess or Land Tax, and his Cautioners or Security, shall be bound *ipso facto*, by virtue of this Act, for the due and faithful Performance by such Collector, of all Parts of the Duty of the Office hereby committed to him in respect of the said Rates and Assessments, and that under the Penalty of one hundred Pounds Sterling; and that every such Collector of the Cess shall be intitled to have an Allowance from the Receiver General of the Sum of three Pence *per* Pound of the Money by him collected and paid over to such Receiver General; and the Persons so rated and charged with the said Duty on their respective Offices and Employments, shall, by themselves, or others for their Behoof, pay in the Duty with which they were charged, on or before the tenth Day of *October* yearly, for the Half-year betwixt *Whitsunday* and *Martinmas*, and on or before the fifth Day of *April* yearly, for the Half-year betwixt *Martinmas* and *Whitsunday*, to the Collector of the Cess, personally, or at his Office by him held for the receiving the Land Tax; unless such Person shall enter an Appeal against the Assessment made, in which Case such Appeal shall be discussed before Payment, in Manner herein after provided; and in case of Appeal, such Payment shall be made within ten Days after discussing or dismissing such Appeal, in the Manner herein after provided; and that every Person so rated and assessed shall, in case of his not paying in the Duties with which he is charged, to the Collector of the Cess, upon the Day upon which he is hereby appointed to pay the same, or within three Days after, forfeit treble the Value and Extent of the Duty with which he stands charged.

Commissioners on or before 10 July yearly, to rate the annual Value of all Offices and Employments; and assess in 1 s. per Pound, all such as shall exceed 100 l. per Annum.

On Commissioners Neglect, Sheriff Depute to make such Rate.

Note of the Rate, within 6 Days after the making, to be delivered to the Collector of the Land Tax.

Collector bound in 100 l. Penalty for the faithful Performance of his Duty.

Collectors to have 3 d. in the Pound for their Trouble.

Duty to be paid Half-yearly, on or before 10 October, and 5 April, except in Cases of Appeal, and then within 10 Days after hearing the same; on Forfeiture of treble the Value.

XIX. And be it further enacted, That it shall be in the Power of the Persons liable to, and assessed for the Duty aforesaid, in case they shall conceive themselves to be injured by the Assessment and Charge made upon them by the said Commissioners of Supply or Sheriff Depute; or to the Collectors, or any other Officer of the Crown, if he shall judge the Crown to be lesed by the Assessment or Charge made; to appeal to the Barons of the Court of *Exchequer* in *Scotland*, who are to determine finally all such Appeals on or before the last Day of Term of *Martinmas* yearly; and every such Appellant shall, within the Space of ten Days after the Note in Writing of his Charge being delivered to him, or left at his House, by the Collector by himself, or some other Person acting on his Behalf, deliver, or cause to be delivered, to the Collector of the Cess, at his Office, a Note in Writing of the Wrong or Grievance of which such Person complains, and whereof he shall be minded to seek Redress by Appeal; and such Collector is hereby to make an Entry, to be kept by him for that Purpose, of all such Notices given to him.

Appeal may be made in Behalf of the Subject, or of the Crown, to the Barons of the Exchequer.

All Appeals to be determined on or before the last Day of Martinmas Term.

Notice to be given to Collector of the Intention and Cause of Appeal; who is to make an Entry thereof.

XX. And be it further enacted, That in case the Party giving such Notice of an Appeal or Complaint, shall neglect to insist thereon before the said Barons within the Time before limited, then and in that Case such Complaint or Appeal shall be held to be fallen from, and the Charge or Assessment therein referred to shall

Appeal if not prosecuted within due Time,

or if the Assessment be affirmed, Appellant forfeits to the Collector 20s.

shall stand in full Force; and in all Cases of Appeals fallen from, or upon hearing whereof the said Barons shall not vary the Rate, the Barons shall and may order the Appellant to pay to the Collector any Sum not exceeding twenty Shillings Sterling, as they shall think proper, as and for the Costs he may have been at by reason of such Appeal.

Duty to be paid where the Offices are exercised;

XXI. And it is hereby enacted by the Authority aforesaid, That every Person rated or assessed for any Office or Employment in *Scotland*, shall be rated, and pay for his said Office or Employment in the Shire where the same shall be exercised, although the Revenue or Profits arising by such Office or Employment are payable elsewhere.

and to be raised free of all Charges, other than as before allowed, and to be paid to the Receiver General at Edinburgh, and by him into the Exchequer.

XXII. And it is hereby declared and enacted by the Authority aforesaid, That the Money imposed on Offices and Employments in *Scotland*, be raised in *Scotland* in the respective Shires, Stewartries, Cities and Boroughs, free of all Charges to his Majesty, save as is herein before mentioned; and shall in like Manner be paid at the City of *Edinburgh*, to such Person or Persons as the Commissioners of the Treasury, or the High Treasurer of *Great Britain* for the time being, shall constitute and appoint to be Receiver General or Receivers thereof, for his Majesty's Use; which said General Receiver or Receivers shall be answerable and accountable for the same to his Majesty in the Exchequer.

Where two or more Offices, exceeding together 100 l. per Ann. are exercised by one Person, such Person is to pay 1 s. per Pound for the same.

XXIII. Provided always, and it is hereby enacted, That where any Person shall have, use or exercise, two or more Offices or Employments in any Part of *Great Britain*, the Salary and Perquisites whereof together exceed the Sum of one hundred Pounds a Year, that such Person shall be rated and liable to pay the said Sum of one Shilling in the Pound for the Profits of such Offices and Employments notwithstanding the Salary and Perquisites of no one of the said Offices are of the Value of one hundred Pounds *per Annum*.

Military Officers, &c. of the Army or Navy, exempted from paying.

XXIV. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to the Pay of Commission or Non-commission Officers or Private Men serving in the Navy or Army.

Commissioners holding Offices liable to be rated, to withdraw, &c. till the rating thereof be settled by the rest of the Commissioners; on Penalty of 100 l.

XXV. Provided always, That no Commissioner of the Land Tax in *England*, *Wales* or *Berwick* upon *Tweed*, or Commissioner of the Supply in *Scotland*, who shall be possessed of any Office or Employment subject and liable to the Duty hereby imposed, shall sit or act, or any way interfere in rating his own Office or Employment, but shall withdraw until the rating thereof be settled and determined by the rest of the Commissioners then present; and in Default thereof the rest of the Commissioners then present shall have Power, and are hereby required to impose such Fine or Fines as to them shall be thought fit, upon such Commissioner so refusing to withdraw, or acting in his own Cause, not exceeding one hundred Pounds Sterling; and cause the same to be levied and paid as other Fines and Forfeitures to be imposed by virtue of this Act are to be levied and paid in *England* and *Scotland* respectively.

Duty on Fees, Salaries, &c. not paid, may be stopt at the publick Offices.

A true Account to be kept of the Money stopt, and Copies thereof to be given to the Collectors, if required.

XXVI. And be it enacted, That in all Cases where any Fees, Salaries, Wages or other Allowances or Profits on any Offices or Employments of Profit charged by this Act, shall be payable at the Receipt of the Exchequer, or by the Cofferer of his Majesty's Household, or out of any other publick Office, or by any of his Majesty's Receivers or Paymasters in *Great Britain*, the Duty or Payment which, in pursuance of this Act, shall be charged for or in respect of such Offices or Employments, shall and may (in case of Nonpayment thereof) be detained and stopped out of the same, or out of any Money which shall be paid upon such Fees, Salaries, Wages, Allowances or Profits, or for Arrears thereof, and be applied to the Satisfaction of the Duties not otherwise paid as aforesaid; and the proper Officers in the said Exchequer, and other the publick Offices aforesaid, shall keep true Accounts of all Monies stopped, and (upon Request) shall give Copies of such Accounts to the proper Collectors of such Monies for the respective Parishes or Places where the said Monies are rated by this Act.

'XXVII. And whereas divers Offices and Employments of Profit chargeable by this Act are executed 'by Deputy, and the principal Officers living in Places remote from the Division, Parish or Place, where 'such Offices or Employments are taxable, the Rates and Assessments for such particular Offices and Em-'ployments cannot be recovered without great Charge and Difficulty;' Be it therefore enacted by the Authority aforesaid, That where any Office or Employment of Profit chargeable by this Act, is or shall be executed by Deputy, such Deputy shall pay such Assessment as shall be charged thereon, and deduct the same out of the Profits of such Office or Employment; and in case of Refusal or Nonpayment thereof, such Deputy shall be liable to such Distress, as by this Act is prescribed against any Person having and enjoying any Office or Employment of Profit, and to all other Remedies and Penalties therein respectively contained.

Deputies to pay for Principals; and on Nonpayment are liable to Distress.

Separate Account to be kept of the Money paid into the Exchequer for Duties on Offices and Pensions.

XXVIII. Provided always, and be it further enacted by the Authority aforesaid, That there shall be provided and kept in his Majesty's Exchequer (that is to say) in the Office of the Auditor of the Receipt, one Book of Register, in which all the Money that shall be paid into the Exchequer for the Duties on Offices and Pensions hereby granted, shall be entered and registered apart and distinct from all other Monies paid and payable to his Majesty.

Penalties, Triple Values, and Forfeitures in Scotland, to be levied by Distress and Sale.

XXIX. And be it further enacted, That all Penalties, Triple Values and Forfeitures, incurred by virtue of this Act in *Scotland*, shall be recovered at the Suit of the respective Collectors by distraining or poynding, according to the Forms of the Law of *Scotland*, upon Warrants to be granted and subscribed by any two of the Commissioners for Supply, or by the Sheriff, or Depute Sheriff, of the County from whom such Warrant shall be required, and they are hereby respectively required to grant the same under the Penalty of ten Pounds Sterling *toties quoties*, upon Certificate made to them, or either of them, by the Collector of the Cess, that such Penalties or Forfeitures are incurred, and such Duties resting and not duly paid; which Warrants shall be executed by the Constables or Sheriff Officers of the County; and the Goods or Effects so poynded or distrained shall be valued and appraised by any two Persons to be appointed by the Sheriff Officer, or Constable, to value and appraise such Goods; which two Persons shall be obliged to value the

Distress to be appraised, &c.

same,

same, under the Penalty of forty Shillings Sterling for each Neglect or Refusal; and which Valuation shall be made upon the Ground, or at the House, where the same were poynded and distrained, and may and shall be sold and disposed of at the Value by the Officer or Constable who does poynd or distrain the same; and the Value to be applied, in the first Place, to the Satisfaction and Payment of the Duty, Triple Value, or Penalty, owing by the Person whose Goods are so poynded; and, in the second Place, to the Payment for the Trouble of the Officer or Constable so poynding, at the Rate of two Shillings *per* Pound of the Triple Value, Penalty or Forfeitures, for which the Goods shall be poynded or distrained, unless the Owner from whom the same were poynded or distrained, shall redeem the same by Payment of the appraised Value within the Space of four Days after the Poynding and Valuation, to the Officer who poynded the same; and in case any Surplus shall remain of the Price or Value, after Payment of the Penalty incurred, and after Payment of what is allowed to be retained by the Officer or Constable in Manner herein directed, such Surplus shall be returned to the Owner from whom the Goods were distrained; and in case no Purchaser or Buyer do appear at the said Sale, that the said Goods or Effects so poynded or distrained shall be consigned and lodged in the Hands of the Sheriff Depute of the County, or his Substitute; and if not redeemed by the Owner within the Space of four Days after the Consignment in the Hands of the said Sheriff, that the same shall be rouped, sold and disposed of, by Order of the Sheriff, in such Manner, and at such Time and Place, as he shall appoint; he always being liable to the Payment of the Triple Value of the Penalty or Penalties incurred, to the Collector of the Cess, and to the Officer or Constable who shall have poynded the same, for their Trouble and Expence as above stated, in case the Value of the Goods so sold shall amount to the Extent of the Penalties incurred, and to the Fees due to the Officer or Constable; and shall be in the third Place, intitled to one Shilling *per* Pound of the Value of the Goods so disposed of, for his own Pains and Trouble, after Preference and Allowance of the Penalties, and of what is appointed to be paid to the Officer or Constable so poynding, the Expence of preserving or maintaining the Goods or Cattle so poynded, during the four Days allowed to the Owner to redeem them, and the Expence of the Sale; and in like Manner the Expence shall be allowed to the Sheriff for preserving and maintaining the Goods or Cattle distrained, during the four Days that the Owner is allowed to redeem after Consignment in his Hands, as also the Expence of the Sale.

Application of the Penalties, &c.

Distress, if not redeemed within 4 Days, to be sold.

Surplus to be returned to the Owner.

If no Purchasers appear, the Distress to be lodged with the Sheriff Depute, &c. who is accountable to the Collector and Constable for the Penalties and Fees.

1 s. per Pound allowed to the Sheriff for his Trouble and Expence.

XXX. And be it further enacted, That the Officer or Constable who shall dispose of such Goods or Cattle so poynded, distrained and sold, shall be bound to pay in the Sums arising from the Sale, in so far as extends to the Penalties for which the same were poynded by the Collector of the Cess or Land Tax, within ten Days after the Receipt of the Price, allowing always what is above allowed for his own Pains and Expence; and that, in like Manner, if the Goods or Cattle distrained shall be disposed of by the Sheriff, as before directed, he shall, within four Days after Receipt of the Price, be obliged to pay in the same to the Collector of the Cess, after Deduction of what is appointed to be paid to the Officer or Constable who made the Poynding, and after Deduction of what is above allowed to be retained by him for his own Pains and Expence, and shall remain liable to the Collector of the Cess, until Payment, and subject to be poynded and distrained therefore, in the same Manner as is above provided with regard to any Person liable to Penalties in virtue of this Act.

Constable to pay over the Money arising by the Sale of the Distress, within 10 Days; and the Sheriff within 4 Days after Receipt thereof.

XXXI. And be it further enacted by the Authority aforesaid, That from and after the fifth Day of *April* one thousand seven hundred and fifty-eight, there shall be charged, raised, levied and paid, unto his Majesty, his Heirs and Successors, the several Rates and Duties upon Houses, Windows or Lights, herein after-mentioned; that is to say,

Rates charged upon Houses, Windows or Lights.

For and upon every Dwelling-house inhabited, which now is, or hereafter shall be, erected within that Part of *Great Britain* called *England*, the yearly Sum of one Shilling, over and above the yearly Sum of two Shillings already charged upon every such Dwelling-house.

viz. 1 s. additional Duty upon every Dwelling-house in England,

And for and upon every Dwelling-house inhabited, which now is, or hereafter shall be, erected within that Part of *Great Britain* called *Scotland*, the yearly Sum of one Shilling.

and 1 s. upon every Dwelling-house in Scotland;

And for every Window or Light in every Dwelling-house inhabited, or to be inhabited, within and throughout the whole Kingdom of *Great Britain*, which shall contain fifteen Windows or Lights, or upwards, the yearly Sum of six Pence for each Window or Light in such House, over and above, and by Way of Addition to, the several and respective Duties chargeable thereupon, by virtue of former Acts of Parliament made in that Behalf.

and 6 d. additional Duty for every Window or Light in every Dwelling-house containing 15 Windows, or more.

XXXII. And be it enacted by the Authority aforesaid, That the said several Duties by this Act imposed, within and throughout the said Kingdom of *Great Britain*, for and upon such Houses and such Windows or Lights as aforesaid, shall be raised, levied, collected and paid, into his Majesty's Exchequer, for the Purposes in this Act expressed, in such and like Form and Manner, and with such Allowances, and under such Penalties, Forfeitures and Disabilities, and according to such Rules, Methods and Directions, as are prescribed or appointed for raising, levying, collecting and paying the Duties on Houses, Windows or Lights, in and by two several Acts of Parliament made in the twentieth Year of his present Majesty's Reign, the one, intituled, *An Act for repealing the several Rates and Duties upon Houses, Windows and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights; and for raising the Sum of four Millions four hundred thousand Pounds by Annuities, to be charged on the said Rates or Duties*; and the other intituled, *An Act to enforce the Execution of an Act of this Session of Parliament, for granting to his Majesty several Rates and Duties upon Houses, Windows or Lights*; and in and by a certain other Act of Parliament, intituled, *An Act for explaining, amending and further enforcing the Execution of an Act passed in the last Session of Parliament, intituled*, 'An Act for repealing the several Rates and Duties upon Houses, Windows 'and

The said Duties to be raised, levied, collected and paid as the 3 several Acts of

20 Geo. 2. c. 3.

20 Geo. 2. c. 42.

and 21 Geo. 2. c. 10. prescribe with respect to

the Duties thereby granted.

'and Lights; and for granting to his Majesty other Rates and Duties upon Houses, Windows or Lights; 'and for raising the Sum of four millions four hundred thousand Pounds by Annuities, to be charged on the 'said Rates or Duties;' and all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things now in Force, contained in the said three several Acts of Parliament, or any of them, for the raising, levying, collecting and paying the Rates or Duties thereby granted, shall be in full Force, and be duly observed, practised and put in Execution, within and throughout the whole Kingdom of *Great Britain*, for raising, levying, collecting and paying the several Rates and Duties upon Houses, Windows or Lights, by this Act granted, as fully and effectually to all Intents and Purposes, as if the same or the like Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things, were particularly repeated and re-enacted in the Body of this present Act.

Houses in Scotland not having more than 5 Windows, exempted from the Duty on Houses.

XXXIII. Provided always, That no House or Cottage in that Part of *Great Britain* called *Scotland*, that has not more than five Windows or Lights, shall pay or be liable to pay the Duty of one Shilling imposed on each House by this present Act.

The Commissioners for executing the said 3 Acts, are to meet on or before 29 July, for putting this Act in Execution.

XXXIV. And be it further enacted by the Authority aforesaid, That the Commissioners authorized for putting in Execution the three said former Acts, or either of them, for all and every the respective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places respectively, within *Great Britain*, shall meet together at the most usual and common Place of Meeting, within such Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places respectively, within *Great Britain*, on or before the twenty-ninth Day of *July* one thousand seven hundred and fifty-eight; and shall then divide themselves to act in separate Districts, and proceed in the Execution of this present Act, for assessing, raising, levying and collecting the Duties hereby granted, in such and the same Manner, to all Intents and Purposes, as is prescribed by the three former Acts, or either of them, with respect to the Rates and Duties thereby imposed.

Annuities payable on the Monies to be raised by this Act, charged on the several additional and new Duties.

XXXV. And be it further enacted by the Authority aforesaid, That the several Annuities which by this Act shall be granted and made payable, with respect to the Principal Sum of five millions, to be raised in Manner and Form as is hereafter directed, shall be charged and chargeable upon, and payable out of the several additional and new Rates and Duties by this Act imposed upon Offices and Pensions, and upon Houses and Windows or Lights; and the said several additional and new Rates and Duties, are hereby appropriated for that Purpose accordingly.

'XXXVI. And whereas several Persons, Natives or Foreigners, and Bodies Politick or Corporate, have, 'in Books opened at the Bank of *England* for that Purpose, subscribed towards the said Sum of five mil- 'lions; four millions five hundred thousand Pounds, Part thereof, to be attended with Annuities after the 'Rate of three Pounds ten Shillings *per Centum per Annum*, and five hundred thousand Pounds, Residue 'thereof, to be raised by a Lottery, and attended with Annuities after the Rate of three Pounds *per Centum* '*per Annum*; and the said Subscribers or Contributors have, in pursuance of the Resolutions of the Com- 'mons of *Great Britain* in Parliament assembled, deposited with, or paid to the Cashier or Cashiers of the 'Governor and Company of the Bank of *England* for the time being, the Sum of ten Pounds *per Centum*, 'in Part of the Sums by them subscribed respectively, and are desirous to pay the remaining principal Sums 'by them subscribed as aforesaid, at the Times and in the Manner herein after appointed in that Behalf;'

Contributors who have already deposited 10 l. per Cent. of their Subscriptions, to the Cashier of the Bank, may pay the Remainder at the Times and in the Proportions limited in the Act.

Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all such respective Contributors who have already deposited with, or paid to the said Cashier or Cashiers of the said Governor and Company of the Bank of *England*, the Sum of ten Pounds for every one hundred Pounds by them subscribed respectively, to advance and pay unto the said Cashier or Cashiers, who is and are hereby appointed the Receiver and Receivers of such Contributions (without any further or other Warrant to be sued for, had or obtained in that Behalf) the Remainder of the several Sums so subscribed, at or before the respective Days or Times, and in the Proportions in this Act limited in that Behalf.

'XXXVII. And whereas it is intended that all such Contributors to the said Sum of five millions, who 'shall have subscribed for five hundred Pounds, shall be intitled to four hundred and fifty Pounds, in An- 'nuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, transferrable at the Bank of 'England, subject to such Reduction as is hereafter mentioned; and to fifty Pounds in Lottery Tickets, to 'be attended with Annuities (transferrable also at the Bank of *England*) after the Rate of three Pounds *per* 'Centum per Annum, and so in Proportion for a greater or less Sum;' Be it enacted by the Authority aforesaid, That all such Contributors who have so made the said Deposit of ten Pounds *per Centum*, in Part of the Sums by them severally subscribed, as a Security for making their future Payments, shall make the same accordingly, at or before the respective Days or Times, and in the Proportions in this Act limited in that Behalf; that is to say, In respect of their proportional Share of the said Sum of four millions five hundred thousand Pounds, fifteen Pounds *per Centum*, on or before the thirtieth Day of *May* one thousand seven hundred and fifty-eight; fifteen Pounds *per Centum*, on or before the twenty-eighth Day of *June* then next ensuing; fifteen Pounds *per Centum*, on or before the twenty-seventh Day of *July* then next ensuing; fifteen Pounds *per Centum*, on or before the thirtieth Day of *August* then next ensuing; fifteen Pounds *per Centum*, on or before the twenty-seventh Day of *September* then next ensuing; and the remaining fifteen Pounds *per Centum*, on or before the twenty-sixth Day of *October* then next ensuing: And in respect of their proportional Share of the said Sum of five hundred thousand Pounds, twenty Pounds *per Centum*, on or before the tenth Day of *June* one thousand seven hundred and fifty-eight; fifteen Pounds *per Centum*, on or before the tenth Day of *July* then next ensuing; fifteen Pounds *per Centum*, on or before the nineteenth Day of *August* then next ensuing; twenty Pounds *per Centum*, on or before the ninth Day of *September* then next ensuing; and the remaining twenty Pounds *per Centum*, on or before the ninth Day of *October* then next following: And that all such Contributors for or in respect of nine equal tenth Parts of the Sums so by them subscribed, shall be intitled to their proportional Share of Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, subject as aforesaid; and for and in respect of the remaining one Tenth of the Sum so subscribed,

Times of Payments in respect of the Sum of 4,500,000 l. subscribed towards Annuities.

Times of Payments in respect of the Sum of 500,000 l. towards the Lottery.

Annuities to bear 3 l. 10 s. per Cent. Interest;

subscribed, to as many Lottery Tickets as the said tenth Part of the Sum so subscribed shall purchase, after the Rate of ten Pounds for each Ticket; and that every such Contributor or Adventurer for every Sum of ten Pounds so advanced, for the Purchase of a Lottery Ticket, shall be intitled to such Lot, and to such Annuity, after the Rate of three Pounds *per Centum per Annum*, as is herein after directed and appointed.

and Tickets 3*l.* per Cent.

XXXVIII. And be it further enacted by the Authority aforesaid, That the several Contributors, their Executors, Administrators, Successors and Assigns, in respect of the said Sum of four millions five hundred thousand Pounds, Part of the said Principal Sum of five millions, shall be intitled to Annuities after the Rate of three Pounds ten Shillings *per Centum per Annum*, for the Term of twenty-four Years, to commence and be computed from the fifth Day of *July* one thousand seven hundred and fifty-eight; and from and after the End and Expiration of the said Term of twenty-four Years, to Annuities after the Rate of three Pounds *per Centum per Annum*, until Redemption thereof by Parliament, in Manner herein after mentioned; and that such Annuities shall be paid half-yearly, on the fifth Day of *January* and the fifth Day of *July*, by even and equal Portions; and that the Annuities which shall become due and payable to the said Contributors, their Executors, Administrators, Successors and Assigns, at the Rate of three Pounds *per Centum per Annum*, in respect of the said Principal Sum of five hundred thousand Pounds, Residue of the said Principal Sum of five millions, shall commence and be computed from the fifth Day of *January*, which shall be in the Year of our Lord one thousand seven hundred and fifty-nine, and shall, from time to time, be paid half-yearly, on the fifth Day of *July* and the fifth Day of *January*, by equal and even Portions; the first Payment thereof to be due and payable for the half Year ended the fifth Day of *July*, which shall be in the Year of our Lord one thousand seven hundred and fifty-nine.

Annuities to commence from 5 July 1758.

First Payment of Interest to be on 5 Jan. 1759, and payable half-yearly.

Interest on Lottery Tickets to commence on 5 Jan. 1759, and afterwards to be paid Half-yearly.

XXXIX. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers who shall have received or shall receive any Part of the Sums so paid by Way of Deposit, or otherwise, in respect of the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, shall forthwith give Receipts in Writing signed by himself or themselves, to every such Contributor, for all such Sums; and that the Receipts to be given for any Sums paid in respect of the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, shall be assignable, by Indorsement thereupon made, at any Time before the thirtieth Day of *October* one thousand seven hundred and fifty-eight, and no longer.

Cashier to give Receipts for Money paid in,

the same made assignable.

XL. Provided always, That such Cashier or Cashiers shall give Security, to the good Liking of any three or more of the Commissioners of the Treasury now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the publick Use, all the Monies which they shall have already received by Way of Deposit or otherwise, or shall hereafter receive from time to time, of or for the said Sum of five millions, and for accounting duly for the same, and for Performance of the Trusts hereby in them reposed; and shall from time to time so pay all such Monies as soon as they shall receive the same, or any Part thereof, or within five Days afterwards at the farthest, and shall account for all Monies so received by him or them, in the Exchequer, according to the due Course thereof, deducting thereout such Sums as shall have been paid by him or them in pursuance of this Act, in Manner herein after mentioned; for which Sums so paid, Allowance shall be made in his or their Accounts.

Cashier to give Security;

and to pay in the Monies into the Exchequer.

XLI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of his Majesty's Treasury now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury, from time to time, to issue and apply all such Sums of Money as shall so be paid into the Receipt of his Majesty's Exchequer by the said Cashier or Cashiers, to such Services as shall then have been voted by the Commons of *Great Britain* in this Session of Parliament, and not otherwise.

Treasury to apply the Monies to the Services voted by the Commons.

XLII. And be it further enacted by the Authority aforesaid, That in the Office of the Accountant General of the said Governor and Company of the Bank of *England* for the time being, there shall be provided and kept a Book or Books, in which shall be fairly entered the Names of all such Contributors as aforesaid; and it shall and may be lawful to and for the said respective Contributors, their Executors, Administrators, Successors and Assigns, from time to time, at all seasonable Times, to have Resort to and inspect the said Book or Books, without any Fee or Charge: And that the said Accountant General for the time being, shall, on or before the twenty-fifth Day of *March* one thousand seven hundred and sixty, transmit an attested Duplicate, fairly written on Paper, of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

Contributors Names to be entered in a Book;

the same to be inspected gratis.

Duplicate thereof to be transmitted to the Exchequer.

XLIII. And it is hereby enacted by the Authority aforesaid, That all such Contributors duly paying the whole Sums by them respectively subscribed at or before the respective Days and Times in this Act before limited in that Behalf, their respective Executors, Administrators, Successors and Assigns, shall have, receive and enjoy their proportional Share of the respective Annuities of three Pounds ten Shillings *per Centum per Annum*, and three Pounds *per Centum per Annum*, out of the Monies by this Act herein after appropriated for Payment thereof, and shall have good and sure Estates and Interests therein for ever; subject nevertheless to the Terms and Provisoes of Reduction and Redemption in this Act herein contained concerning the same respectively.

Contributors making good their Payments, to have sure Estates in the Annuities.

XLIV. And be it further enacted by the Authority aforesaid, That all such Contributors, their Executors, Administrators, Successors and Assigns, paying in the Whole or any Part of the Sums by them subscribed respectively, previous to the Days appointed for the respective Payments herein before directed, as well in respect to their proportional Share of the said Sum of four millions five hundred thousand Pounds, as of the said Sum of five hundred thousand Pounds, shall be intitled to an Allowance of so much Money as the Interest of the several Sums so previously paid after the Rate of three Pounds *per Centum per Annum*, shall amount to, from the Days on which such previous Payments shall have been actually made, to the respective Times on which such Payments are directed to be made; such Allowance to be paid, by the said Cashier or Cashiers out of the Monies contributed towards the said Sum of five millions, as soon as such re-

Contributors making their Payments previous to the Times limited, to be allowed Interest for the same, &c.

spective Contributors, their Executors, Administrators, Successors and Assigns, shall have completed their Payments herein before directed to be made; and that as soon as any Contributors, their Executors, Administrators, Successors and Assigns, shall have completed their Payments of the whole Purchase Money payable by them respectively for any such Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, the Principal Sum or Sums by them subscribed and paid for the Purchase of such Annuities, shall forthwith be placed to the Credit of the said Contributors, their Executors, Administrators, Successors and Assigns, completing the said Payments, and made transferrable in the Books of the Bank of *England*, to be kept for that Purpose; and that after any Contributors, their Executors, Administrators, Successors and Assigns, shall have completed their Payments of the whole Purchase Money payable by them respectively for any such Annuities, after the Rate of three Pounds *per Centum per Annum*, Lottery Tickets to the Amount of the Principal Sum or Sums by them subscribed and paid for the Purchase thereof, at the Rate of ten Pounds for each Ticket, shall, as soon as they can conveniently be made out, be delivered to such Contributors, their Executors, Administrators, Successors and Assigns.

Contributors not making good their Payments within the Times limited, to forfeit their Deposits.

XLV. Provided always, That in case any such Contributors who have already deposited with or paid to the said Cashier or Cashiers, any Sum or Sums of Money, at the Times and in the Manner before mentioned, in Part of the Sums so by them subscribed, or their respective Executors, Administrators, Successors or Assigns, do not advance and pay to the said Cashier or Cashiers, the Residue of the Sums so by them subscribed, at the Times and in the Manner before mentioned; then and in every such Case, so much of the Sum so subscribed as shall have been actually paid in Part thereof, to the said Cashier or Cashiers, shall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Annuities, &c. charged on the Sinking Fund.

XLVI. And be it further enacted by the Authority aforesaid, That all the several Annuities which by this Act are granted and made payable, until Redemption thereof by Parliament, in Manner herein after mentioned, shall be charged and chargeable upon, and payable out of, such Fund or Funds as are by this Act established for Payment thereof; and if at any Time or Times it shall happen that the Produce of the Fund or Funds so established for Payment of the said several Annuities, shall not be sufficient to pay and discharge the several and respective Annuities, and other Charges, directed to be paid thereout at the End of any or either of the respective half-yearly Days of Payment, at which the same are hereby directed to be paid, then and so often, and in every such Case, such Deficiency or Deficiencies shall and may be supplied out of any of the Monies which at any Time or Times shall be or remain in the Receipt of the Exchequer, of the Surpluses, Excesses, Overplus Monies and other Revenues, composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any former Act or Acts of Parliament, in that Behalf) and such Monies of the said Sinking Fund shall and may be, from time to time, issued and applied accordingly; and if at any Time or Times before any Monies of the several Rates and Duties and Sums of Money hereby granted, shall be brought into the Exchequer as aforesaid, there shall happen to be a Want of Money for paying the several Annuities as aforesaid, which shall be actually incurred, and grown due at any of the half-yearly Days of Payment before mentioned, that then and in every such Case, the Money so wanted shall and may be supplied out of the Monies of the Sinking Fund (except as before excepted) and be issued accordingly.

Sinking Fund to be replaced out of the first Supplies.

XLVII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be issued out of the Sinking Fund, shall, from time to time, be replaced by and out of the first Supplies to be then after granted in Parliament.

Annuities, &c. charged on the Sinking Fund.

XLVIII. Provided always, and be it enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Monies arising by the said Fund or Funds by this Act established for Payment of the said Annuities, after the said several and respective Annuities and all Arrears thereof are satisfied, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall, from time to time, be reserved for the Disposition of Parliament, and shall not be issued but by the Authority of Parliament, and as shall be directed by future Act or Acts of Parliament; any thing in any former or other Act or Acts of Parliament to the contrary notwithstanding.

Managers and Directors of the Lottery to be appointed by the Treasury.

XLIX. And, for establishing a proper Method for drawing the said Lottery; Be it further enacted by the Authority aforesaid, That such Persons as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury, for the time being, shall appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the drawing of Lots, and to order, do and perform, such other Matters and Things, as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers and Directors shall meet together from time to time, at some Public Office or Place, for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns; and upon the Innermost of the said three Columns, there shall be printed fifty thousand Tickets, hereby intended to be made forth, to be numbered, one, two, three, and so onward, in an arithmetical Progression, where the common Excess is to be one, until they rise to and for the Number of fifty thousand; and upon the Middle Column in every of the said Books, shall be printed fifty thousand Tickets of the same Breadth and Form, and numbered in like Manner; and in the Extream Column of the said Books, there shall be printed a third Rank or Series of Tickets, of the same Number with those of the other two Columns; which Tickets shall severally be of an oblong Figure; and in the said Books shall be joined with oblique Lines, Flourishes or Devices, in such Manner as the said Managers and Directors, or the major Part of them, shall think most safe and convenient; and that every Ticket in the third or Extream Column of the said Books shall have written or printed thereupon (besides the Number of such Ticket, and the present Year of our Lord Christ) Words to this Effect:

Books to be prepared with 3 Columns, in each of which 50 000 Tickets to be printed.

Tickets to be of an oblong Form, and joined with oblique Lines, &c.

Tickets in the 3d. Column to have the Words following printed on them.

THE

'THE Bearer hereof is intitled to six Pounds, Part of the Joint Stock of Annuities after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*, or to a better Chance.'

Managers to examine the Books with the Tickets, and deliver them to the Cashier, and take a Receipt for the same.

L. And it is hereby enacted, That the said Managers and Directors, or so many of them as shall be present at such Meeting, or the major Part of them then present, shall carefully examine all the said Books, with the Tickets therein, and that the same be contrived, numbered and made, according to the true Intent and Meaning of this Act, and shall deliver or cause to be delivered the same Books, and every or any of them, as they shall be examined, to the said Cashier or Cashiers, taking from such Cashier or Cashiers, an Acknowledgment in Writing under his or their Hands, importing his or their Receipt of such Book or Books, and so many Tickets therein as shall be delivered to him or them; and the said Cashier or Cashiers is and are hereby directed and required, upon his and their receiving every or any intire Sum of ten Pounds, in full Payment of a Ticket, from any Person or Persons contributing or adventuring as aforesaid, to cut out of the said Book or Books so to be put into his or their Custody, through the said oblique Lines, Flourishes or Devices, indentwise, one of the Tickets in the said Extream Columns, which the said Cashier or Cashiers shall sign with his or their own Name or Names; and such Cashier or Cashiers shall permit the Contributors or Adventurers, if it be desired, to write his or her Name or Mark on the corresponding Ticket in the same Book; and at the same Time the Cashier or Cashiers shall deliver to the said Contributor or Adventurer the Ticket so cut off, which he, she or they, are to keep and use for the better ascertaining and securing of the Interest which he, she or they, his, her or their Executors, Administrators, Successors or Assigns, shall or may have in the said Fund, for the Monies so contributed or adventured, until Redemption thereof, in Manner herein after mentioned.

Cashier to give a Ticket for every Sum of 10 l. paid in, and permit the Adventurer to write his Name on the corresponding Ticket.

Cashier to redeliver the Books to the Managers, by 14 October 1758, and account for the Sums received.

LI. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers, on or before the fourteenth Day of *October* one thousand seven hundred and fifty-eight, shall re-deliver to the said Managers and Directors, at their said Office or Place of Meeting, all the said Books, and therein all the Tickets which the said Cashier or Cashiers shall not have cut out and delivered to the Contributors or Adventurers for their Monies as aforesaid; and shall then and there also deliver to the said Managers and Directors, a true and just Account in Writing under his or their Hands, of all Sums of Money accrued or come to the Hands of such Cashier or Cashiers, by or for the Tickets delivered or to be delivered out pursuant to this Act, and how the same, or how much thereof, shall have been actually paid by such Cashier or Cashiers into the Receipt of the Exchequer, for the Purposes in this Act expressed; and that the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, shall forthwith cause all the Tickets of the said Outermost Columns which shall not have been delivered to the Contributors as aforesaid, if any such be, to be delivered into the Receipt of his Majesty's Exchequer, there to be retained and kept as Cash, to be issued, sold and disposed of, for raising Money for the Purposes in this Act mentioned, as the Commissioners of his Majesty's Treasury, or the High Treasurer for the time being, shall judge reasonable and fitting.

Tickets undisposed of to be returned into the Exchequer.

Tickets of the Middle Column to be rolled up, and tied; and cut off indentwise into a Box marked with the Letter (A)

Box to be locked up and sealed.

LII. And be it further enacted, That the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, shall cause all the Tickets of the Middle Columns in the Books made out in three Columns as aforesaid, which shall be delivered back to them by or from the said Cashier or Cashiers as aforesaid, to be carefully rolled up and made fast with Thread or Silk; and the said Managers or Directors, or the major Part of them as aforesaid, shall, in their Presence, and in the Presence of such Contributors or Adventurers as will be there, cause all the said Tickets which are to be so rolled up and made fast as aforesaid, to be cut off indentwise through the said oblique Lines, Flourishes or Devices, into a Box to be prepared for that Purpose, and to be marked with the Letter (A) which is presently to be put into another strong Box, and to be locked up with seven different Locks and Keys, to be kept by as many of the said Managers, and sealed with their Seals, or the Seals of some of them, until the said Tickets are to be drawn, as is herein after mentioned; and that the Tickets in the first or innermost Columns of the said Books shall remain still in the Books for discovering any Mistake or Fraud (if any such should happen to be committed) contrary to the true Meaning of this Act.

Books to be prepared with 2 Columns, on each of which 50,000 Tickets to be printed.

LIII. And be it further enacted by the Authority aforesaid, That the said Managers and Directors, or the major Part of them, which shall be present at any Meeting as aforesaid, shall also prepare, or cause to be prepared, other Books, in which every Leaf shall be divided or distinguished into two Columns, and upon the Innermost of those two Columns, there shall be printed fifty thousand Tickets, and upon the Outermost of the said two Columns there shall be printed fifty thousand Tickets; all which shall be of equal Length and Breadth as near as may be; which two Columns in the said Books, shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off indentwise, and that six thousand five hundred Tickets, Part of those to be contained in the Outermost Columns of the Books last-mentioned, shall be, and be called, the Fortunate Tickets, to which extraordinary Benefits shall belong, as is herein after-mentioned; and the said Managers and Directors, or the major Part of them, or such of them as shall be present at a Meeting as aforesaid, shall cause the said Fortunate Tickets to be written upon or otherwise expressed, as well in Figures as in Words at Length, in Manner following; that is to say, Upon two of them severally, ten thousand Pounds Principal Money; upon three of them severally, five thousand Pounds Principal Money; upon six of them severally, two thousand Pounds Principal Money; upon seventeen of them severally, one thousand Pounds Principal Money; upon every one of twenty-nine of them severally, five hundred Pounds Principal Money; upon every one of one hundred forty-two of them severally, one hundred Pounds Principal Money; upon every one of six hundred and twenty-six of them severally, fifty Pounds Principal Money; upon every one of five thousand six hundred and seventy-five of them severally, twenty Pounds Principal Money; which Principal Sums so to be written, or otherwise expressed, upon the said Fortunate Tickets, together with five hundred Pounds Principal Money to be allowed to the Owner of the first drawn Ticket, and one thousand Pounds Principal Money to the Owner of the last drawn Ticket, besides

The Number and Value of the Fortunate Tickets.

500 l. to the first drawn Ticket, and 1000 l. to the last drawn.

besides the Benefits which may happen to belong to the two last-mentioned Tickets, will amount in the Whole to the Principal Sum of two hundred thirty-nine thousand Pounds; which Sum being added to the Sum of two hundred sixty-one thousand Pounds (which will be the Principal payable according to the Intent and Meaning of this Act, on the remaining forty-three thousand five hundred Blank or Unfortunate Tickets, computed at the Rate of six Pounds for each Blank or Unfortunate Ticket) do amount together to the Principal Sum of five hundred thousand Pounds, being the Total Principal Sum to be converted into Annuities in pursuance of this Act, in respect of the said Lottery Tickets; and the said Managers and Directors, or the major Part of them, who shall be present at a Meeting as aforesaid, shall cause all the said Tickets contained in the Outermost Columns of the said last-mentioned Books, to be, in the Presence of the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, and in the Presence of such Contributors or Adventurers as will then be there, carefully rolled up and fastened with Thread or Silk, and carefully cut out indentwise through the said Flourish or Device, into another Box to be prepared for this Purpose, and to be marked with the Letter (B) which Box shall be presently put into another strong Box, and locked up with seven different Locks and Keys, to be kept by as many of the said Managers, and sealed up with their Seals, or the Seals of some of them, until those Tickets shall also be drawn, in the Manner and Form herein after-mentioned; and that the whole Business of rolling up and cutting off, and putting into the said Boxes the said Tickets, and locking up and sealing the said Boxes, shall be performed by the said Managers and Directors, or such of them as aforesaid, within six Days at least before the Drawing of the said Lottery shall begin; and to the End every Person concerned may be well assured that the Counterpart of the same Number with his or her Ticket, is put into the Box marked with the Letter (A) from whence the same may be drawn, and that other Matters are done as hereby directed, some publick Notification in Print shall be given of the precise Time or Times of cutting the said Tickets into the said Boxes, to the End that such Adventurers as shall be minded to see the same done, may be present at the doing thereof.

43,500 Blank Tickets, at the Rate of 6 l.

Tickets of the Outermost Columns to be rolled up and tied,

and cut out indentwise into a Box marked with the Letter (B)

Box to be locked up and sealed.

Publick Notice to be given of Times of cutting the Tickets into the Boxes.

LIV. And be it further enacted by the Authority aforesaid, That on or before the thirteenth Day of *November* one thousand seven hundred and fifty-eight, the said Managers and Directors shall cause the said several Boxes, with all the Tickets therein, to be brought into the Guildhall of the City of *London* by nine of the Clock in the Forenoon of the same Day, and placed on a Table there for that Purpose, and shall then and there severally attend this Service, and cause the two Boxes containing the said Tickets, to be severally taken out of the other two Boxes, in which they shall have been locked up; and the Tickets of Lots in the respective innermost Boxes being, in the Presence of the said Managers and Directors, or such of them as shall be then present, and of such Adventurers as will be there for the Satisfaction of themselves, well shaken and mingled in each Box distinctly; and some one indifferent and fit Person, to be appointed and directed by the Managers aforesaid, or the major Part of them, or such of them as shall be then present, shall take out and draw one Ticket from the Box where the said numbered Tickets shall be as aforesaid put; and one other indifferent and fit Person, to be appointed and directed in like Manner, shall presently take out a Ticket or Lot from the Box where the said six thousand five hundred Fortunate, and forty-three thousand five hundred Blank Tickets shall be promiscuously put as aforesaid; and immediately both the Tickets so drawn shall be opened, and the Number, as well of the Fortunate as the Blank Ticket, shall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots shall appear to be a Blank, then the numbered Ticket so drawn with the said Blank at the same Time, shall both be put upon one File; and if the Ticket so drawn or taken from the Box containing the Fortunate and Blank Lots, shall appear to be one of the Fortunate Tickets, then the principal Sum written upon such Fortunate Ticket, whatever it be, shall be entered by a Clerk, which the said Managers, or the major Part of them as aforesaid, shall employ and oversee for this Purpose, into a Book to be kept for entering the Numbers coming up with the said Fortunate Tickets, and the principal Sums whereunto they shall be intitled respectively, and two of the said Managers shall set their Names as Witnesses to such Entries; and the said Fortunate and numbered Tickets so drawn together, shall be put upon another File; and so the said Drawing of the Tickets shall continue, by taking one Ticket at a Time out of each Box, and with opening, naming aloud, and filing the same, and by entering the Fortunate Lots in such Method as is before mentioned, until the whole Number of six thousand five hundred Fortunate Tickets, and one more for the last drawn as aforesaid, shall be compleatly drawn; and if the same cannot be performed in one Day's Time, the said Managers and Directors shall cause the Boxes to be locked up and sealed in Manner as aforesaid, and adjourn till the next Day, and so from Day to Day, and every Day, (except *Sundays*, *Christmas* and Fast Days appointed by particular Acts of Parliament, or by the King's Proclamation) and then open the same, and proceed as above till the said whole Number of six thousand five hundred Fortunate Tickets, and one more, shall be compleatly drawn as aforesaid; and afterwards the said numbered Tickets so drawn, with the Fortunate Tickets drawn against the same, shall be and remain in a strong Box locked up as aforesaid, and under the Custody of the said Managers, until they shall take them out to examine, adjust and settle the Property thereof.

Lottery to begin drawing on 13 Nov. 1758.

Method to be observed in drawing, &c.

After each Day's Drawing, the Boxes to be locked up and sealed.

Numbers of the Fortunate Tickets, and the Sums, to be printed.

Disputes relating thereto, to be adjusted by the Managers.

Penalty of forging Tickets or Certificates.

LV. And, to the End the Fortunate may know, whether absent or present, to what Degree they have been so; Be it enacted, That as soon as the Drawing is over, the said Managers are hereby required, as soon as conveniently may be, to cause to be printed and published the Number of the Tickets drawn against each Fortunate Ticket, and the Principal Sum written on the same; and if any Contention or Dispute shall arise in adjusting the Property of the said Fortunate Tickets, the major Part of the said Managers agreeing therein, shall determine to whom it doth or ought to belong: And if any Person or Persons shall forge or counterfeit any Ticket or Tickets, Certificate or Certificates, to be made forth in pursuance of this Act, or made forth, or to be made forth, on any former Lottery Act, or alter any the Numbers thereof, or utter, vend, barter or dispose of, or offer to dispose of, any false, altered, forged or counterfeited Ticket or Tickets, Certificate or Certificates, or bring any forged or counterfeit Ticket or Certificate, or

any Ticket or Certificate the Number whereof is altered (knowing the same to be such) to the said Managers, or any of them, or the said Governor and Company of the Bank of *England*, or their Cashier or Cashiers, or Accomptant General for the time being, or to any other Person or Persons whatsoever, to the Intent to defraud his Majesty, or any Contributor or Adventurer, or the Executors, Administrators, Successors or Assigns, of any Contributor or Adventurer upon this Act, with a fraudulent Intention; then every such Person, being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy: And the said Managers and Directors, or any two or more of them, are hereby authorized and required to cause any Person or Persons bringing or uttering such forged or counterfeit Ticket or Tickets, Certificate or Certificates, as aforesaid, to be apprehended, and to commit him, her or them, to his Majesty's Gaol of *Newgate*, or to the common Gaol of the County or Place where such Person or Persons shall be so apprehended, to be proceeded against for the said Felony according to Law. Felony.

LVI. Provided always, and it is hereby enacted by the Authority aforesaid, That every Person who shall be appointed as aforesaid to be a Manager and Director for putting this Act in Execution, before his acting in such Commission, shall take the Oath following; that is to say, Managers to be sworn.

'I *A. B.* do swear, That I will faithfully execute the Trust reposed in me; and that I will not use any indirect Art or Means, or permit or direct any Person to use any indirect Art or Means, to obtain a Prize or Fortunate Lot, for myself, or any other Person whatsoever; and that I will, to the best of my Judgment, declare to whom any Prize, Lot or Ticket, of Right does belong, according to the true Intent and Meaning of the Act of Parliament made in the twenty-ninth Year of his Majesty's Reign in that Behalf.' The Oath.

Which said Oath shall and may be administered by any two or more of the other Managers and Directors.

LVII. Provided always, That it shall and may be lawful to and for the said Cashier or Cashiers, having given Security as aforesaid, at any Time or Times before such Cashier or Cashiers shall have received any Book or Books from the said Managers comprehending the said fifty thousand Tickets as aforesaid, in three Columns as aforesaid, to receive from any Person or Persons who will voluntarily, offer, contribute and advance, the Residue of any Sum of ten Pounds, or several Sums of ten Pounds, upon this Act as aforesaid, the Sums so offered to be contributed or advanced, at one entire Payment, or in such Proportions and Manner as aforesaid, before such Cashier or Cashiers shall have received such Book or Books; and the said Cashier or Cashiers shall give a Note or Receipt, under his or their Hand or Hands, for the Sum or Sums so contributed, and shall be obliged thereby, and by this Act, to give the Bearer of every such Note or Receipt, a Ticket or Tickets of the Extream Column of the three Columns Book or Books aforesaid, for every ten Pounds so contributed, paid or answered, as soon as he or they shall be enabled thereunto by Delivery of any such Book or Books to him or them from the said Managers as aforesaid; any thing herein contained to the contrary notwithstanding.

LVIII. Provided also, That in case any such Contributor or Adventurer as aforesaid, who shall have advanced and paid down to such Cashier or Cashiers a Proportion of his, her or their Consideration-money, his, her or their Executors, Administrators, Successors or Assigns, do not advance and pay unto such Cashier or Cashiers the remaining Part of his, her or their Consideration-money, so to be paid in full for such Tickets as aforesaid, on or before the Times for paying thereof as aforesaid; that then, and in every such Case, every such Contributor or Adventurer shall forfeit and lose to his Majesty, for the Use of the Publick, the Proportion of his, her or their Purchase-money which he, she or they shall have so paid down as aforesaid; and in such Case no Ticket or Tickets shall be delivered out by the said Cashier or Cashiers to such Contributor or Contributors making such Default, but the Ticket and Tickets which should have been delivered to such Contributor and Contributors, had they paid the full Money for the same, shall be returned and delivered to the said Managers and Directors by the said Cashier or Cashiers, together with the other Tickets (if any) in the Outermost Column of the Book and Books first herein mentioned and directed to be prepared, which shall not have been disposed of to Contributors as aforesaid; and such Ticket and Tickets, upon and for which Defaults of Payment shall have been made as aforesaid, shall be delivered into the Receipt of his Majesty's Exchequer with other the said undisposed Tickets (if any) there to be retained and kept as Cash, and to be issued, sold and disposed of, for the Purposes, and in the Manner herein before directed and appointed with respect to the said undisposed Tickets; and the said Contributor and Contributors making such Default, shall not have or receive, or be intitled to have or receive, any Benefit or Advantage for or in respect of the Money which he, she or they shall have paid for or towards the Purchase of such Ticket or Tickets; any thing herein contained to the contrary notwithstanding. Adventurer not paying his whole Consideration-money by the Times limited, shall lose the advanced Money. Tickets to be disposed of, shall be delivered in to the Exchequer.

LIX. Provided also, and it is hereby enacted by the Authority aforesaid, That out of the Monies to arise by the said Contributions to the Lottery as aforesaid, it shall and may be lawful to and for any three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, to reward the said Managers and Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Persons that shall and may be any ways employed in this Affair, for their Labour and Pains; also to discharge all incident Expences as shall necessarily attend the Execution of this Act, in such Manner as any three or more of the Commissioners of the Treasury, or the High Treasurer for the time being, shall, from time to time, think fit and reasonable in that Behalf; any thing in this Act contained to the contrary notwithstanding. Managers, &c. to be paid by the Commissioners of the Treasury out of the Lottery Money.

LX. And be it further enacted, That it shall and may be lawful for any Guardian or Trustee having the Disposition of the Money of any Infant, for the Use and Behoof of such Infant, to contribute and pay, for or towards advancing the said Sum of five millions, any Sums of the Monies of such Infant, and such Infant, upon Payment of such Sum or Sums, shall become a Contributor within the Meaning of this Act, and Guardians may adventure Infants Money in the Lottery.

and be intitled to have and receive such Payment in respect thereof, and in such like Manner as any other Contributor; and the said Guardian and Trustee, as to the said Sum or Sums so advanced, is hereby discharged, so as the Name of such Infant be expressed in the Receipt or Receipts for such Money; and also upon the Ticket or Tickets that shall be delivered out for the same, that so it may appear that such Infant or Infants was or were the Contributor or Contributors.

Limitation of Sale of Chances, &c.

LXI. And be it further enacted by the Authority aforesaid, That no Person or Persons, in *Great Britain* or *Ireland*, shall sell the Chance or Chances of any Ticket or Tickets in the said Lottery, or any Share or Shares in any Ticket or Tickets in the said Lottery, for a Day, or Part of a Day, or for a longer Time less than the whole Time of drawing the Lottery then to come, or shall receive any Money whatsoever in Consideration of the Repayment of any Sum or Sums of Money, in case any Ticket or Tickets in the said Lottery shall prove Fortunate; or shall lay any Wager relating to the drawing of any Ticket or Tickets in the said Lottery, either as to the Time of such Ticket or Ticket being drawn, or whether such Ticket or Tickets be drawn Fortunate or Unfortunate; and all and every Person and Persons who shall offend in any of the above-mentioned Matters, shall forfeit and pay treble the Sum and Sums of Money which shall have been received by such Person or Persons, contrary to the true Intent and Meaning of this Act; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster* or *Dublin* respectively; on which no Essoin, Protection, Privilege or Wager of Law, or more than one Imparlance, shall be allowed; one Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and every such Wager or Contract, and every Agreement relating thereto, shall be, and is hereby declared to be null and void.

Penalty.

Persons selling Shares in Tickets of which they are not possessed,

to forfeit 500l.

LXII. And be it further enacted by the Authority aforesaid, That if any Person or Persons, in *Great Britain* or *Ireland*, shall keep any Office or Offices, or shall print or publish any Scheme or Proposal, for receiving any Sum or Sums of Money in Consideration of an Interest to be granted for the same, any Ticket or Number of Tickets in the said Lottery, whereof such Person or Persons shall not then be actually possessed, or in Consideration of any Sum or Sums of Money to be repaid in case any Ticket or Number of Tickets, in the said Lottery, which shall not be in the actual Possession of such Person or Persons, shall prove Fortunate, all and every such Person and Persons shall forfeit and pay the Sum of five hundred Pounds; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster* or *Dublin* respectively; in which no Essoin, Protection or Wager of Law, or more than one Imparlance shall be allowed; one Moiety thereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and also shall suffer three Months Imprisonment without Bail or Mainprize.

Offences committed in Ireland against Acts for preventing unlawful Lotteries, declared to be punishable, and may be sued for in Dublin.

LXIII. And be it further enacted by the Authority aforesaid, That if any Offence against any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, shall be committed in *Ireland*, the Offender shall incur the like Penalty and Punishment, to be inflicted in like Manner as if the Offence was committed in this Kingdom; and that such Penalties as, by any of the said Acts, are directed to be recovered in any of his Majesty's Courts of Record at *Westminster*, shall, in case of Offences committed against any of the said Acts in *Ireland*, be recovered in any of his Majesty's Courts of Record at *Dublin*.

After the Drawing of the Lottery, the Tickets to be exchanged for Certificates.

LXIV. And to the End that all the Payments as well upon the Fortunate as upon the Unfortunate Tickets, may be more easily ascertained, settled and adjusted, for the Persons who shall be and become intitled thereunto; Be it further enacted by the Authority aforesaid, That as soon as conveniently may be after the Drawing of the said Lottery shall be completed and ended, all the said Tickets, as well those contained in the Books with three Columns, as those contained in the Books with two Columns, to be given out as aforesaid, shall be exchanged for Certificates to be signed by such of the said Managers as shall be appointed for that Purpose.

Managers to give Notice of the Time for taking in the Tickets, and delivering out the Certificates, &c.

LXV. And be it further enacted, That such of the said Managers as any three or more of the Commissioners of the Treasury now being, or the High Treasurer for the time being, shall appoint to take in the said Tickets, and deliver out the said Certificates for and in lieu thereof, shall give timely Notice, by Advertisement to be printed and published in Manner as they shall think fit, of the Days and Times for taking in the said Tickets, and delivering out the said Certificates, for and in lieu of the same; and every Person's Certificate shall be numbered in Course, according to their bringing their Tickets to the said Officer or Officers so to be appointed for exchanging the same; to which Purpose such Officer or Officers shall enter or cause to be entered in a Book or Books to be by him or them kept for that Purpose, the Name of every Person who brings any Ticket or Tickets to be exchanged for such Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which shall be so brought by such Person or Persons, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord, when the same was so brought; which Book and Books shall lie open in the Office to be appointed for taking in the said Tickets to be exchanged for such Certificates, for all Persons concerned to peruse; all which Certificates shall be signed by the Officer or Officers so to be appointed, or the major Part of them, and be directed to the Accountant General of the Bank of *England* for the time being.

Book to be kept for entering Persons Names, and the Number of their Tickets, &c.

Certificates to be signed, &c.

Accomptant General to give Credit for the Principal Sums in the Certificates.

Assignments may be made of

LXVI. And be it further enacted by the Authority aforesaid, That the said Accountant General of the Bank of *England* for the time being, to whom the said Certificates are to be directed as aforesaid, shall upon receiving and taking the said Certificates, or any of them, give Credit to the Persons named therein, in a Book or Books, in Manner herein before directed, to be by him provided and kept for that Purpose, for the Principal Sums contained in every such Certificate; and the Persons to whose Credit such Principal Sums shall be entered in the said Book or Books, his, her or their Executors, Administrators, Successors and Assigns, shall and may have Power to assign and transfer the same, or any Part, Share or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in other Books to be prepared and kept

kept by the said Accountant General for that Purpose; and the Principal Sums so assigned or transferred, shall carry the said Annuity of three Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable by virtue of this Act, until the Redemption thereof, in Manner herein after mentioned; and the said Accountant General of the Bank of *England* for the time being, is hereby authorized and directed to cancel and file the Certificates, as they shall from time to time be received and taken in by him, and to give the Persons bringing the same, a Note under his Hand, testifying the Principal Money for which they have Credit in the said Book or Books, by Reason or Means of the Certificates so received, taken in, and cancelled, as aforesaid, and of the Annuities attending the same.

the said Sums, &c.

Certificates to be filed and cancelled, and Notes to be given in lieu thereof.

LXVII. And, for the more easy and sure Payment as well of said Annuities after the Rate of three Pounds *per Centum per Annum*, as of the said Annuities after the Rate of three Pounds *per Centum per Annum*; Be it enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall, from time to time, until the said respective Annuities shall be redeemed according to this Act, appoint and employ one or more sufficient Person or Persons within their Office in the City of *London*, to be the First or Chief Cashier or Cashiers, and one other sufficient Person in the said Office to be their Accountant General; and that so much of the Monies by this Act appropriated for this Purpose, as shall be sufficient from time to time to answer the said several and respective Annuities and other Payments herein directed to be made out of the said Monies, shall, by Order of the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, without any further or other Warrant to be sued for, had or obtained in that Behalf, from time to time, at the respective Days of Payment in this Act before appointed for Payment thereof, to be issued and paid at the Receipt of his Majesty's Exchequer, to the said First or Chief Cashier or Cashiers by way of Imprest, and upon Account, for the Payment of the said several and respective Annuities payable by virtue of this Act; and that all and every such Cashier or Cashiers, to whom the said Monies shall, from time to time, be issued, shall from time to time, without Delay, pay the same accordingly, and render his or their Accounts thereof, according to the due Course of the Exchequer.

A Chief Cashier, and Accountant General, to be appointed by the Bank for paying the Annuities.

Treasury to issue Money for that Purpose to the said Cashier,

who is to account for the same.

LXVIII. And it is hereby also enacted, That the said Accountant General for the time being, shall, from time to time, inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereunto, in order to prevent any Fraud, Negligence or Delay; and that all Persons who shall be intitled to any of the said several and respective Annuities, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, and that the same shall not be descendable to the Heir, and shall be free from all Taxes, Charges and Impositions whatsoever, and shall not be liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute or Custom to the contrary in any wise notwithstanding.

Accountant General to examine the Receipts and Payments of the Cashier.

Annuities deemed a Personal Estate, &c. and to be Tax-free.

LXIX. And be it further enacted by the Authority aforesaid, That the said Sum of four millions five hundred thousand Pounds, Part of the said Sum of five millions, shall be deemed one Capital or Joint Stock; and that all Persons and Corporations whatsoever, in Proportion to the Monies by them severally advanced, for the Purchase of the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, or such other Annuities to which they shall become intitled by virtue of this Act, shall have and be deemed to have a proportional Interest and Share in the said Stock, and in the Annuities attending the same, at the Rates aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, and the proportional Annuity attending the same, shall be assignable and transferrable as this Act directs, and not otherwise.

The 3 and half per Cent. Annuities deemed a Joint Stock;

and made transferrable.

LXX. And be it further enacted by the Authority aforesaid, That all the Monies to which any Person or Persons shall become intitled by virtue of this Act, in respect of any Sum advanced or contributed towards the said Sum of five hundred thousand Pounds, on which the said Annuities after the Rate of three Pounds *per Centum per Annum*, shall be attending, shall be added to the Joint Stock of Annuities transferrable at the Bank of *England*, into which the several Sums carrying an Interest at the Rate of three Pounds *per Centum per Annum*, were by an Act made in the twenty-fifth Year of the Reign of his present Majesty converted, and shall be deemed Part of the said Joint Stock of Annuities, subject nevertheless to a Redemption by Parliament, in such Manner, and upon such Notice, as is in the said Act directed, in respect of the several and respective Annuities redeemable by virtue of the said Act; and that all and every Person or Persons and Corporations whatsoever, in Proportion to the Money to which he, she or they shall become intitled as aforesaid, by virtue of this Act, shall have and be deemed to have a proportional Interest and Share in the said Joint Stock of Annuities, at the Rate aforesaid.

The 3l. per Cent. Annuities to be made a Joint Stock with Annuities of like Value, incorporated by 25 Geo. 2.

LXXI. And be it further enacted by the Authority aforesaid, That there shall be constantly kept by the Accountant General for the time being, Books, wherein all Assignments of the Sums advanced or contributed towards the said Sum of four millions five hundred thousand Pounds, and also all Assignments or Transfers of all Sums advanced and contributed towards the said Sum of five hundred thousand Pounds, shall at all seasonable Times be entered and registered; which Entries shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by their respective Attorney or Attornies, thereunto lawfully authorized in Writing under their Hands and Seals, to be attested by two or more credible Witnesses, and the several Persons to whom such Transfers shall be made, do respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said several Annuities, or any Part thereof, or any Interest, shall be good or available in Law.

Transfer Books to be kept by the Accountant General.

Method of transferring Stock.

LXXII. Provided always, that all Persons possessed of any Share or Interest in either of the said Joint Stocks of Annuities, or any Estate or Interest therein, may devise the same by Will in Writing, attested by two or more credible Witnesses, but that no Payment shall be made upon any such Devise till so much of the said Will as relates to the said Joint Stocks of Annuities, be entered in the said Office; and in De-

Annuities devisable by Will.

Entry to be made of such Clause in the Will.

Transfer not liable to Stamp Duties.

fault of such Transfer or Devise, such Share or Interest in the said Joint Stock of Annuities, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever, shall be charged upon the said Transfers, or any of them; any other Law or Statute to the contrary notwithstanding.

Treasury to pay all incident Charges attending the Execution of this Act; and to make an Allowance to the Cashier and Accountant General;

LXXIII. Provided always, and be it enacted by the Authority aforesaid, That out of the Monies arising from the Contribution towards raising the said Sum of five millions, the Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances as they shall see just and reasonable, for the Service, Pains and Labour of the said Cashier or Cashiers, for receiving, paying and accounting for the said Contributions; and also shall have Power to take out of the said Sinking Fund such further Allowances as they shall think just and reasonable, for the Service, Pains and Labour of the Cashier or Cashiers of the Governor and Company of the Bank of *England*, for receiving, paying and accounting for the several and respective Annuities payable by virtue of this Act, and also for the Service, Pains and Labour of the Accountant General of the said Governor and Company for performing the Duty and Trust incumbent on him by this Act; all which Allowances hereby impowered to be made as aforesaid, in respect to the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only; any thing herein contained to contrary notwithstanding.

to be at the Disposal of the Governor and Company of the Bank.

Officers taking any Fee or Gratuity in the Course of their Business, forfeit 20 *s.*

LXXIV. And be it hereby enacted by the Authority aforesaid, That no Fee or Gratuity shall be demanded or taken of any of his Majesty's Subjects for receiving or paying the said Contribution-monies, or any of them, or for any Tallies or Receipts concerning the same, or for issuing the Monies for paying the said several Annuities, or any of them; and that no Fee or Gratuity shall be demanded or taken for any Transfer great or small, to be made in pursuance of this Act; upon Pain that the Officer or Person offending by taking or demanding any such Fee or Gratuity, contrary to this Act, shall forfeit the Sum of twenty Pounds to the Party grieved, to be recovered, with Full Costs of Suit, in any of his Majesty's Courts of Record at *Westminster*.

The Annuities to 3 *l.* 10 *s.* per Cent. not redeemable till after the Expiration of 24 Years, &c.

LXXV. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time after the Expiration of twenty-four Years, to be computed from the fifth Day of *July* one thousand seven hundred and fifty-eight, and not sooner, upon six Months Notice to be printed in the *London Gazette*, and affixed upon the *Royal Exchange* in *London*, by Authority of Parliament; and upon Repayment by Parliament of the whole Principal Sum of four millions five hundred thousand Pounds, for which the said Annuities, after the Rate of three Pounds ten Shillings *per Centum per Annum*, are payable to such respective Persons or Corporations as shall be intitled to the same Annuities; or upon the like Repayment by Parliament of any Part of the said Sum of four millions five hundred thousand Pounds, so as such Part of the Sum so paid at any one Time be not less than five hundred thousand Pounds; and also upon full Payment of all Arrearages of the same Annuities; then, and not till then, the said Annuities shall cease and determine, and be understood to be redeemed; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act.

Bank to continue a Corporation till these Annuities be redeemed, &c.

LXXVI. Provided always, and it is hereby enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation, till all the said several Annuities shall be redeemed by Parliament, according to the Provisoes herein before contained in that Behalf; and that the said Governor and Company, or any Member thereof, shall not incur any Disability, for or by reason of their doing any Matter or Thing in pursuance of this Act.

Act 8 Geo. 1. c. 22.

Penalty in the recited Act of forging or counterfeiting Letters of Attorney, in order to sell, or transfer Stock in any of the Funds, &c. or to receive any Dividends or Annuities thereon, &c. extended to this Act, &c.

'LXXVII. And whereas Doubts may arise, whether the Punishment inflicted in and by an Act of Parliament made and passed in the eighth Year of the Reign of his late Majesty King *George* the First, intituled, *An Act to prevent the Mischiefs by Foreign Powers, to transfer such Stocks, or to receive such Annuities or Dividends as are therein mentioned; or by fraudulently personating the true Owners thereof; and to rectify Mistakes of the late Managers for taking Subscriptions for increasing the Capital Stock of the* South Sea *Company, and in the Instruments founded thereupon*, on Persons guilty of the several Species of Forgery, and other Offences therein mentioned, extends to the Commission of the like Forgery and Offences in relation to such Capital Stocks and Funds as have been established by the Authority of Parliament, since the passing of the said Act, and may be hereafter established;' Be it therefore enacted by the Authority aforesaid, That if any Person or Persons whatsoever, from and after the first Day of *July* one thousand seven hundred and fifty-eight, shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting any Letter of Attorney, or other Authority or Instrument, to transfer, assign, sell or convey any Share or Shares, or any Part of any Share or Shares, of or in any such Capital Stock or Funds of any Body or Bodies Politick or Corporate established, or which shall be established, by any Act or Acts of Parliament; or to receive any Dividend or Dividends attending any Share or Shares, or any Part of any Share or Shares, of or in any such Capital Stock or Funds as aforesaid; or to receive any Annuity or Annuities, in respect whereof any Proprietor or Proprietors have or shall have any transferrable Share or Shares of or in any Capital Stock or Stocks which now are, or hereafter shall be established by any Act or Acts of Parliament, in Proportion to their respective Annuities; or shall forge or counterfeit, or procure to be forged or counterfeited, or knowingly and wilfully act or assist in the forging or counterfeiting any the Name or Names of any the Proprietors of any such Share or Shares in Stock, or of any the Persons intitled to any such Annuity or Annuities, Dividend or Dividends, as aforesaid, in or to any such pretended Letter of Attorney, Instrument or Authority; or shall knowingly or fraudulently demand, or endeavour to have, any such Share or Shares in Stock, or any Part thereof, transferred, assigned, sold

sold or conveyed, or such Annuity or Annuities, Dividend or Dividends, or any Part thereof, to be received by virtue of any such counterfeit or forged Letter of Attorney, Authority or Instrument; or shall falsely and deceitfully personate any true and real Proprietors of the said Shares in Stock Annuities and Dividends, or any of them, or any Part thereof, and thereby transferring or endeavouring to transfer the Stock, or receiving or endeavouring to receive the Money, of such true and lawful Proprietor, as if such Offender were the true and lawful Owner thereof; then, and in every or any such Case, all and every such Person and Persons, being thereof lawfully convicted in due Form of Law, shall be deemed guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy.

'LXXVIII. And whereas Doubts may arise whether the Punishment inflicted in and by an Act of Parliament made and passed in the second Year of the Reign of his present Majesty, intituled, *An Act for the more effectual preventing and further Punishment of Forgery, Perjury and Subornation of Perjury; and to make it Felony to steal Bonds, Notes or other Securities for Payment of Money*, on Persons guilty of the several Species of Forgery therein mentioned, extends to the Commission of the like Forgeries with an Intention to defraud any Corporation;' Be it therefore enacted by the Authority aforesaid, That if any Person from and after the first Day of *July* one thousand seven hundred and fifty-eight, shall falsely make, forge or counterfeit, or cause or procure to be falsely made, forged or counterfeited, or willingly act or assist in the false making, forging or counterfeiting any Deed, Will, Testament, Bond, Writing Obligatory, Bill of Exchange, Promissory Note for Payment of Money, Indorsement or Assignment of any Bill of Exchange, or Promissory Note for Payment of Money, or any Acquittance or Receipt either for Money or Goods, with an Intention to defraud any Corporation whatsoever; or shall utter or publish as true, any false, forged or counterfeited Deed, Will, Testament, Bond, Writing Obligatory, Bill of Exchange, Promissory Note for Payment of Money, Indorsement, or Assignment of any Bill of Exchange, or Promissory Note for Payment of Money, Acquittance or Receipt either for Money or Goods, with Intention to defraud any Corporation, knowing the same to be false, forged or counterfeited; then every such Person, being thereof lawfully convicted according to the due Course of Law, shall be deemed guilty of Felony, and suffer Death as a Felon, without Benefit of Clergy.

Penalty in the Act of 2 Geo. 2. c. 25.

of forging or publishing any Deed, Will, Obligation, Acquittance, &c. with Intent to defraud any Corporation, extended to this Act.

LXXIX. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

Limitation of Actions.

General Issue.

Treble Costs.

See further 32 *Geo.* 2. *c.* 33. *and* 2 *Geo.* 3. *c.* 8.

CAP. XXIII.

An Act for the more easy and speedy Recovery of Small Debts within the Western Division of the Hundred of *Brixton*, in the County of *Surry*.

'WHEREAS many small Debts are daily contracted within the Western Division of the Hundred of *Brixton*, in the County of *Surry*, by reason of the great Number of Artificers and working People, constantly employed in many great and useful Works and Manufactures for Exportation, as well as Home Consumption; and although the Persons contracting such Debts are generally very well able to pay the same, yet they frequently refuse or neglect so to do, presuming on the great Discouragements and Difficulties their Creditors must labour under, from the unavoidable Expences attending Suits at Law;' For Remedy whereof, May it please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the sixty Persons herein after named, residing within the Western Division of the said Hundred of *Brixton*; videlicet, *Joshua Smith*, *John Baker*, *Arthur Collins*, *Melachy Hawtaine*, *Henry Robinson*, *John Page*, *Alexander Gordon*, *William Bridges*, *Samuel Plumb*, Esquires; *Mark Bell*, *Philip Worlidge*, *Thomas Barry*, *Isaac Akerman*, *John Lumisden*, *Benjamin Dogget*, *Michael Cuff*, *John Broom*, *John Madrill*, *John Spence*, *Theodore Hodgson*, *Thomas Williamson*, *John Smith*, *Benjamin Asterley*, *Nightingale Draper*, *Isaac Streatly*, *Daniel Parker*, *Thomas Strong*, *Humphry Webb*, *Matthew Shrub*, *William Isles*, *Ezekiel Edmonds*, *Nuce Sterry*, *Thomas Gooding*, *John Standford*, *Francis Hunt*, *John Rose*, *Richard Asterley*, *Benjamin Biggs*, *Tyson Chapman*, *William Charlewood*, *Thomas Harding*, *Francis Fairchild*, *Charles Ryley*, *Thomas Hammond*, *Ralph Crutcher*, *Philip Bourne*, *Richard Penley*, *William Saunders*, *James Gomb*, *John Suter*, *William Courtney*, *Thomas Berryman*, *Peter Batts*, *Richard Dollett*, *John Patterson*, *Thomas Sawkins*, *Charles Newsome Pigott Swift Kirby Morgan Rise*, and *Francis Hutchings*, shall be, and are hereby declared and appointed Commissioners to hear and determine all such Matters of Debt to be brought before them as are herein after-mentioned; which said several Persons hereby declared and appointed, and all such Persons who by virtue of this Act shall become Commissioners for the Purposes aforesaid for the time being, shall be, and are hereby constituted a Court of Justice, by the Name of *The Court of Requests for the Western Division of the Hundred of* Brixton; and the said Commissioners herein before nominated and appointed for the time being, or any three or more of them, shall have Power and Authority, and are hereby authorized, impowered and required to hear and determine all Matters of Debt within the said Western Division of the Hundred of *Brixton*, where the Debt in Demand doth not amount to the Sum of forty Shillings, and to give and pronounce such Judgment and Decree therein respectively, and to award Execution thereupon, with Costs, against the Bodies and Goods of all and every the Person or Persons against whom they shall give or pronounce any Judgment or Decree, as to them shall seem just in Law or Equity; and, for that Purpose, all such Commissioners as aforesaid for the time being, or any three or more of them, are hereby authorized and

Preamble.

Commissioners Names.

Commissioners constituted a Court of Justice.

Stile of the Court.

Court to determine all Matters of Debt, not amounting to 40*s.* and to award Judgment and

Execution thereupon.

and required to assemble, sit and hold the said Court once in every Week, to wit, upon every *Thursday*, or oftener, if Need shall require, in some convenient Places within the Towns of *Wandsworth* and *Putney*, to be approved and fixed on by the said Commissioners for the time being, or by a Majority of such of them as shall, for the time being, be the sitting or acting Commissioners, according to the Rotation herein after-mentioned; and that the first two Courts to be held by virtue of this Act shall be at *Wandsworth*, and the third Court at *Putney*, and so in like Manner, two Courts to be held at *Wandsworth* and one at *Putney*, alternately, at all Times hereafter.

Court to sit weekly, on Thursday, at Wandsworth or Putney, &c.

Method of Proceedings, and Recovery of Debts in the said Court, not exceeding 40 s.

II. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, it shall and may be lawful to and for any Person or Persons to whom any Debt or Debts, Sum or Sums of Money is, are or shall be due or owing, in his, her or their own Right, or in the Right of any other Person or Persons to whom he or she shall be Executor, Administrator, Guardian or Trustee, and for which Debt or Debts he, she or they shall demand any Sum, not amounting to the Sum of forty Shillings, from any Person or Persons whomsoever, residing, lodging and inhabiting or keeping any Shop, Shed, Stall or Stand, or trading, dealing, working or otherwise seeking a Livelyhood within the said Western Division of the Hundred of *Brixton*, to complain to the said Commissioners for the time being, or to any three or more of them, at any Court to be held by virtue of this Act, or to the Clerk of the said Court for the time being, at any Time out of Court, touching such Debt or Debts; and upon such Complaint, the said Clerk for the time being, shall cause such Debtor or Debtors to be warned or summoned by the Beadle or Officer of the said Court for the time being, by Writing, to be left at the Dwelling-house or Place of Abode, Shop, Shed, Stall, Stand, or any other Place of dealing, lodging or working of such Debtor or Debtors, or by any other lawful and reasonable Notice or Warning to be given to the said Debtor or Debtors, to appear before the Commissioners of the said Court for the time being, at some certain Court, and at some certain Place in the said Summons or Notice to be mentioned, to answer touching such Debt or Debts; and upon the Return of such Summons or Notice, and at the Time and Place therein mentioned, and at all Times afterwards, as there shall be Occasion, in case such Debtor or Debtors appear according to the said Summons or Notice, the said Commissioners for the time being, or any three or more of them, shall and may hear and determine concerning such Debt or Debts, and shall have full Power and Authority by virtue of this Act, to make, or cause to be made, such Acts, Order or Orders, and to give and pronounce such Judgment and Judgments, Decree and Decrees, for or against such Plaintiff or Plaintiffs, Defendant or Defendants, touching the same, and the Costs of such Suit, as to them shall seem agreeable to Justice and Equity; which Acts, Orders, Judgments and Decrees, shall be final between the Parties thereto; but in case such Debtor or Debtors shall not appear according to such Summons or Notice as aforesaid, to answer touching such Debt or Debts as aforesaid, then the said Commissioners, or any three or more of them, being assembled in the said Court as aforesaid, shall have Power and Authority by virtue of this Act, upon due Proof being made before them, that such Debtor or Debtors was or were duly warned or summoned, as aforesaid, to proceed, *ex Parte*, to hear the Matter of the Complaint touching such Debt or Debts, and to make and pronounce thereupon such Order or Orders, Judgment or Judgments, Decree or Decrees, concerning the same, as to them shall seem just and equitable; and shall set down and appoint some certain Time and Place, according to their Discretion, for such Debtor or Debtors to shew Cause before the Commissioners of the said Court, or any three or more of them, against such Order or Orders, Judgment or Judgments, Decree or Decrees, so made and pronounced upon a Hearing, *ex Parte*, as aforesaid; at which Time and Place, or at any other subsequent Court or Courts, the said Commissioners, or any three or more of them, shall have full Power and Authority by virtue of this Act, whether such Debtor or Debtors shall appear, or shew Cause or not, upon due Proof that a Copy of such Order or Orders, Judgment or Judgments, had been delivered to such Debtor or Debtors, or left at his, her or their usual Place of Residence or Abode, or dealing or working as aforesaid, or that any other lawful and reasonable Notice thereof had been given to such Debtor or Debtors, to make and pronounce such final Orders, Judgments or Decrees, between the Parties, touching such Debt or Debts, and the Costs of Suits, as to them shall appear agreeable to Equity and good Conscience; and all such Acts, Orders, Judgments and Decrees, and all and every the Proceedings of the said Commissioners, shall be entered and registered in a Book or Books, to be kept for that Purpose, by the Clerks or Clerk of the said Court, and shall be observed, performed and kept in all Parts, as well by the Plaintiff as by the Debtor or Defendant.

All Orders, &c. of the Court to be registered.

Acting Commissioners impowered to make Rules and Orders for regulating the Practice of the Court, so as the same be not inconsistent with the Intent of the Act.

Court to proceed to give Judgment according thereto, upon Matters of Debt brought before them.

III. And, for the better regulating the Proceedings of the said Court, and rendering this Act effectual for the Purposes thereof; Be it enacted by the Authority aforesaid, That the said Commissioners, who, according to the Rotation herein after prescribed, shall be the acting Commissioners for the time being, or any three of them, shall have full Power and Authority by virtue of this Act, from time to time, and as often as they shall see Occasion, at any of the said Courts, to make such Rules or Orders, for the better regulating the Practice of the said Court, as to them shall seem necessary and conducive to the Purposes of this Act; so as they be conformable to Law, and do not tend to lessen or abridge the Fees herein after allowed by this Act to be taken by the Clerks or Clerk, and Beadle or Officer of the said Court for the time being, or to the Exercise of any Jurisdiction inconsistent with the true Intent and Meaning of this Act, and do relate to the Process, Practice and Method of Proceeding, of and in the said Court only; according to which Rules and Orders, so from time to time to be made, the said Commissioners, or any three or more of them, shall have Power and Authority by virtue of this Act, to proceed upon and to hear and determine all Matters of Debt, not amounting to the said Sum of forty Shillings, which shall be brought before them by virtue of this Act; and to make and pronounce such Judgments and Decrees concerning the same, and the Costs of Suit, as to them shall seem agreeable to Equity and good Conscience.

Process of Execution against the Party, or Goods, to be

IV. And be it further enacted by the Authority aforesaid, That upon making and pronouncing every such final Order, Judgment or Decree, as the said Commissioners, or any three or more of them, shall make and set down, for or concerning, or relating to such Debt or Debts, Complaint or Complaints, and

Costs

Costs of Suit, for or against such Plaintiff or Plaintiffs, Defendant or Defendants, as aforesaid, then it shall and may be lawful to and for the said Commissioners, or any three or more of them, to award and issue out, or cause to be issued out of the said Court, Process of Execution against the Body or Goods of such Person or Persons, directed to the Beadle or Officer appointed to execute the Process of the said Court for the time being, for levying by Distress and Sale of such Goods, or for the compelling by Imprisonment as herein after is mentioned, the Payment of such Sum or Sums of Money as shall be ordered, adjudged and decreed to be paid, by any such Order, Judgment or Decree as aforesaid; which Executions against the Body or Goods, shall be governed by, and subject to the same Rules as Executions by the Writs of *Fieri Facias*, and *Capias ad Satisfaciendum*, out of superior Courts are subject to; and upon and by virtue of every such Execution so to issue out of the said Court of Requests, against the Body or Bodies of any Debtor or Debtors, the Party or Parties against whom the same shall issue, shall and may, if he, she or they shall be found within the said Western Division of the Hundred of *Brixton*, be taken and committed to, or detained in Custody or Safe-keeping of the Beadle of the said Court for the time being, to be by him or them committed to, and confined in the County Gaol of the County of *Surry*; the Gaoler or Keeper of which said Gaol is hereby required to receive such Person or Persons from such Beadle, and to keep such Person or Persons within the said Gaol, during the Time for which he, she or they shall be committed by virtue of such Execution; there to remain in Confinement until he, she or they shall perform and obey such Order, Judgment and Decree as aforesaid; so as no Person so to be imprisoned, shall remain in actual Confinement and Custody under the said Execution, for a longer Space of Time than forty Days, to be computed from the Day of such Commitment exclusive.

issued by the Court, on pronouncing Judgment;

the same to be subject to like Rules as Writs of Fieri Facias, &c. issuing out of superior Courts.

Party may be committed on the Execution,

for any Time not exceeding 40 Days.

V. Provided always, That nothing herein contained shall extend, or be construed to extend, to impower the said Commissioners, to issue any Process against the Goods and Chattles of any Person or Persons, where the Party intitled to the Benefit of any such Order, Judgment or Decree as aforesaid, shall have obtained any Warrant or Process as aforesaid, against the Body or Bodies of the same Person or Persons, unless such Person or Persons shall escape, abscond or depart out of the said Western Division of the Hundred of *Brixton*, to avoid being apprehended and taken by virtue of such last-mentioned Warrant or Process.

Process not to issue against the Goods, &c. where Warrant shall have been obtained against the Body of the Party, unless he escape or abscond.

VI. And be it enacted by the Authority aforesaid, That in case any Person or Persons being apprehended or convicted by virtue of any Warrant or Process of the said Commissioners as aforesaid, shall escape out of Custody of the Beadle of the said Court of Requests, or of the Gaoler or Keeper of the said County Gaol, then in case such Escape shall, by the said Commissioners, or any three or more of them, be adjudged to have been wilfully permitted, or to have happened through gross Negligence, such Commissioners shall have Power to order and adjudge that the said Beadle, or Gaoler or Keeper, from whom such Escape shall be made, do pay to the Party or Parties appearing to be injured by, and complaining of such Escape, so much Money, not exceeding the Sum mentioned in such Warrant or Process, against the Body or Bodies of the Person or Persons (so escaping, and which ought to have been paid by such Person or Persons) as to the said Commissioners shall seem meet and reasonable; and in case such Beadle, or Gaoler or Keeper, shall not forthwith perform such Order so to be made upon him or them, in respect of such Escape, such Beadle, or Gaoler or Keeper, shall be liable not only to make Satisfaction to the Party or Parties injured by such Escape, for all such Damages as he, she or they shall sustain thereby, to be recovered by Action in any of his Majesty's Courts of Record at *Westminster*; but also to be removed by the said Commissioners, or the major Part of them, from his said Office, as and for a Misbehaviour in the Execution thereof.

Beadle or Gaoler answerable for wilful Escapes,

and to make good the Debt, &c. as the Court shall adjudge,

with Damages; and may be also removed.

VII. And be it further enacted by the Authority aforesaid, That upon every Warrant or Process to be issued out against the Body or Bodies of any Person or Persons by virtue of this Act, shall be wrote or marked, in a plain and legible Manner, the Sum or Sums by reason of the Nonpayment whereof such Process shall issue; and where any Person or Persons shall be apprehended and committed by virtue of any such Warrant or Process to the Custody of such Gaoler or Keeper for refusing or neglecting to obey and perform any such Order, Judgment or Decree, as aforesaid, the Gaoler or Keeper for the time being, in whose Custody such Person or Persons shall be or remain, shall, and is hereby required, upon Tender to him of such Sum or Sums of Money as shall be so marked or wrote upon such Warrant or Process of Commitment, as aforesaid, for the Use of the Person or Persons intitled to the same, together with five Shillings as his Fee in respect of such Custody or Commitment, forthwith to discharge and set at Liberty such Person or Persons so in Custody; and in case any such Gaoler or Keeper shall make Default therein, or shall, after such Tender, unjustly detain in his Custody any Person or Persons so committed, as aforesaid, longer than forty Days, to commence and be reckoned from the actual Arrest or Confinement of such Person or Persons, or longer than the Time expressed in the Warrant or Process of Commitment which shall issue against such Person or Persons, every such Gaoler or Keeper shall, in every such Case, forfeit and pay to the Person or Persons so unjustly detained the Sum of five Pounds; to be recovered before one or more of his Majesty's Justices of the Peace for the County of *Surry*, for the Use of the Person or Persons so detained, in such and the like Manner as any Fine or Fines imposed as herein after is mentioned, on any Person or Persons for contemptuously affronting, insulting or abusing, all or any of the Commissioners of the said Court of Requests for the time being, during their Sitting in the said Court, shall and may be recovered and levied upon the Goods or Chattles of such Person or Persons so offending.

Debt to be marked on the Back of the Warrant or Process;

and upon Payment thereof, and 5 s. Caption Fee, Prisoner to be discharged,

upon Penalty of 5 l. as also in case of longer Detention than 40 Days, or than the Time limited in the Warrant.

VIII. And, for the better Discovery of the Truth, and more solemn Determination of Matters and Causes which shall be depending in the said Court; It is hereby further enacted, That it shall and may be lawful for the said Commissioners, or any three or more of them, assembled in Court, and they are hereby authorized and impowered to administer, or cause to be administred, an Oath or Oaths to the Plaintiff or Plaintiffs, Defendant or Defendants respectively, and to such Witness or Witnesses as shall be produced by each Party; and also to all or any of the Officers of the said Court, and to all other Persons whatsoever, for or concerning any Business relative thereunto; and an Affirmation or Affirmations to such Plaintiff or Plaintiffs, Defendant

Court may administer Oaths to the Parties, Witnesses, and other Persons.

fendant or Defendants, Witneſs or Witneſſes, and Perſons aforeſaid, as are or ſhall be of the People called *Quakers*, if the ſaid Commiſſioners, or any three or more of them, ſhall ſo think fit.

If any Action for Debt under 40 s. ſhall be ſued in any other Court,

IX. And be it further enacted by the Authority aforeſaid, That if any Action of Debt, or upon the Caſe, upon any *Aſſumpſit* for Recovery of any Debt, to be ſued or proſecuted againſt any Perſon or Perſons liable to be ſummoned as aforeſaid, in any of the King's Courts at *Weſtminſter*, or elſewhere out of the ſaid Court of Requeſts, the Plaintiff ſhall declare for any Sum of Money not amounting to the Sum of forty Shillings, the Defendant may plead generally in Bar of ſuch Action, that at the Time of commencing ſuch Action, the Defendant was liable to be warned or ſummoned before the ſaid Court of Requeſts, without pleading any other Matter ſpecially; and in caſe the Plaintiff in any ſuch Action ſhall declare for the Sum of forty Shillings, or any Sum of Money exceeding the Sum of forty Shillings, the Defendant may plead generally over and above ſuch Matters as aforeſaid, that the Defendant was not at the Time of commencing ſuch Action indebted to the ſaid Plaintiff, in any Sum or Sums of Money amounting to the Sum of forty Shillings, without pleading any other Matter ſpecially, whereto the Plaintiff ſhall and may reply generally, and deny the Matters pleaded as aforeſaid; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment be given on Demurrer, the Defendant ſhall have Full Coſts; and in caſe ſuch Defendant or Defendants ſhould neglect to plead ſuch Matters ſpecially to ſuch Action, and ſhall plead the General Iſſue, or any other Special Matter, not herein before particularly mentioned, and the Jury upon the Trial of ſuch Action, ſhall, by their Verdict, find the Debt, Damages, or Sum of Money due to the Plaintiff, to be under the Sum of forty Shillings, ſuch Verdict ſhall be, and is hereby declared to be void to all Intents and Purpoſes; and it ſhall and may be lawful to and for the Court in which ſuch Action ſhall be depending, to tax and award the Defendant or Defendants in ſuch Action, his, her or their Full Coſts of Suit, in the ſame Manner as if a Verdict had paſſed for the Defendant or Defendants in ſuch Action; and the Defendant or Defendants ſhall, in ſuch Caſe, have the ſame or the like Remedy for obtaining and recovering ſuch Coſts, as in Caſes where a Verdict paſſes for the Defendant in the like Action.

the Court to award the Defendant Full Coſts:

But the Plaintiff may afterwards ſue for the ſame in the Court of Requeſts.

X. Provided always, That it ſhall and may be lawful to and for the Plaintiff or Plaintiffs in ſuch Action, afterwards to proſecute the ſaid Defendant or Defendants, for the Recovery of the ſaid Debt, in the ſaid Court of Requeſts; any thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

Penalty of inſulting or abuſing the Court during their Sitting.

XI. And for the more effectual eſtabliſhing the ſaid Court of Requeſts, and the better enforcing the Orders and Decrees which ſhall be made by the ſaid Commiſſioners for the time being, and that ſuch Commiſſioners may be inveſted with proper Power and Authority, and be free and exempt from any Inſults or Abuſes; Be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall contemptuouſly affront, inſult or abuſe, all or any of the Commiſſioners of the ſaid Court for the time being, during their ſitting in the ſaid Court, it ſhall and may be lawful to and for the Beadle of the ſaid Court for the time being, by Order of the ſaid Commiſſioners then ſitting, or any three or more of them, to take ſuch Perſon or Perſons ſo offending as aforeſaid into Cuſtody, and carry him, her or them before one or more of his Majeſty's Juſtices of the Peace for the ſaid County of *Surry*, to anſwer ſuch Affront, Inſult or Abuſe, and upon the Fact alledged being duly proved upon the Oath or Oaths of one or more credible Witneſs or Witneſſes, againſt him, her or them, then, and in ſuch Caſe, the ſaid Juſtice or Juſtices ſhall impoſe and ſet upon ſuch Perſon or Perſons offending as aforeſaid, ſuch Fine or Fines as to ſuch Juſtice or Juſtices ſhall ſeem meet and reaſonable, provided the Fine on any one Perſon do not exceed the Sum of forty Shillings.

Fines to be levied by Diſtreſs and Sale.

XII. And be it further enacted by the Authority aforeſaid, That upon the Non-payment of the ſaid Fine ſo to be impoſed or ſet upon any Perſon convicted of offending as aforeſaid, it ſhall and may be lawful for the ſaid Juſtice or Juſtices to iſſue a Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, for levying the ſaid Fine or Fines ſo impoſed upon the Goods and Chattles of every ſuch Offender or Offenders, being then reſiant or inhabiting in the County of *Surry*, and to cauſe Sale to be made thereof, in caſe ſuch Goods and Chattles ſhall not be redeemed within five Days, rendering the Overplus, if any, to the Perſon ſo offending, after the Charges of ſuch Diſtreſs and Sale are deducted; and if ſuch Offender or Offenders ſhall not be reſiant or inhabiting within the County of *Surry*, or ſhall not have any Goods or Chattles within the ſaid County of *Surry*, whereof ſuch Fine or Fines can be levied as aforeſaid, then, and in ſuch Caſe, and upon Non-payment of ſuch Fine or Fines, it ſhall and may be lawful for the ſaid Juſtice or Juſtices, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Offender or Offenders to the Gaol of the County of *Surry*, there to remain for the Space of one Calendar Month, unleſs he, ſhe or they ſhall ſooner pay the ſaid Fine or Fines ſo impoſed as aforeſaid; in which Caſe he, ſhe or they, on Payment of ſuch Fine or Fines, ſhall forthwith be diſcharged out of Cuſtody, and ſuch Fine or Fines ſhall be applied to and for the Benefit of the Poor of the Pariſh where ſuch Offence ſhall have been committed, in ſuch Manner and Proportion as the ſaid Juſtice or Juſtices of the Peace ſhall think fit and convenient.

Application of the Fines.

Copies of the two laſt Clauſes to be affixed on the Doors of the Churches, and in the Court.

XIII. And be it further enacted by the Authority aforeſaid, That the Clerks or Clerk of the ſaid Court for the time being, ſhall, from time to time, affix, or cauſe to be affixed, upon the Doors of all the Pariſh Churches in the ſaid Weſtern Diviſion of the Hundred of *Brixton*, and likewiſe in the Room where the ſaid Court ſhall be held, true Copies of the laſt two preceding Clauſes of this Act, to the End that no Perſon or Perſons ſhall or may pretend Ignorance in the Premiſſes.

XIV. And be it further enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons ſhall make Oath or affirm, or give Evidence in any Cauſe depending in the ſaid Court of Requeſts, whereby he, ſhe or they ſhall commit any wilful or corrupt Perjury, and ſhall thereof be duly convicted according to Law, then, and in ſuch Caſe, every ſuch Perſon or Perſons ſhall incur and ſuffer the like Pains and Penalties as any other Perſon or Perſons convicted of wilful and corrupt Perjury, according to the Laws and Statutes of this Realm, are now ſubject unto.

XV. And be it further enacted by the Authority aforesaid, That *William Smyth* of *Putney* in the County of *Surry*, Gentleman, and *John Baptist Bushman* of *Battersea* in the said County, Gentleman, shall be, and are hereby constituted and appointed Clerks of the said Court of Requests during their good Behaviour; who shall, and are hereby impowered and required to attend and do the Business of the said Court, and to issue out and register, in proper Books to be kept for that Purpose, all Summonses, Warrants, Precepts, Acts, Orders, Dismissions, Adjournments, Decrees, Judgments, Executions and Proceedings of the said Court; and the said Clerks shall, and are hereby authorized and required, within ten Days after the passing of this Act, to cause the first five of the said Commissioners, as they stand in order in this Act, to be summoned by the Beadle of the said Court to attend and do the Business thereof for the Month of *July*, and so the like Number of Commissioners, as they stand, or shall hereafter stand, next to the former, in Rotation, to do the like Duty from Calendar Month to Calendar Month, for each succeeding Calendar Month, till the whole Number of Commissioners shall have been summoned, and then begin with the first of the Commissioners monthly, in the Order they now stand and are set down in this Act; and to continue to summon five Commissioners monthly, in like Rotation, in all succeeding Times, so as that the Commissioners for the time being may, according to the Order aforesaid, and the Order in which they shall stand in the List of Commissioners for the future, take upon themselves, and put the Powers in this Act contained in due Execution.

Clerks of the Court.

Five Commissioners as they stand first in Rotation on the List, to be summoned monthly to attend the Business of the Court.

XVI. Provided always, That nothing herein before contained shall extend, or be construed to extend, to exclude or debar any of the said Commissioners for the time being, from sitting in the said Court, although they be not in Rotation or not summoned as aforesaid, but that all such Commissioners shall and may, so often as they shall respectively think fit, sit and give Judgment therein; any thing herein before contained to the contrary in any wise notwithstanding.

Commissioners impowered to sit, tho' they be not in Rotation.

XVII. And be it further enacted by the Authority aforesaid, That upon the Death, Resignation or Removal of either of the said Clerks herein before named, the remaining Clerk shall continue to be the only Clerk of the said Court, and shall proceed in the Business thereof, and in the Execution of all the Powers and Authorities by this Act vested in the said two Clerks, without any new or other Clerk to be nominated or appointed, in the Place or Stead of such of the said two Clerks as shall first die, resign, or be removed, it being the Intent and Meaning of this Act, that from the Time of such first Death, Resignation, or Removal, there shall be, at all Times afterwards, one Clerk only of the said Court of Requests, and no more, at one and the same Time; and upon the Death, Resignation or Removal of the surviving or remaining Clerk herein before named, the whole Number of Commissioners shall be summoned by the Beadle of the said Court; or in Default thereof, by, or by Order of such of the Commissioners for the time being, as shall be present at the said Court of Requests, next after such Death, Resignation or Removal, to meet at some certain Place within the Town or Parish of *Wandsworth* aforesaid; and upon some certain Day within five Days next after their being so summoned; and such Commissioners as shall be assembled at such Meeting, or the major Part of them, are authorized, impowered and required to elect and appoint another Person in the Room of such Clerk, and so from time to time thereafter, every Vacancy of the Office of Clerk shall be filled up and supplied by the like Election and Appointment.

Upon the Death, Resignation or Removal of either of the said Clerks, the remaining Clerk to act solely; and only one Clerk to be for the Court in all future Times; upon his Death Commissioners to be summoned to elect a new one.

XVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners for the time being, or the major Part of them, and they are hereby required, to meet or assemble together at some convenient Place within the Town or Parish of *Wandsworth* aforesaid, within twenty Days after the passing of this Act, and then and there nominate and appoint some fit and sufficient Person to be Officer, by the Name of *Beadle* of the said Court, for executing all and every the Process of the said Court of Requests committed to his Charge within the said Western Division of the Hundred of *Brixton*, who is hereby authorized, impowered and required, by himself, or by his sufficient Deputy or Deputies, for whom, and for whose Behaviour, he shall, at all Times, be answerable, to execute all Warrants, Summonses, Orders, Executions, Precepts and Process, issuing out of or from the said Court of Requests, or the said Commissioners for the time being, and upon the Death, Resignation or Removal of the said Beadle, to chuse another Person or Persons in his or their Room, and so in like Manner from time to time, and at all Times thereafter, as the Office of Beadle shall become vacant; and which said Beadle, so nominated and appointed as aforesaid, shall hold the said Office of Beadle of the said Court, during his good Behaviour, and no longer; and shall and may be removed from the said Office from time to time, for Misbehaviour, to be judged and determined upon by the said Commissioners for the time being, or the major Part of them, in Manner as is herein after mentioned.

Commissioners to meet and appoint a Beadle.

XIX. And be it further enacted by the Authority aforesaid, That no Person or Persons shall be capable of acting as a Commissioner or Commissioners, in the Execution of the Powers given by this Act, until such Time as he and they shall have respectively taken an Oath to the Effect following:

Commissioners to take the following Oath before they act.

'I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Judgment, hear and determine such Matters and Things as shall be brought before me, by virtue of an Act of Parliament, intituled, *An Act for the more easy and speedy Recovery of Small Debts within the Western Division of the Hundred of* Brixton, *in the County of* Surry, without Favour or Affection to either Party.'

Which Oath one of the Clerks of the said Court, or any one of the Commissioners, who shall himself have taken the said Oath, are or is hereby impowered and required to administer in open Court; a Memorial whereof shall be entered in the Register of the said Court.

Clerk to administer and register the Oath.

XX. And be it further enacted by the Authority aforesaid, That the several Fees herein after limited and expressed, and no other Fee or Fees, shall and may be taken for the respective Services of the said Clerks and Beadle of the said Court for the time being; that is to say,

For

Table of Fees.

For every Summons, to the Clerk four Pence.
For the Service of such Summons, to the Beadle four Pence.
For calling the Plaintiff or Defendant before the Court, to the Clerks two Pence; and to the Beadle, one Penny.
For a Nonsuit on the Plaintiff's not appearing, to the Clerks one Shilling.
For paying Money into the Court, to the Clerks six Pence.
For every Hearing, to the Clerks three Pence.
For a Copy of every Order upon a Hearing, *ex Parte*, and of every Judgment of Nonsuit to be served, to the Clerks four Pence.
For the Service of every such Order or Judgment, to the Beadle two Pence.
For an Execution, to the Clerks one Shilling.
To the Beadle for levying the same, one Shilling.
For acknowledging Satisfaction in Full, to the Clerks four Pence.
For every Search, to the Clerks two Pence.

Table of Fees to be hung up in the Court.

A Table of which Fees shall, from time to time, be hung up by the Clerks or Clerk of the said Court, in some publick or most conspicuous Part of the Place where the said Commissioners shall meet for the Purposes aforesaid, to the End that all Persons may, at all Times, see and read the same.

Penalty on Officers taking other Fees, or misbehaving in the Execution of their Office.

XXI. And be it further enacted by the Authority aforesaid, That if either of the said Clerks of the said Court, or any future Clerk for the time being, or the said Beadle for the time being, or either of them, shall take or demand any greater or other Fee or Fees than are before mentioned, or otherwise misbehave himself or themselves in the Execution of his or their Office, that then upon Complaint made of the said Offence or Offences to the said Commissioners, or any three or more of them, at some Court to be held within one Month after such Offence or Offences shall be committed (such Complaint being duly proved upon the Oath or Oaths of one or more credible Witness or Witnesses, against him or them so offending as aforesaid) the said Commissioners, or any three or more of them, before whom such Complaint shall be brought, shall proceed to punish such Person or Persons so offending as aforesaid, by Fine, not exceeding the Sum of five Pounds, and not less than forty Shillings for any one Offence, to be levied (if not paid on Demand) by Distress and Sale of the Goods and Chattles of the Offender or Offenders, by Warrant under the Hands and Seals of such Commissioners, or any three or more of them, by whom such Complaint shall be heard, rendering to the Owner the Overplus, if any, after the Charges of such Distress and Sale are deducted; which said Fine or Fines of such Person or Persons so offending, when so paid or levied, shall be applied to and for the Use of the Poor of the Parish where the Offence shall have been committed.

Regulations in the Proceedings of Commissioners on Complaint of the Misbehaviour or Breach of Duty in the Officers of the Court.

XXII. And be it further enacted by the Authority aforesaid, That if it shall appear to the said Commissioners, or the major Part of them, that such Complaint deserves the Consideration of the whole Number of Commissioners, then such Commissioners sitting in Court are hereby directed and required to cause the whole Number of Commissioners to be summoned to meet, as soon as conveniently may be, by publick Notice to be given in the several and respective Parish Churches, within the said Western Division of the Hundred of *Brixton*, by the Clerk of the Parish, immediately after Divine Service, on the *Sunday* Morning next before such Meeting is to be held, such *Sunday* being at least three Days before the holding of such Meeting, which Notice such Parish Clerks are hereby required then to publish and read, and such Commissioners so assembled shall examine into the Merits of such Complaint; and if it shall then appear unto such Commissioners, or the major Part of them, that such Clerks or Clerk, or Beadle, hath been guilty of a gross Misbehaviour, or Breach of Duty in his Office, that then it shall and may be lawful to and for the said Commissioners, or the major Part of them, to suspend or remove such Clerks or Clerk, or Beadle, from his or their respective Office or Offices.

Time and Place of Commissioners Meeting.

10 Days Notice to be given of such Meeting.

XXIII. And for continuing a sufficient Number of fit, able and substantial Persons to be Commissioners for putting in Execution the Powers in this Act contained; Be it further enacted by the Authority aforesaid, That the Commissioners for the time being, shall meet upon the first Day of *July* in every succeeding Year, unless it shall happen to be on a *Sunday*, and then on the next Day following, in some convenient Place to be appointed and fixed upon for that Purpose by a Majority of the said Commissioners for the time being, and publickly notified ten Days before the said Day of Meeting; and in Default of such Appointment, then at the Place where the Court was last kept, at ten of the Clock in the Forenoon of the same Day; and the said Commissioners, or such of them as shall be so met, shall proceed by Ballot to elect and appoint so many fit, able and substantial Persons inhabiting within the Western Division of the said Hundred of *Brixton*, as will fill up the several Vacancies that shall have happened by the Death of any of the said Commissioners, and also shall at the same Time, and in like Manner, elect and appoint new Commissioners in the Stead of such of the said Commissioners as shall be removed out of the said Division, or shall refuse or neglect to act for the Space of one whole Year before such Day of Election; and all and every such Person or Persons so to be elected a Commissioner or Commissioners, shall and may, and is and are hereby impowered and required, as often as Occasion shall be, to act, to all Intents and Purposes, in as full and ample Manner as the said Commissioners herein named are by this Act impowered to do; and upon every such Election, a List of the whole Number of the Commissioners shall be wrote fair by one of the present Clerks, and every future Clerk of the said Court, and by him be registered in the said Court, and in such List the Name of each former Commissioner shall stand in the Order wherein it was before placed, and the said new Commissioners shall always be placed and stand last in Order in every new List.

The filling up Vacancies of Commissioners how to be observed.

'XXIV. And whereas the Number of Persons herein before nominated and appointed out of each of the 'Parishes contained in the said Western Division of the Hundred of *Brixton*, to make up the Number of 'sixty Commissioners, is calculated, as near as may be, to bear a due Proportion with the Extent, Trade, 'Wealth and Number of Inhabitants of and in each respective Parish;' Be it enacted by the Authority aforesaid,

aforesaid, That the same Proportion shall, as near as possible, be observed in filling up all Vacancies of Commissioners that shall hereafter happen.

XXV. And be it enacted by the Authority aforesaid, That no Action or Suit for any Debt or Demand, not amounting to the Sum of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person or Persons in any other Court whatsoever; and that the Register or Book of Entries or Proceedings of the said Court of Requests shall be deemed legal Evidence of the Acts and Proceedings thereof; and that the Order of the said Commissioners for the Payment of any Money into Court for the Use of the Plaintiff or Defendant in any Suit there depending, shall and may be pleaded in Bar, or given in Evidence upon the General Issue in any Action depending in any other Court for the same Matter between the same Parties. No Suit for Debts recoverable by this Act, to be brought in any other Court.

XXVI. And be it further enacted, That no Attorney at Law, or Sollicitor, being served with Process of the said Court, shall be allowed to plead or maintain any Privilege against the Process, Authority, Jurisdiction or Judgment thereof. Attornies, &c. not exempted from Process.

XXVII. And be it further enacted by the Authority aforesaid, That if any Plaintiff or Plaintiffs shall summon, or cause to be summoned, any Defendant or Defendants to appear before the said Court, under Pretence of any Debt owing to him, her or them, from such Defendant or Defendants, and shall not appear and prosecute such Suit or Suits, or shall not prove, to the Satisfaction of the said Commissioners, or any three or more of them, that there was a probable Cause of Suit and Complaint against such Defendant or Defendants, then, and in such or in either of these Cases, it shall and may be lawful to and for the said Commissioners, or any three or more of them, and they are hereby authorized, impowered and required to give Judgment of Nonsuit against such Plaintiff or Plaintiffs, and to award and order him, her or them, to pay the Costs of such Suit or Suits; and if the said Commissioners, or any three or more of them, shall be of Opinion, that such or either of the said Prosecution or Prosecutions was or were vexatious, that then, and in such Case, it shall and may be lawful to and for the said Commissioners, or any three or more of them, to award and order such Plaintiff or Plaintiffs to pay to such Defendant or Defendants, such Damages for such vexatious Prosecution as they shall think reasonable, over and besides the Costs of Suit on Judgment of Nonsuit aforesaid, not exceeding the Sum of ten Shillings; and in case such Plaintiff or Plaintiffs, after being served with an Order for Payment of such Costs only, or such Costs and Damages jointly, as shall be so respectively awarded against him, her or them, shall refuse or neglect to pay the same; then, and in such and in either of the said Cases, it shall and may be lawful to and for the said Commissioners, or any three or more of them, and they are hereby authorized, impowered and required, to issue out of the said Court Process of Execution against the Goods and Chattles, or Body or Bodies, of every such Plaintiff or Plaintiffs, for levying such Damages or Costs by Distress and Sale, or for compelling, by Imprisonment, the Payment thereof, in such and the like Manner as Execution against the Goods and Chattles, or Body or Bodies, of any Defendant or Defendants, by virtue of this Act, may be awarded and issued forth. Plaintiff not appearing, or not shewing probable Cause of Suit, to be nonsuited, and Costs awarded against him. Plaintiff commencing vexatious Suit, to pay Costs, and be fined, not exceeding 10s. which may be levied by Distress and Sale, or Offender may be imprisoned.

XXVIII. Provided always, and be it enacted by the Authority aforesaid, That this Act, or any Thing herein contained, shall not extend to any Debt for Rent upon Lease, or real Contract, where the Title of any Lands, Tenements or Hereditaments, can or may come, or be brought in Question; nor to any other Debt, Matter or Thing that shall or may arise upon or concern the Validity of any Will, Testament or Contract of Matrimony, and which properly belong to the Ecclesiastical Courts, or any other Thing concerning or properly belonging to the Ecclesiastical Courts; but that such Debt, Matter or Thing, may be sued and prosecuted in such Court or Courts, and in such Manner, as if this Act had not been made, although the same shall not amount to the Sum of forty Shillings; any thing herein before contained to the contrary in any wise notwithstanding. Limitation of the Powers of this Act with respect to certain Debts, &c.

XXIX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done or to be done in pursuance of this Act, then, and in such Case, such Action or Suit shall be brought or commenced within six Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants, in such Action or Suit, shall and may plead the General Issue, and give this Act, and any Orders, Books of Entry, or other Proceedings of the said Court of Requests, and the Special Matter, in Evidence, at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her or their Action or Actions, Suit or Suits; or if, upon Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

XXX. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and other Persons whatsoever, without specially pleading the same. Publick Act.

CAP. XXIV.

An Act for the more easy and speedy Recovery of Small Debts within the Borough of *Great Yarmouth*, and the Liberties thereof.

'WHEREAS the Borough of *Great Yarmouth* in the County of *Norfolk*, is a Port Town of very great Antiquity, and a great and extensive Trade and Commerce is carried on therein: And whereas 'the Mayor of the said Borough hath usually held once in every Week a Court of Record, for the Trial of 'Civil Actions, commonly called *The Borough Court*, but as the Proceedings of the said Court in the lawful Course and Forms thereof, have been found to be expensive and dilatory, many ill disposed Persons do 'often contract Small Debts, and although able, refuse to pay the same, presuming on the Discouragements 'which Creditors lie under, from the Expence which they are unavoidably put to, and the Delays which Preamble.

'they meet with, in suing for such Debts:' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Justices of the Peace, and Aldermen of the said Borough, for the time being, and also the thirty following Persons, being Principal Inhabitants of the said Borough; that is to say, *Richard Fuller* Esquire, *Richard Lusson* Esquire, *Barry Brightin Love* Esquire, *Thomas Dawson*, *Charles le Grys*, *William Manning*, *John Morris*, *Thomas Adkin*, *Thomas Utting*, *Christopher Eaton*, *Gerrard Trotter*, *Edmund Cobb*, *William Polgrave*, *Pexall Forster*, *John Wright* Merchant, *John Ives* the younger, *John Smith* Draper, *William Fisher*, *William Peele*, *Anthony Taylor*, *John Eldridge*, *John Diboll*, *Samuel Wright* Grocer, *David Urquhart*, *John Crombie*, *Benjamin Lane*, *William Kett*, *Thomas Pitt*, *John Hurry*, and *John Norson*, shall be, and are hereby appointed Commissioners, to hear and determine all such Matters of Debt and Detinue, as are herein after mentioned; and said Commissioners, and their Successors, are hereby constituted a Court of Justice, by the Name of *The Court of Requests for the Borough, Town and Port of* Great Yarmouth, *and the Liberties thereof*; and they the said Commissioners, or any three or more of them, shall, and are hereby impowered and required to meet and hold the said Court on every *Monday*, or oftner, if there shall be Occasion, in the Toll-house Hall of the said Borough, Town and Port, or at any other convenient Place within the Liberties of the said Borough, to be appointed by the major Part of such of the Commissioners as shall be assembled at any such Meeting; and the said Commissioners, or any three or more of them, from time to time, assembled at such Courts, are hereby authorized, and fully impowered, to hear and determine all such Causes as are hereafter mentioned, and to give such Judgments, and to make such Orders and Decrees therein, and to award Execution thereupon, with Costs, against the Body and Bodies, or against the Goods of all and every the Person and Persons against whom they shall give any such Judgment, or make any such Order or Decree, as to them shall seem just in Law or Equity; and if the Commissioners so assembled shall happen to be equally divided upon any Question which may come before them, the Mayor of the said Borough for the time being, if present, or in his Absence, the Deputy Mayor, if present, or in his Absence, the senior Alderman present, and if no Alderman is present, the Commissioner present who stands first in the List of Commissioners, to be hung up in the Court or Place where the Commissioners shall meet, shall have the casting Vote.

If the Commissioners shall be equally divided upon any Question, who shall have the casting Vote.

II. And be it further enacted by the Authority aforesaid, That from time to time on the Decease or Resignation of any or either of the thirty Commissioners herein before particularly named, or of any or either of their Successors, to be elected in Manner herein after immediately mentioned, it shall be lawful for the surviving or remaining Commissioners, or the major Part of such of them as shall be assembled at a Meeting to be held for that Purpose, within the Space of one Month next after such Decease or Resignation shall happen or be known, to elect and appoint one Commissioner in the Stead of such Commissioner so dying or refusing to act; and every such Commissioner so elected, shall be, and is hereby enabled to act in the Execution of the Powers hereby granted, as fully and effectually to all Intents and Purposes, as if he had been herein particularly named a Commissioner.

On Death, &c. of Commissioners, others to be chosen.

III. Provided always, That the Mayor, Justices of the Peace, and Aldermen of the said Borough, shall have no Vote in the Election of any such new Commissioner.

Civil Magistrates to have no Vote in the Election of Commissioners.

IV. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, it shall and may be lawful to and for any Person or Persons whatsoever, who now hath, have, or hereafter shall have, any Debt or Debts, Thing or Things, under the Value of forty Shillings, due or owing, or belonging unto him, her or them, in his, her or their own Right, or as Executor, Administrator, Guardian or Trustee, to any other Person or Persons, by or from any Person or Persons whatsoever, inhabiting or residing within the said Borough of *Great Yarmouth*, or the Liberties thereof, or using or frequenting the Markets thereof, or usually buying or selling, or seeking a Livelihood therein, or sailing or navigating to and from the said Port and Haven of *Great Yarmouth* aforesaid, to apply to any one of the Persons herein after nominated and appointed for that Purpose, who shall immediately make out and deliver to one of the Serjeants at Mace for the said Borough for the time being, (which said Serjeants at Mace are hereby appointed, authorized and required, to execute all Warrants, Precepts and Process, of the said Court of Requests) a Summons, in Writing, under his Hand, directed to such Debtor or Debtors, expressing the Sum or Thing demanded of him, her or them; the Party demanding and requiring him, her or them to appear at a certain Time and Place to be mentioned in such Summons, before the Commissioners of the said Court, to answer such Complaint; and the Serjeant at Mace shall forthwith cause such Summons to be served on such Debtor or Debtors, either personally, or by leaving the same at the Dwelling-house, Lodging, Place of Abode, Shop, Shed, Stall, Stand, or other Place of dealing or trading of such Debtor or Debtors, being within the Limits of the said Borough, or the Liberties thereof, with his, her or their Servant, or other Person belonging to him, her or them; and that upon Proof made that such Summons hath been duly served, the said Commissioners, or any three or more of them, assembled in Court, being a Majority of such Court, are hereby impowered and required to make due Inquiry concerning such Demands or Plaints, and make such Orders and Decrees therein, and pass such final Judgment or Sentence thereupon, and award Costs of Suit, as to them shall seem most agreeable to Equity and good Conscience: And for the better Discovery of the Truth, and more solemn Determination of Matters and Causes which shall be depending in the said Court, it shall be lawful for the said Commissioners, or any three or more of them, assembled in Court, and they are hereby impowered, to administer, or cause to be administered, an Oath or Oaths to either of the Parties, and to such Witness or Witnesses, as shall be produced by each Party, and to the Officers of the said Court; and also to any other Person or Persons whose Evidence shall seem necessary towards the Hearing or Determining any of the said Causes, or making any Order or Decree therein, or for any other Purposes requisite to the Execution of this Act.

Method of Proceedings and Recovery of Debts in the said Court, not exceeding 40 s.

V. And

V. And be it further enacted by the Authority aforesaid, That if such Debtor or Debtors, who shall have been duly summoned as aforesaid, shall not appear before such Court at the Time and Place mentioned in the said Summons; then it shall and may be lawful to and for the said Commissioners, or any three or more of them so assembled, being a Majority of the said Court, after due Proof made upon Oath of the Service of the said Summons in Manner aforesaid, to hear the Cause on the Part of the Plaintiff or Plaintiffs only, and to make such Order, Decree or Judgment, and to award reasonable Costs of Suit, as to them shall seem most agreeable to Equity and good Conscience.

Debtor not appearing, being duly summoned, Court may examine the Plaintiff, and award reasonable Costs:

VI. And be it further enacted by the Authority aforesaid, That if upon the Day of the Return of the Summons, or at any Continuation or Adjournment of the said Court, the Plaintiff or Plaintiffs shall not appear, or appearing shall not make due Proof of his, her or their Demand, to the Satisfaction of the Court, but become nonsuited; it shall and may be lawful to and for the said Commissioners, or any three or more of them, being a Majority of the said Court, to award to the Defendant or Defendants reasonable Costs, and to order and oblige the Plaintiff or Plaintiffs to pay the same, by such Ways and Means as are herein provided for the Recovery of Debts, ordered and decreed by the said Court.

But if the Plaintiff become nonsuited, the Court to award in favour of the Defendant.

VII. And be it further enacted by the Authority aforesaid, That in any Case where the said Commissioners, or any three or more of them, as aforesaid, shall have made any Order or Decree for the Payment of Money, it shall and may be lawful to and for the said Commissioners, or any three or more of them, being a Majority of the said Court, to award Execution either against the Body or Goods of the Party against whom such Order or Decree shall be made; and thereupon it shall and may be lawful for the Clerk of the said Court, at the Prayer of the Party prosecuting such Order or Decree for the Payment of Money, to issue a Precept under his Hand and Seal, by Way of *Capias ad Satisfaciendum*, or *Fieri Facias*, to the Serjeants at Mace of the said Borough, or any one of them, who by virtue of any such Precept issued upon Execution awarded against the Body of such Party, shall and may, and is and are hereby impowered to take such Party, being within the said Borough, or Liberties thereof, and carry him, her or them to the Common Gaol or House of Correction for the said Borough, there to remain until he, she or they shall perform and obey such Order, Decree or Judgment, so as no Person shall remain in Confinement upon any such Execution, for a longer Space than three Calendar Months; and by virtue of any such Precept issued upon Execution awarded against the Goods of any such Party, shall and may, and is and are hereby impowered to levy by Distress and Sale of the Goods of such Party, being within the said Borough, or Liberties thereof, such Sum or Sums of Money, and Costs, as shall be so ordered, decreed and adjudged: And if the Party, against whose Body or Goods any such Execution shall be awarded, and Process thereupon shall issue, shall, by absconding, or by secreting his, her or their Goods, or by any other Means, prevent or evade the Service or Effect of any such Execution; it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in such Court, being a Majority of the said Court, upon due Proof made to them, by the Oath or Oaths of one or more credible Witness or Witnesses, that the Service or Effect of the said Execution had been prevented or evaded, at their Discretion to award another Execution, either against the Body or Goods of such Party, and Process shall issue thereupon, and be served by the said Serjeants at Mace, or one of them, in Manner as is aforesaid: And in case the said Court shall at any Time, upon the Request, and for the Ease and Convenience of the Defendant or Defendants, order, decree or adjudge a Debt due to the Plaintiff or Plaintiffs, to be paid by several Payments, upon the first Default or Failure of any of the said Payments so ordered, decreed and adjudged, the said Commissioners, or any three or more of them, assembled in such Court, being a Majority of the said Court, at the Instance of the Plaintiff or Plaintiffs, and upon due Proof of the said Default or Failure, shall and may award Execution for the whole Debt, or such Part thereof as shall remain unpaid at the Time of such Default or Failure, together with such further Costs as to them shall seem meet, to be recovered by the same Methods and Means as are herein provided for the Recovery of a Debt and Costs first decreed; the former Order, Decree or Judgment to the contrary notwithstanding.

Process of Execution against the Party or Goods, to be issued on Judgment of the Court.

Party may be committed, on Execution issued against his Body, for any Time not exceeding 3 Months.

If Process issue against the Goods, the Sums due thereon may be levied by Distress and Sale.

Party absconding, or evading the Service of such Process, Court, on Proof thereof, may award another Execution.

Where the Court shall direct a Debt to be paid by several Payments, the Defendant liable, on the first Default, to Execution for the whole Sum, and Costs.

VIII. And be it further enacted by the Authority aforesaid, That upon every Precept to be issued upon Execution awarded against the Body or Goods of any Person or Persons, the Clerk of the said Court shall indorse, or cause to be indorsed, the Sum or Sums and Costs so ordered, decreed or adjudged, and the Costs of the said Execution; and if the Party against whom such Execution shall be awarded respectively, shall, before any actual Sale of the Goods, or before he or she is apprehended, or before the Expiration of the Term of his or her Imprisonment, pay, or cause to be paid or tendered, unto the Clerk of the said Court, such Sum or Sums and Costs, together with one Shilling, as a Reward for his Trouble in receiving and paying over the said Debt and Costs, and entering Acknowledgment of Satisfaction in full for the same; and also the Sum of two Shillings and two Pence for Gaol Fees (in case such Person or Persons shall have been committed to Prison) then and in any such Case, the Execution shall be superseded, and the Body or Goods of the said Party shall be discharged and set at Liberty.

Debt and Costs to be indorsed on the Back of the Process. On Payment thereof, and Fees, Execution to be superseded.

IX. And be it further enacted by the Authority aforesaid, That no Privilege, or pretended Privilege, shall be allowed to exempt any Person liable to be summoned by virtue of this Act, from the Jurisdiction of the said Court of Requests, on Account of his being a sworn Attorney or Solicitor of any of the Courts at *Westminster*, or of any Court whatsoever.

No Privilege to prevent the Execution of this Act.

X. And be it further enacted by the Authority aforesaid, That if any of the Serjeants at Mace who shall be employed to serve an Execution, shall, by wilful or notorious Neglect or Connivance, cause or suffer the Party against whom such Execution shall be awarded to escape or abscond, or the Goods of such Party to be carried away or secreted, so that such Execution shall not have its due Effect, it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled at any such Court, being a Majority of the said Court, upon Complaint made, and due Proof thereof, upon the Oath or Oaths of one or more credible Witness or Witnesses, to order such Serjeant at Mace to pay the Sum or Sums of Money for which

Officer suffering the Party to escape, or his Goods to be secreted, liable, upon Conviction, to pay the Debt.

which the said Execution was awarded, to the Party complaining, and to inforce the Payment thereof by the same Methods and Means as are herein provided for the Recovery of other Debts.

Commissioners impowered to make Rules for regulating the Practice of the Court.

XI. And be it further enacted by the Authority aforesaid, That, for the better regulating the Proceedings of the said Court, it shall and may be lawful to and for the said Commissioners, or any six or more of them, assembled at any such Court, from time to time, to make such Rules and Orders for the better regulating the Practice of the said Court, and the Method of Proceeding therein, as shall seem to them most expedient and conducive to the Purposes of this Act; so that such Rules and Orders shall be agreeable to Law, and according to the true Intent and Meaning of this Act; which said Rules and Orders, having been signed by the said six or more Commissioners, shall be in full Force, and be kept and observed by all the Commissioners thereafter holding, or to hold the said Court, and their Officers, and the Suitors therein, until the same shall be repealed by the like Number of Commissioners.

Commissioners to take the following Oath before they act.

XII. And be it further enacted by the Authority aforesaid, That no Person shall be capable of acting as a Commissioner in the Execution of this Act, until he shall have taken an Oath to the Effect following; that is to say,

The Oath.

'I *A. B.* do swear, That I will faithfully, impartially and honestly, according to the best of my Judgment, hear and determine such Matters and Things as shall be brought before me by virtue of an Act of Parliament, for the more easy and speedy Recovery of Small Debts within the Borough of *Great Yarmouth*, and the Liberties thereof, without Favour, Affection or Prejudice to either Party.'

Oath to be administered by the Clerk, or one of the Commissioners.

Which Oath the Clerk of the said Court, or any one of the Commissioners who shall have taken such Oath, is hereby impowered and required to administer in open Court; and a Memorial thereof shall be entered in the Registers of the said Court by the said Clerk.

John Spurgeon, Gent. nominated Clerk of the Court, with Power to appoint a Deputy. Business of the Clerk. Future Clerks by whom, and in what Manner, to be elected.

XIII. And be it further enacted by the Authority aforesaid, That *John Spurgeon* Gentleman, the present Town Clerk of the said Borough of *Great Yarmouth*, shall be, and is hereby constituted and appointed Clerk of the said Court of Requests, during his good Behaviour in the said Office; and shall have Power and Authority to appoint a Deputy; which said Clerk, or his Deputy, are hereby impowered and required to issue out all Warrants and Precepts, and to register all Orders, Decrees and Judgments of the said Court; and shall enter and register, or cause to be entered and registered, in proper Books to be provided by him, and kept for that Purpose, all the Acts and Proceedings of the said Court; and whenever it shall happen that the Place or Office of Clerk of the said Court shall become vacant by the Death, Resignation or Removal of the said *John Spurgeon*, or any other future Clerk of the said Court, the Mayor of the said Borough for the time being, shall, and is hereby required, within ten Days after such Vacancy shall happen, to cause all the Commissioners for the time being to be summoned to meet at the Toll-house Hall of the said Borough, at a certain Time by him to be appointed, so as the same be not less than four Days, nor more than fourteen Days, after such Vacancy shall happen; and the Commissioners assembled pursuant to such Summons, or the major Part of them, shall nominate and appoint another fit and able Person to be Clerk of the said Court during his good Behaviour.

'XIV. And whereas in the said Borough Court of *Great Yarmouth*, there anciently have been four Attornies only who have been allowed to practise in the said Court, who hold their Offices during their good Behaviour, and may sustain great Loss by this Act, unless some Compensation be made to them for the same:' Therefore be it further enacted by the Authority aforesaid, That *Robert Woolmer*, *John Ramey*, *Bracey Taylor*, and *Thomas Manclarke* the younger, Gentlemen; the four present Attornies of the said Borough Court of the said Borough, and their Successors, Attornies of the said Borough Court for the time being, and every of them (as a Compensation for the Loss they may sustain in their said Offices by this present Act) shall and may, and are hereby authorized, impowered and required, to make out all Summonses at the first Instance, in such Manner as is herein before directed.

The four Attornies of the Borough Court for the time being, to issue Summonses at the first Instance.

Fees allowed to be taken by the Officers of the Court.

XV. And be it further enacted by the Authority aforesaid, That the several Fees hereafter limited and expressed, and no other, shall be taken by the said Clerk, and the said four Attornies and Serjeants at Mace, for their several and respective Services in the Execution of this Act; that is to say,

For issuing every Summons, to the Attorney who issues the same, six Pence.
For the Service of such Summons, and attending the Court with the Return, to the Serjeant three Pence.
For entering the Cause, to the Clerk six Pence.
For every Hearing, to the Clerk three Pence, to the Attorney three Pence.
For every Order, to the Clerk three Pence, to the Attorney three Pence.
For entering every Order, and making a Copy, if required, to the Clerk three Pence, and to the Attorney three Pence.
For the Service of every Order against a Party not in Court, and attending with the Return, to the Serjeant six Pence.
For a Nonsuit on the Plaintiff's not appearing, to the Clerk two Pence, and to the Attorney two Pence.
For an Attachment against the Defendant for not appearing, to the Clerk six Pence, to the Attorney six Pence, and to the Serjeant for Service thereof one Shilling.
For acknowledging Satisfaction, to the Clerk three Pence, to the Attorney three Pence.
For an Execution, to the Clerk six Pence, to the Attorney six Pence, and to the Serjeant for Service thereof one Shilling.
For a *Subpœna*, to the Clerk three Pence, to the Attorney three Pence, and to the Serjeant for Service thereof two Pence.
For paying Money into Court, to the Clerk six Pence.
For every Search of the Books, to the Clerk two Pence.

A Table

A Table of which Fees shall, from time to time, be hung up by the Clerk of the said Court in some conspicuous Part of the said Court, or Place where the said Commissioners shall meet, so that all Persons who shall attend the said Court may see and read the same. Table of Fees to be hung up in the Court.

XVI. And be it further enacted by the Authority aforesaid, That if the said Clerk of the said Court for the time being, or his Deputy, or the said Attornies or Serjeants, or any of them, or any Person employed by or under them, or any of them, shall take or demand any greater or other Fee or Fees than as above mentioned, upon Complaint and due Proof thereof, upon the Oath or Oaths of one or more credible Witness or Witnesses made in open Court, the said Commissioners, or any three or more of them, being a Majority of the said Court, shall, and are hereby impowered and required, from time to time, to punish such Offender by Fine, not exceeding five Pounds, nor less than ten Shillings for one Offence; to be levied by Distress and Sale of the Offender's Goods and Chatles, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them, rendering to the Owner the Overplus (if any) after the Charges of such Distress and Sale are deducted; which Fine, when recovered, shall be paid to the Chamberlains of the said Borough, for the Use of the Corporation of *Great Yarmouth* aforesaid, in like Manner as other Fines within the said Borough, are, and have usually been paid: And if the said Clerk of the said Court for the time being shall be guilty of any notorious Misbehaviour, either by continually or frequently taking or demanding greater or other Fees than as aforesaid, or any otherwise, upon Complaint made, the said Commissioners, or any three or more of them, shall in open Court, hear and inquire into the Matters of the said Misbehaviour by the Oath or Oaths of one or more credible Witness or Witnesses, and shall, if they (being a Majority of the said Court) shall think fit, certify the Particulars of the said Mesbehaviour, with the Proofs thereof, unto the Mayor of the said Borough for the time being, who shall thereupon cause all the said Commissioners to be summoned to meet at a convenient Time and Place, and shall lay the same before the Commissioners assembled pursuant to such Summons, who shall take the same into Consideration, and may, according to their Discretions, suspend or remove the said Clerk so offending from his said Office, and nominate and appoint another fit and able Person to exercise the said Office in his Place and Stead. Penalty of taking greater or other Fees. Fine to be paid into the Chamberlain's Court, for the Use of the Corporation. How the Commissioners are to proceed upon Complaint of Misbehaviour against the Clerk. Power of the Court upon Conviction to suspend or remove him.

XVII. And be it further enacted by the Authority aforesaid, That if any of the Commissioners of the said Court for the time being shall be a Party to, or interested in, any Cause depending in the said Court, such Person shall not be capable of acting as a Commissioner in the hearing or determining the said Cause, or making any Order, Decree or Judgment therein; but after being heard in the said Cause, shall withdraw until the same is finally determined: And if the Clerk of the said Court, or any other of the Officers thereof for the time being, shall be a Party to, or interested in, any Cause depending in the said Court, such Clerk, or other Officer, shall not exercise his said Office in the said Cause, or any thing relating thereto, but the said Commissioners, or any three or more of them, assembled at such Court, being a Majority of the said Court, shall and may appoint another Person to exercise the Office of such Clerk or other Officer respectively, in all things relating to such Cause: And no Attorney of the said Borough Court, or Clerk or other Officer of the said Court of Requests, so long as they respectively continue in such Office, shall be capable of being nominated for, or acting as a Commissioner of the said Court. Where a Commissioner is Party to or interested in a Cause, he is to withdraw, after giving Evidence, and where the Clerk, or other Officers are interested, the Court is to appoint others to act for them. Officers of the Commissioners.

Court disqualified from being

XVIII. And for the more effectual Establishment of the said Court, and that the Commissioners thereof may be vested with a proper Authority, and be free and exempt from Insult and Abuse; Be it enacted by the Authority aforesaid, That if any Person shall contemptuously and wilfully insult or abuse all or any of the Commissioners of the said Court for the time being, during their sitting in the said Court, or wilfully prevent or hinder them, or any of them, from proceeding in the Business of the said Court, it shall and may be lawful for the Serjeants of the said Court, by Order of the said Commissioners, or any three or more of them, being a Majority of the said Court, to take such Offender or Offenders into Custody, and carry him, her or them, before the Mayor, or any other Justice or Justices of the Peace for the said Borough; and upon the Insult, Abuse or other Misbehaviour as aforesaid, being duly proved by the Oath or Oaths of one or more credible Witness or Witnesses, the said Mayor, Justice or Justices, shall punish every such Offender, either by Fine not exceeding twenty Shillings, upon any one Person for any one Offence, to be levied by Distress and Sale of the Goods of the said Offender, or Imprisonment in the Common Gaol of the said Borough, for any Space of Time not exceeding ten Days; and where the said Mayor, Justice or Justices, shall have imposed a Fine upon such Offender, and there shall not be found sufficient Goods of such Offender, whereupon such Fine can be levied, the said Mayor, Justice or Justices, shall and may by Warrant under his or their Hand or Seal, Hands or Seals, commit the said Offender to the Common Gaol of the said Borough, there to remain for any Space of Time not exceeding ten Days; and all such Fines as aforesaid, shall, when levied, be paid and applied, in like Manner as the Fines herein before-mentioned are directed to be paid and applied; and the said Clerk of the said Court for the time being, shall, from time to time, cause a true Copy of this Clause to be fixed up in the Court or Place where the said Commissioners shall meet, in some conspicuous Part thereof, where the Persons resorting to the said Court may see and read the same. Penalty of insulting or abusing the Court during their Sitting. Copy of this Clause to be fixed up in the Court.

XIX. And be it further enacted by the Authority aforesaid, That if in any Action of Debt, or Action on the Case, upon an *Assumpsit* for the Recovery of any Debt or Thing, to be sued or prosecuted against any Person or Persons as aforesaid, in any of the King's Courts at *Westminster*, or elsewhere, out of the said Court of Requests, the Plaintiff or Plaintiffs shall declare for any Sum of Money not amounting to forty Shillings, the Defendant or Defendants may plead generally in Bar of such Action, that at the Time of commencing such Action, the Defendant or Defendants was or were liable to be warned or summoned before the said Court of Requests, without pleading any other Matter specially; and if the Plaintiff or Plaintiffs in any such Action, shall declare for any Sum amounting to forty Shillings or more, the Defendant or Defendants If any Action for Debt under 40s. shall be sued in any other Court, the Court to award the Defendant Double Costs.

Defendants may plead generally, over and above such Matters as aforesaid, that the Defendant or Defendants, was or were not at the Time of commencing such Action, indebted to the Plaintiff or Plaintiffs, in any Sum of Money amounting to forty Shillings, without pleading any other Matter specially, and unto the said Pleas, the Plaintiff or Plaintiffs shall or may reply generally, and deny the Matter pleaded as aforesaid; and if the Plaintiff or Plaintiffs be nonsuited, or discontinue his, her or their Action, or Verdict pass or Judgment on Demurrer, be given against him, her or them, the Defendant or Defendants shall have Double Costs, unless the Judge who shall try such Cause, upon any such Plea or Pleas as aforesaid, shall in open Court certify on the Back of the Record, that there was a probable or reasonable Cause of Action for some Money or Thing of the Value of forty Shillings or more, or that the said Cause was not within the Jurisdiction of the said Court of Requests, or that an Act of Bankruptcy principally came in Question.

But the Plaintiff may afterwards sue for the same in the Court of Requests.

XX. Provided always, That it shall and may be lawful to and for the Plaintiff or Plaintiffs in such Action, afterwards to prosecute the said Defendant or Defendants for the Recovery of the said Debt or Thing in the said Court of Requests; any thing herein before contained to the contrary notwithstanding.

Debts recoverable in this Court not sueable elsewhere.

Decree of the Court therein to bar all Actions in other Courts.

Cause not removeable to higher Courts, any Judgment to be final.

XXI. And be it further enacted by the Authority aforesaid, That no Action or Suit for any Debt or Thing not amounting to the Value of forty Shillings, and recoverable by virtue of this Act in the said Court of Requests, shall be brought against any Person or Persons in any other Court whatsoever; and if any Action or Suit shall be brought in any other Court for any Matter within the Jurisdiction of the said Court of Requests, and concerning which any Order, Decree or Judgment shall have been made or given in the said Court of Requests, such Order, Decree or Judgment, being pleaded or given in Evidence on the General Issue of such Action or Suit, shall, as to the Matters contained therein, be an effectual Bar to the Plaintiff or Plaintiffs in such Action or Suit; and the Registers or Books of Entry of the said Court, or true Copies proved by the Oath or Oaths of one or more credible Witness or Witnesses, shall be deemed legal Evidence of the Acts and Proceedings of the said Court; and no Suit which shall be commenced in the said Court of Requests in pursuance of this Act, nor any Proceeding therein, shall or may be removed into any superior Court, but the same shall be final and conclusive to all Intents and Purposes.

Limitation of the Powers of this Act with respect to certain Debts, &c.

XXII. Provided always, and be it enacted by the Authority aforesaid, That this Act or any thing herein contained, shall not extend to any Debt for Rent upon any Lease or Contract, where the Title of any Lands, Tenements or Hereditaments, can or may come in Question; nor to any Debt, Matter or Thing that shall or may arise upon, or in any wise relate to or concern, any Cause of Testament or Matrimony, or any thing concerning or properly belonging to the Ecclesiastical Courts; nor for any Debt for any Money or Thing won at, or by Means of any Horse Race, Cock Match, or any Kind of Gaming or Play; nor for any Forfeiture upon any Penal Statue or By-law; nor to any Debt whereof there has been no Contract or Undertaking to pay within six Years before the taking out the Summons, although the same shall be under the Value of forty Shillings.

Jurisdiction of the Court of Admiralty not abridged by this Act.

XXIII. Provided also, and be it enacted by the Authority aforesaid, That this Act or any thing herein contained, shall not take away, limit or lessen the Jurisdiction of the Court of Admiralty, held in and for the Borough and Port of *Great Yarmouth* aforesaid, by virtue of certain Royal Grants or Charters, but all Causes lawfully cognizable in that Court, may continue to be commenced, prosecuted and determined therein, according to the usual Course and Practice thereof as heretofore hath been; any thing in this Act contained to the contrary notwithstanding.

Penalty of wilful and corrupt Perjury.

XXIV. And be it further enacted by the Authority aforesaid, That if any Person or Persons, in making Oath or giving Evidence in any Cause or Matter depending in the said Court of Requests pursuant to this Act, shall commit wilful and corrupt Perjury, such Person or Persons being duly convicted thereof according to Law, shall incur and suffer such Pains and Penalties as any other Person or Persons convicted of wilful and corrupt Perjury is or are subject and liable to by the Laws and Statutes of this Realm.

Gaol Keeper, &c. to receive Prisoners committed by the Court.

XXV. And be it further enacted by the Authority aforesaid, That the respective Keepers, for the time being, of the Common Gaol or House of Correction within the said Borough, shall, and they are hereby required to receive and take into their Custody respectively, all and every Person and Persons who shall be committed, or ordered to stand committed, by any three or more of the said Commissioners present in Court, being the Majority of such Court, or by virtue of any Warrant, Attachment, Execution or other Process, issuing out of the said Court of Requests; and in case the Keeper of the said Gaol or House of Correction respectively, shall neglect or refuse to receive and take into his Custody, any Person or Persons committed by virtue of this Act, or shall, before the Expiration of the Time for which any Person or Persons shall be committed to his Custody, discharge such Person or Persons out of his Custody, or wilfully suffer such Person or Persons to go at Large, without Warrant or Order for that Purpose, in Writing, signed by three or more of the said Commissioners present in Court; such Keeper respectively offending in either of the said Cases, and being thereof lawfully convicted before any one of his Majesty's Justices of the Peace for the said Borough, upon the Oath of one or more credible Witness or Witnesses, or upon his own Confession, shall forfeit and pay for every such Offence, a Sum not exceeding five Pounds, nor less than forty Shillings, of lawful Money of *Great Britain*, at the Discretion of such Justice; and such Sum shall be immediately paid by the Person so offending, into the Hands of the Justice before whom such Offender shall be convicted; or, in Default thereof, shall be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal of such Justice, rendering the Overplus (if any be) to such Offender, the Charges of such Distress and Sale being thereout first deducted; which Forfeiture, when paid or levied, shall be immediately paid over by such Justice, or by the Person who shall levy and receive the same, to the Chamberlains of the said Borough for the time being, or one of them, for the Use of the Mayor, Aldermen, Burgesses and Commonalty of the said Borough.

Penalty of Refusal, or suffering the Prisoner to escape, or to go at large, &c.

Penalty to be paid over to the Chamberlain for the Use of the Corporation.

Attornies of the Court not admitted to plead

XXVI. And be it further enacted by the Authority aforesaid, That no Attorney of any Court of Record, shall be admitted to appear in the said Court of Requests, as Attorney or Advocate, on Behalf of any Plain-

tiff or Defendant, or be admitted to speak in any Cause or Matter before the said Court, in which such Attorney is not himself a Party or Witness, under a Penalty of twenty Pounds, to be levied and applied as above-mentioned, with respect to Keepers of the said Gaol and House of Correction; nor shall any such Attorney act as a Commissioner in the said Court of Requests; any thing herein before contained to the contrary notwithstanding.

or appear as Advocates, except where they are Parties to the Cause; nor to act as Commissioners.

XXVII. And be it further enacted by the Authority aforesaid, That in case any Person inhabiting or residing within the said Borough, shall be duly served with a *Subpœna* or Summons, to be issued by the Clerk of the said Court, to appear in the said Court of Requests, at a Time and Place in such *Subpœna* or Summons mentioned, to give Evidence on Behalf of any Plaintiff or Defendant, shall neglect or refuse to appear pursuant to such *Subpœna* or Summons, and due Proof being made of the Service of such *Subpœna* or Summons, and no Cause of Absence being shewn to the Satisfaction of the Majority of the Commissioners, present at the Court to which such Person shall be by such *Subpœna* or Summons required to appear; it shall and may be lawful to and for the said Commissioners, or any three or more of them, assembled in such Court, and being a Majority of them, to impose a Fine not exceeding twenty Shillings, nor less than five Shillings, to be levied by Distress and Sale of the Offender's Goods, by Warrant under the Hands and Seals of the said Commissioners, or any three or more of them, rendering the Overplus (if any be) to such Offender, the Charges of such Distress and Sale being thereout first deducted; which Fine, when paid or levied, shall be paid over to the Party or Parties at whose Instance, or on whose Behalf such *Subpœna* or Summons issued.

Penalty on Persons refusing to appear according to Summonses of the Court.

Fine to be paid over to the Party at whose Instance the Summons issued.

XXVIII. And be it further enacted by the Authority aforesaid, That no Writ shall be sued out against, nor any Copy of any Process at the Suit of any Person or Persons, shall be served on any the said Commissioners for the time being, for any thing by him done in the Execution of his Office, until Notice in Writing of such intended Writ or Process shall have been delivered to him, or left at the usual Place of his Abode, by the Attorney or Agent for the Party who intends to sue, or cause the same to be sued or served, at least one Calendar Month before the suing out or serving the same; in which Notice shall be clearly and explicitly contained the Cause of Action, which such Party hath, or claimeth to have, against such Commissioner, on the Back of which Notice shall be indorsed the Name of such Attorney or Agent, together with the Place of his Abode, who shall be intitled to have the Fee of twenty Shillings, for the preparing and serving such Notice, and no more.

No Writ or Process without a Month's Notice to be served on any Commissioner, for any thing done in the Execution of his Office.

XXIX. And be it further enacted, That it shall and may be lawful to and for such Commissioner, at any Time within one Calendar Month after such Notice given as aforesaid, to tender Amends to the Party complaining, or to his or her Agent or Attorney; and in case the same is not accepted, to plead such Tender in Bar to any Action to be brought against him, grounded on such Writ or Process, together with the Plea of Not guilty, and any other Plea with Leave of the Court; and if, upon Issue joined thereon, the Jury shall find the Amends so tendered to have been sufficient, then they shall give a Verdict for the Defendant; and in such Case, or in case the Plaintiff shall become nonsuited, or shall discontinue his or her Action; or in case Judgment shall be given for such Defendant or Defendants, upon Demurrer, such Commissioner shall be intitled to the like Costs as he would have been intitled unto, in case he had pleaded the General Issue only; and if, upon Issue so joined, the Jury shall find that no Amends were tendered, or that the same were not sufficient, and also against the Defendant or Defendants in such other Plea or Pleas, then they shall give a Verdict for the Plaintiff, and such Damages as they shall think proper; which he or she shall recover, together with his or her Costs of Suit.

Commissioner may tender Amends, and plead the same in Bar of the Action, &c. Court to give Judgment and award Costs.

XXX. And be it further enacted, That no such Plaintiff shall recover any Verdict against such Commissioner in any Case where the Action shall be grounded on any Act of the Defendant as a Commissioner, unless it is proved upon the Trial of such Action, that such Notice was given as aforesaid; but in Default thereof, such Commissioner shall recover a Verdict, and Costs, as aforesaid.

Plaintiff not to recover where Notice as aforesaid has not been given.

XXXI. And be it further enacted by the Authority aforesaid, That in case such Commissioner shall neglect to tender any Amends, or shall have tendered insufficient Amends, before the Action brought, it shall and may be lawful for him, by Leave of the Court where such Action shall depend, at any Time before Issue joined, to pay into Court such Sum of Money as he shall see fit; whereupon such Proceedings, Orders and Judgments, shall be had, made and given, in and by such Court, as in others Actions where the Defendant is allowed to pay Money into Court.

Commissioner may also, before Issue joined, pay the Money into Court, &c.

XXXII. And be it further enacted, That no Evidence shall be permitted to be given by the Plaintiff on the Trial of any such Action as aforesaid, of any Cause of Action, except such as is contained in the Notice hereby directed to be given.

No Evidence to be given by the Plaintiff but such as is contained in the Notice.

XXXIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons for any Matter or Thing done, or to be done, in pursuance of this Act, such Action or Suit shall be brought or commenced within six Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants shall and may plead the General Issue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his, her or their Action or Suit; or if, upon Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble such Costs as are usually taxed and allowed between Party and Party, and have such Remedy for the same as any Defendant or Defendants hath or have in any other Cases by Law.

Limitation of Actions. General Issue. Treble Costs.

XXXIV. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices and other Persons whomsoever, without the same being specially pleaded.

Publick Act.

CAP.

CAP. XXV.

For former Provisions concerning Corn, refer to 1 & 2 *P. & M. c.* 5. 15 *Car.* 2. *c.* 7. 22 *Car.* 2. *c.* 13. 1 *Jac.* 2. *c.* 19. 1 *W. & M. ſtat.* 1. *c.* 12 & 24. 11 & 12 *W.* 3. *c.* 20. 12 & 13 *W.* 3. *c.* 10. 5 *Ann. c.* 29. 2 *Geo.* 2. *c.* 18. 5 *Geo.* 2. *c.* 12. 11 *Geo.* 2. *c.* 22. 24 *Geo.* 2. *c.* 56. 26 *Geo.* 2. *c.* 15. 30 *Geo.* 2. *c.* 1.

An Act for eſtabliſhing a free Market for the Sale of Corn and Grain, within the City or Liberty of *Weſtminſter*.

Preamble.

'WHEREAS the eſtabliſhing a free Market for the Sale of Corn and Grain within the City or 'Liberty of *Weſtminſter*, would be very advantageous to the Inhabitants of the ſaid City and Liber-'ty, as well as the adjacent Parts, but ſuch Market cannot be eſtabliſhed without the Aid of Parliament:' May it therefore pleaſe your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That there ſhall be a free and open Market held within the City or Liberty of *Weſtminſter*, for all Sorts of Corn and Grain whatſoever; and that it ſhall and may be lawful for any Perſon or Perſons to buy or ſell any Sort of Corn and Grain, Seed, Malt, Meal and Flour, in the ſaid Market, without any Diſturbance or Moleſtation whatſoever, nevertheleſs yielding and paying ſuch Sums as are herein after mentioned.

A free Market for Sale of Corn and Grain to be held in Weſtminſter.

II. And to the end the ſaid intended Market may be erected, eſtabliſhed and maintained, under ſuch Rules and Regulations, as are by this Act herein after directed and preſcribed; Be it further enacted by the Authority aforeſaid, That the Honourable Major General *Edward Cornwallis*, Sir *John Croſſe* Baronet, and the Repreſentatives in Parliament for the City of *Weſtminſter* for the time being; Sir *William Beauchamp Proctor* Baronet, *George Cooke* Eſquire, and the Repreſentatives in Parliament for the County of *Middleſex* for the time being; the Honourable *Charles Cavendiſh* Eſquire, commonly called Lord *Charles Cavendiſh*; the Right Honourable Lord *Carpenter* in the Kingdom of *Ireland*, Sir *Richard Groſvenor*, Sir *Matthew Lambe*, Baronets; *George Onſlow*, *John Wilkes*, *John Little*, *Nathaniel Curzon*, *Samuel Toreſher*, *John Olmius*, *John Goodchild*, *John Drummond*, *Edward Byron*, *John Pudſey*, *Saunders Welch*, *Clutterbuck*, *John Walſh*, *Henry Collett*, *Thomas Gilpin*, Eſquires; *John Wright* Coachmaker, *Giffard*, *John Machin* Timber Merchant, *Latham* Diſtiller, *Thomas Chamberlain* Pewterer, *Kemp Bridges* Laceman, *Morris* Woollen Draper, *Thomas Bedwell* Ironmonger, *Samuel Peirſon*, *Nicholas Spencer*, *Roger Jackſon*, *Richard Lane*, *Thomas Brooke* and *Nathaniel Bever*, Gentlemen; ſhall, from and immediately after the paſſing of this Act, be, and they are hereby appointed Truſtees for putting this Act in Execution.

Truſtees Names.

III. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Truſtees, or any five or more of them, or any Perſon or Perſons authorized by them, to ſet out Ground proper for holding the ſaid Market at ſome convenient Place within the ſaid City or Liberty; and alſo to purchaſe ſuch Ground, together with any Buildings erected thereupon, or upon any Part thereof, and all or any Eſtate, Term or Intereſt, ſubſiſting therein, and to convert the ſaid Ground into a Market; in Truſt nevertheleſs, to and for the ſeveral Uſes, Intents and Purpoſes, as are herein after declared concerning the ſame.

Truſtees impowered to ſet out and purchaſe Ground, &c. for the Scite of the Market.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all Perſons whatſoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Femes Covert who are or ſhall be ſeiſed or intereſted in their own Right, Truſtees and Feoffees in Truſt, Guardians and Committees for Lunaticks and Ideots, Executors, Adminiſtrators and Guardians whatſoever, not only in Behalf of themſelves, their Heirs and Succeſſors, but alſo for and in Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes Covert or other Perſons whatſoever, who are or ſhall be ſeiſed or poſſeſſed of, or intereſted in, any Lands, Meſſuages or Tenements, which ſhall be within the Bounds and Limits ſo to be ſet out by the ſaid Truſtees, as aforeſaid, or any five or more of them, for the holding the ſaid Market thereon, to contract for, ſell, convey or ſurrender to the ſaid Truſtees, or any five or more of them, or to any Perſon or Perſons they ſhall appoint in Truſt for them, all or any ſuch Meſſuages, Lands, Tenements or Hereditaments, or any Part thereof, or any Terms for Years, or any Eſtate or Intereſt therein; and that all ſuch Contracts, Agreements, Bargains, Sale, Aſſignments, Surrenders and other Conveyances, which ſhall be ſo made as aforeſaid, ſhall be good and valid in Law to all Intents and Purpoſes whatſoever, not only to convey the Eſtate and Intereſt of the Perſon or Perſons conveying, but alſo all Right, Eſtate, Intereſt, Uſe, Property, Claim and Demand whatſoever, of their ſeveral and reſpective Ceſtique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes Covert, or other Perſons whatſoever, and all Perſons claiming, or to claim, by, from or under them; any Law, Statute or Uſage, to the contrary thereof in any wiſe notwithſtanding.

Bodies Politick, Guardians, Truſtees, and other Perſons intereſted in ſuch Grounds, &c. impowered to ſell and convey the ſame, for the Purpoſe aforeſaid.

Such Sale and Conveyance deemed good in Law.

V. Provided always, and be it enacted by the Authority aforeſaid, That all and every Sum and Sums of Money which ſhall be paid by the ſaid Truſtees, for the Purchaſe of ſuch Meſſuages, Lands, Tenements and Hereditaments, or any Eſtate therein, to any Perſon or Perſons whatſoever, Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Femes Covert, Truſtees or Feoffees in Truſt, Guardians or Committees for Lunaticks or Ideots, Executors, Adminiſtrators or Guardians whatſoever, either as aforeſaid, or in Manner herein after directed, ſhall be laid out again in the Purchaſe of other Meſſuages, Lands, Tenements or Hereditaments, or of ſuch Eſtate therein, as the Vender or Venders had in the Premiſſes, from the Sale of which the ſaid Purchaſe Money aroſe; and the Meſſuages, Lands, Tenements or Hereditaments, or other the Premiſſes, which ſhall be purchaſed with the ſaid Money, ſhall be ſettled, conveyed and aſſured, to the ſame Uſes, and ſtand charged with, and be liable to, the ſame Charge or Charges, as the

Where ſuch Lands, &c. ſhall be held in Truſt, the Money is to be laid out in Purchaſes of other Lands, &c. of equal Value, to be ſettled and applied to like Uſes as declared in ſuch Truſts,

the Messuages, Lands, Tenements or Hereditaments, from the Sale of which the Purchase Money shall arise, were liable to, and chargeable with, before the same were so sold to the said Trustees.

If the Parties interested shall refuse to treat,

VI. And be it further enacted by the Authority aforesaid, That if it shall happen that any Person or Persons, Bodies Politick, Corporate or Collegiate, or other Person or Persons whatsoever, who are hereby enabled to convey as aforesaid, shall refuse to treat and agree with the said Trustees, or to convey as aforesaid, then, and in such Case, it shall and may be lawful to and for the said Trustees, or any five or more of them,

Trustees are to issue their Warrant to the High Bailiff, to impanel and return a Jury;

to issue out a Warrant or Warrants, Precept or Precepts, to the High Bailiff of *Westminster* (who is hereby authorized and directed to obey the same) to impanel and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than forty-eight, nor more than seventy-two; and out of such Persons so to be impanelled, summoned and returned, a Jury of twelve Persons shall be drawn by the said Trustees, or any five or more of them, or some Person to be by them, or any five or more of them, appointed, in such Manner as Juries for the Trial of Issues joined in his Majesty's Courts at *Westminster*, by an Act made in the third Year of the Reign of his present Majesty (intituled, *An Act for the better Regulation of Juries*) are drawn; which Persons so to be impanelled, summoned and returned, are hereby required to come and appear before the said Trustees, or any five or more of them, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed; and all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; and the said Trustees, or any five or more of them, are hereby authorized and impowered by Warrant or Warrants under their Hands and Seals, from time to time, as Occasion shall require, to call before them all and every Person or Persons whatsoever, who shall be thought proper and necessary to be examined as Witnesses before them, touching or concerning the Premisses, and to require any Person or Persons who shall have any Books, Papers, Deeds or Writings, which may tend to discover the Value of the Premisses, or the Title or Titles of the Persons claiming any Estate or Interest therein, to produce the same to the said Trustees, or any five or more of them, or such Person or Persons as they shall appoint to inspect the same; and the said Trustees, or any five or more of them, shall, and are hereby impowered to administer Oaths, as well to the Parties concerned, as to others, for the Discovery of the Truth of the Value of the Premisses, or of the Title of the Person or Persons claiming any Estate or Interest in the Premisses; and shall and may authorize the said Jury to view the Place or Places, or Matters in Question, in case the said Trustees, or any five or more of them, shall think fit so to do; and the said Jury upon their Oaths (which Oaths shall also be administered by the said Trustees, or any five or more of them) shall inquire of, and assess such Damages and Recompence, as they shall judge fit to be awarded to the Owners and Occupiers of such Houses, Ground or other Estate or Interest, or either of them, for their respective Estates and Interests therein, and which the said Trustees shall adjudge necessary to be purchased for the Purpose aforesaid; and the said Trustees, or any five or more of them, assembled together, shall and may give Judgment for such Sum or Sums so assessed by such Jury or Juries respectively; which said Verdict or Verdicts, and the Judgment, Decree or Determination, thereupon declared and pronounced by the said Trustees, or any five or more of them, assembled together; and the Value and Recompence so to be assessed and declared (Notice in Writing being first given of the Time and Place and Intent of the Meeting of the said Trustees, at least twenty Days before such Meeting, to any Person who is in Possession of any Estate or Interest, then to be valued and assessed; or in case such Person or Persons cannot be found to be personally served therewith, such Notice being left at the Dwelling-house or usual Place of Abode of such Person or Persons so interested as aforesaid, or with some Tenant or Occupier of the Messuages, Lands, Tenements or Premisses, so to be valued and assessed, or any of them, or if wholly untenanted, then Publication thereof being made in the *London Gazette*) shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person or Persons whatsoever, Bodies Politick or Corporate, claiming any Right, Title, Trust or Interest, in, to or out of the said Houses, Grounds, Tenements and Premisses, to be affected by this Act, either in Possession, Reversion, Remainder or Expectancy, as well Infants, Lunaticks, Ideots, Femes Covert, Tenants in Tail, Tenants for Life, Terms of Years, or at Will, his, her and their Heirs, Successors, Executors and Administrators; and the said Verdicts, Judgments, Orders and other Proceedings of the said Trustees, or any five or more of them, which concern such Lands, Tenements and Hereditaments, shall be transmitted to, and entered or docquetted in, the Register's Office for the County of *Middlesex*, and shall be deemed and taken to be Records to all Intents and Purposes whatsoever; and all Persons may have Recourse to the same *gratis*, and take Copies thereof, paying for the Copies a Sum not exceeding six Pence for every two hundred Words; and so proportionably for any greater Number of Words.

Trustees may summon and examine Witnesses on Oath;

and order Evidences and Documents of the Estates to be produced.

Jury to view the Place in Question, and assess the Damage and Recompence on Oath.

Trustees to give Judgment thereupon; which is to be final and binding.

Notice of the Meeting of the Jury to be given to the Party in Possession, &c.

or, if untenanted, to be published in the Gazette.

Verdict, and Judgment thereupon, to be transmitted to, and entered in, the Register's Office.

Recourse may be had thereto, and Copies taken thereof.

VII. And it is hereby further enacted and declared, That upon Payment of such Sum or Sums of Money so to be adjudged for the Purchase of the Premisses, or any Part thereof, the Person or Persons intitled thereto shall make and execute, or procure to be made and executed, good, valid and legal Conveyances, Assignments and Assurances in the Law, to the said Trustees and their Successors, of the said Premisses, for which such Sum or Sums of Money were so awarded, and shall do all such Acts, Matters and Things necessary or requisite to make a good, real and perfect Title thereto; and such Conveyances, Assignments and Assurances, shall contain all such reasonable and usual Covenants as shall, on Behalf of the said Trustees and their Successors, be required; and in case any Person or Persons to whom such Money shall be awarded as aforesaid, shall not evince a Title to the said Premisses to the said Trustees, and make, or procure to be made, good and legal Conveyances thereof, or shall refuse so to do, being thereunto required, such Sum and Sums of Money so awarded as aforesaid, being ready to be paid to him, her or them, on making such Title, and tendered for that Purpose; or in case any Person or Persons intitled to the Premisses for which Sum or Sums of Money shall be so awarded as aforesaid, cannot be found within the City or Liberty of *Westminster* or County of *Middlesex*; or in case that by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear to the said Trustees, or any five or more of them, what Person or

Upon Payment of the Sum assessed, Conveyance to be made and executed of the Premisses.

Where a Title shall not be evinced, or shall be refused to be made,

or the Proprietor cannot be found;

or it shall be doubtful who is the right Owner;

or Persons is or are intitled to the Premisses in Question; that then, and in all and every or any such Case and Cases as aforesaid, it shall and may be lawful to and for the said Trustees, or any five or more of them, to order such Sum or Sums of Money so awarded as aforesaid, as the Value of and Purchase Money for the said Premisses, to be paid into the Bank of *England* for the Use of the Parties interested in the said Premisses, to be paid to them, and each and every of them, according to their respective Estates and Interests in the said Premisses, at such Times as the said Trustees, or any five or more of them, shall, by Warrant or Warrants under their Hands, order and direct; and the Cashier and Cashiers of the Bank of *England*, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum and Sums, mentioning and specifying for what Premisses, and for whose Use the same is or are received, to such Person or Persons as shall pay such Sum or Sums into the Bank of *England* as aforesaid; which Receipt or Receipts shall be transmitted to, and entered or docqueted in the Register's Office of the County of *Middlesex*, in Manner aforesaid, and shall be deemed and taken to be Records to all Intents and Purposes whatsoever; and immediately on such Payment and Registry all the Estate, Right, Title, Use, Trust, Property, Equity of Redemption, Claim and Demand in Law and Equity, of all and every Person and Persons for whose Use such Money was paid, of, in, to, from and out of the said Premisses, or any Part thereof, shall vest in the said Trustees and their Successors; and they the said Trustees and their Successors shall be deemed in Law to be in the actual Possession thereof, and to be seized thereof in Fee-simple, freed and discharged from all Claims, Demands, and Equity of Redemption either at Law or in Equity, to all Intents and Purposes, as fully and effectually, as if all and every Person and Persons, having any Estate, Right, Title, Trust, Interest or Equity of Redemption, of, in, to, from or out of the said Premisses, had actually conveyed the same by Lease and Release, Bargain and Sale, Inrolled Feoffment, with Livery of Seisin, Fine and Recovery, or any other Conveyance whatsoever; and such Payment shall not only bar all Right, Title, Interest, Equity of Redemption, Claim and Demand, of the Person or Persons to whose Use such Payment was made; but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife or Wives of such Person or Persons, and all Estates Tail, and Remainders, as fully and effectually as a Fine or Recovery would do, or would have done, if levied or suffered by proper Parties in due Form of Law.

the Trustees are to lodge the Money, payable for the Premisses, in the Bank;

Receipt to be given for the Money, and to be transmitted to, and entered in, the Register's Office; after which, all Right in the Premisses to vest in the Trustees.

VIII. And be further enacted by the Authority aforesaid, That from and immediately after Payment made for the Lands and Hereditaments so to be purchased as aforesaid, it shall and may be lawful for the said Trustees and their Successors, to enter upon the Premisses so purchased, and every Part thereof, and to convert the same to be used as a free Market as aforesaid.

After Payment of the Purchase-money, Trustees may enter on the Premisses, and convert the same into a Market.

IX. And, for raising a Sum of Money sufficient for the Payment of the Purchase of such Lands and Hereditaments, and other the Purposes of this Act; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any nine or more of them, and they are hereby authorized and impowered to raise, borrow, take and receive, of and from any Person or Persons whomsoever, or any Body or Bodies Corporate or Politick whatsoever, who are willing to lend and advance the same, any Sum or Sums of Money not exceeding in the whole the Sum of three thousand Pounds for the Payment of such Purchase Money, and for other the Purposes of this Act; and to set up and build upon such Lands so to be purchased, all such Sheds, Stands, Stalls, and other Erections, as shall be found necessary for constituting the said Market; or in case it shall be found to be more convenient and beneficial to let out such Ground upon a Building Lease or Leases for the Purposes aforesaid, it shall and may be lawful for the said Trustees, or any nine or more of them, and they are hereby authorized and impowered to set and let out such Ground for the best Rent that can be gotten for the same, payable Quarterly, or otherwise, upon a Lease or Leases, for any Term or Terms not exceeding sixty-one Years, to any Person or Persons who shall be willing to contract for and take the same, with proper Covenants binding him or them to build and set up all necessary Erections thereupon for converting the same into a Market as aforesaid.

Trustees may borrow Money for the Purposes of this Act;

and build Sheds and Stands in the Market; or let the Ground on a Building Lease.

X. Provided always, and it is hereby declared, That no Money shall be borrowed on the Credit of this Act by the said Trustees, unless Notice in the *London Gazette* shall be first given thereof at least twenty Days before the borrowing of such Money.

Previous Notice to be given in the Gazette before the borrowing Money.

XI. And, for discharging the Debt to be incurred as aforesaid, Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Person or Persons to contribute, advance and pay into the Hands of the said Trustees, or any five or more of them, or their Treasurer for the time being, any Sum or Sums of Money not exceeding in the whole, the Sum of three thousand Pounds, for the absolute Purchase of one or more Annuity or Annuities, to be paid and payable during the full Term of the Natural Life of such Contributor or Contributors respectively, or the Natural Life of such other Person or Persons as shall be nominated by and on the Behalf of such respective Contributor or Contributors, at the Time of Payment of his or their respective Contribution Monies; which Annuity or Annuities shall not exceed the Rate of eight Pounds *per Centum per Annum*, for every one hundred Pounds, and so in proportion for any greater or less Sum to be advanced and paid as aforesaid; all which Annuities so to be purchased, shall not exceed in the Whole the Sum of two hundred and forty Pounds *per Annum*, and shall be payable and paid by the said Trustees, or any five or more of them, in such Place within the said City or Liberty of *Westminster*, as they, or any five or more of them, shall for that Purpose appoint, by Quarterly Payments; the first Payment to begin and be made to the respective Purchaser or Purchasers, and his or their Assigns, at the Expiration of three Months after Payment of their respective Purchase Monies; which Annuities shall be publickly sold by the said Trustees to the best Bidder for the same.

3000 l. may be advanced for the Purchase of Life Annuities,

after the Rate of 8 l. per Cent. per Annum,

and to be paid quarterly.

Annuities to be sold to the best Bidder.

XII. And it is hereby enacted, That there shall be provided by the said Trustees, and kept in such Place within the said City or Liberty of *Westminster*, as they, or any five or more of them, shall appoint, a Book or Books in which shall be fairly written in Words at Length the Names and Surnames, with the proper Additions and Places of Abode, of all such Persons who shall be Proprietors of any of the Annuities aforesaid, and of all Persons by whose Hands the said Purchasers shall pay in any Sum or Sums of Money upon the

Names and Abode of the Purchasers, the Sums when and by whom paid, &c. to be enter'd in proper Books;

the Credit of this Act, and also the Sum so paid for the Purchase of such Annuities, and the respective Days of Payment thereof; to which Book and Books, it shall be lawful for the said respective Purchasers, and their Assigns, and to and for any other Person or Persons, at all seasonable Times, to have recourse to and inspect the same, without Fee or Reward. to which Recourse may be had gratis.

XIII. And it is hereby further enacted, That all and every the Contributor and Contributors upon the Credit of this Act, duly paying the Consideration or Purchase-money at the Rate aforesaid, for any such Annuity or Annuities as aforesaid, or such Person or Persons as he, she or they shall appoint, his, her or their respective Assigns, shall have, receive and enjoy the respective Annuity or Annuities so to be purchased, during the Term of the Natural Life of the Person to be nominated by each such Purchaser or Contributor, as above mentioned; and that all and every such Purchaser and Purchasers, and their Assigns respectively, shall have good, sure, absolute and indefeazable Estates and Interest in the Annuities so by them respectively to be purchased, according to the Tenor and true Meaning of this Act; and that none of the said Annuities shall be subject or liable to any Tax assessed upon Land by Authority of Parliament; and that every Contributor upon the Credit of this Act for the Purchase of any such Annuity or Annuities as aforesaid, his, her or their Assigns, upon Payment of the Consideration or Purchase-money for the same, at the Rate aforesaid, or any Part or Proportion thereof, into the Hands of the said Trustees, or any five or more of them, or their Treasurer for the time being, shall have one or more Receipt or Receipts, importing the Receipt of so much Purchase-money as shall be so paid; and upon Payment of all the Purchase-money for any such Annuity or Annuities, every such Contributor, his, her or their Assigns respectively, shall have an Order on Parchment or Vellum for Payment of the said Annuity or Annuities, for and during the Natural Life of such Person as shall be nominated by such Contributor or Purchaser as aforesaid; which Order shall be signed by the said Trustees, or any five or more of them, and after signing thereof, the same shall be firm, good, valid and effectual in the Law, according to the Purport and Meaning thereof, and of this Act. Annuities ensured to the Purchasers, and to be Tax-free. Receipts to be given to Contributors for the Money paid in by them; and upon compleating their Payments, an Order is to be given them on Vellum or Parchment, signed by the Trustees, for Payment of their Annuities.

XIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Purchaser or Purchasers of any such Annuity or Annuities as aforesaid, and his, her and their Executors, Administrators or Assigns at any Time or Times, by Writing under his, her or their Hands and Seals (without any Stamp thereupon) to assign such Annuity or Annuities, or any Part thereof, or any Interest therein, to any Person or Persons whatsoever, and so *toties quoties*; and a Memorandum or Entry of all such Assignments shall be made in a Book, which is hereby required to be kept for that Purpose at the Charge of the said Trustees, as aforesaid; which Entry or Memorandum shall be made *gratis*. Annuities may be assigned. Entry to be made thereof.

XV. And be it further enacted by the Authority aforesaid, That all and every the Annuities so to be purchased under and by virtue of this Act, shall be, and are hereby charged upon, and shall be paid and payable from time to time, upon all Monies arising by the Rents and Profits of the Sheds, Stalls, Stands and all other Buildings and Erections, to be set up in and upon the Ground to be set out and appointed for the Scite of the said Market, and all other the Profits whatsoever, arising or accruing by or from the said Market, to the said Trustees and their Successors. Annuities charged upon the Rents and Profits of the Market.

XVI. And be it further enacted by the Authority aforesaid, That all the Lands, Tenements and Hereditaments, to be purchased by virtue and under the Authority of this Act, for the Scite of the said Market as aforesaid, and all Sheds, Stalls, Stands and other Erections, to be built or set up thereupon, and the Rents and Profits arising from the same, shall be and are hereby vested in the said Trustees, and their Successors, for ever; and that they shall stand seized thereof in Trust, for the several Uses, Intents and Purposes herein after mentioned and declared, concerning the same; that is to say, the said Trustees and their Successors, or any five or more of them, shall, out of the first Monies to be borrowed or arising by granting of Leases, or the Sale of Annuities, as aforesaid, or by any other Ways and Means under the Authority of this Act, pay and discharge the reasonable Expences of obtaining and passing this Act of Parliament; and shall in the next Place pay off and discharge all Debts that shall be incurred by the Purchase of the Ground whereon the said Market shall or may be erected, and all such Charges and Expences as shall necessarily attend the erecting and constituting the same; and the Rents, Produce and Profits arising thereby, shall be applied in paying the Annuity or Annuities to be granted to such Purchaser or Purchasers, as aforesaid, so long as any of them shall live; and all such Savings as shall from time to time be made by the Death of any such Annuitants, shall, after the Discharge of all Debts accrued for effecting the Purposes of this Act, be appropriated in Manner herein after mentioned. The Grounds, Buildings, Rents and Profits of the Market, vested in the Trustees, for the Uses and Trusts herein declared.

XVII. And be it further enacted by the Authority aforesaid, That there shall be paid to the said Trustees, or such other Person or Persons as the said Trustees, or any five or more of them, shall, from time to time, appoint to receive the same, the following Sums, by all and every Person and Persons selling any Sort of Corn or Grain, Seed, Malt, Meal or Flour, in the said Market; that is to say, Tolls to be paid for Corn sold in the Market.

One Penny for every Sack of Corn, Grain, Malt, Meal or Flour; and,
One Half-penny for every Bushel of Seed. The Tolls;

Which said several Sums shall, and they are hereby declared to be vested in the said Trustees, and their Successors; and the same, and every Part thereof, shall be paid, applied and disposed of, and assigned to and for the several Uses, Intents and Purposes, and in such Manner, as by this Act is directed; and it shall and may be lawful to and for the said Trustees, or any five or more of them, or such Person or Persons as they, or any five or more of them, under their Hands and Seals, shall, at a General Meeting, nominate and appoint, to demand and take the Sums hereby granted and made payable; and to levy the same upon any Person or Persons, who shall, after Demand thereof made, neglect or refuse to pay such Sums, as aforesaid, by Distress of any Goods or Chattles belonging to the Person or Persons who by this Act are they are vested in the Trustees for the Purposes of this Act; and may be levied by Distress and Sale.

made liable to the Payment of the same, and to keep such Goods and Chattles so distrained, until such Sums, with the reasonable Charges of such Distress, shall be paid; and such Person or Persons so distraining, after the Space of three Days after such Distress made and taken, shall and may, sell the Goods or Chattles so distrained, returning the Overplus (if any be) upon Demand, to the Owner thereof, after such Sums, and the reasonable Charges for distraining keeping and selling the same, shall be deducted and paid.

Trustees to make Regulations for the Government of the Market; and appoint Collectors, Treasurers, and other Officers,

XVIII. And be it further enacted by the Authority aforesaid, That the said Trustees, or any nine or more of them, shall and may, at the first or any succeeding General Meeting, by Writing under their Hands and Seals, make Rules and Regulations for the Government of the said Market; and shall and may chuse and appoint one or more fit Person or Persons to be Collector or Collectors of the Sums aforesaid, and shall also appoint one or more Treasurer or Treasurers, and all other necessary Officers as to them shall appear proper, for the better Execution of the Powers contained in this Act, allowing to such Person or Persons so by them appointed, such Salaries or other Rewards for their Trouble, as to the said Trustees, or any nine or more of them, shall appear just and reasonable; and the said Trustees, or any nine or more of them, shall, and they are hereby impowered, to remove or displace such Treasurer or Treasurers, Collector or Collectors, or other Person or Persons whatsoever, so by them from time to time appointed, and to place others in their Stead; and the Person or Persons so appointed to collect and receive the said Sum or Sums, and also such Treasurer or Treasurers so appointed as aforesaid, shall, before the said Trustees, or any five or more of them, upon the first *Monday* in every Month, or oftener, if thereunto required by the said Trustees as aforesaid, give in a true, exact and perfect Account in Writing, under their respective Hands, of all the Monies which he or they, and every or any of them, shall to such Time have received, paid and disbursed, by virtue of this Act, by Reason of their respective Offices, and produce Vouchers for the same, and shall pay over the Balance to such Person or Persons as the said Trustees, or any five or more of them, shall at such Meeting direct; and in case such Treasurer or Treasurers, Collector or Collectors, shall refuse to give in such Account, or to pay such Balance as aforesaid, as often as required by the said Trustees, or any five or more of them, at a General Meeting, such Person or Persons so refusing shall be committed to the Common Gaol of the said City and Liberty of *Westminster*, by Warrant under the Hand and Seal of any one of his Majesty's Justices of the Peace for the said City and Liberty, upon Application made to him by any two of the said Trustees, there to remain without Bail or Mainprize, until he or they shall make or render in, a true, exact and perfect Account of their Receipts and Disbursements, by virtue of this Act, and shall have produced and delivered up all Vouchers relating thereto, and shall have likewise paid over the Money due on such Account, to such Person or Persons as the said Trustees, or any five or more of them, shall direct and appoint to receive the same, or shall have made such Composition as the said Trustees, or any five or more of them, shall approve; which Composition the said Trustees, or any five or more of them, are hereby impowered to make and accept.

with Salaries, &c.

Collectors and Treasurers to account to the Trustees monthly, or oftener, if required;

under Pain of Commitment,

till Payment or Composition be made.

Treasurer to give Security.

XIX. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, are hereby authorized and required, to take such Security from the Treasurer or Treasurers to be appointed for the Purposes of this Act, for the due Execution of his and their said Office and Offices, as to the said Trustees, or any five or more of them, shall seem meet.

Trustees to render an Account annually to the Justices, of their Receipts and Disbursements.

XX. And be it further enacted by the Authority aforesaid, That the said Trustees, or any five or more of them, shall yearly and every Year, within six Weeks next after the twenty-fifth Day of *December*, make and deliver in to the Justices of the Peace for the said City and Liberty of *Westminster*, at the General Quarter-Sessions, or any Adjournment thereof assembled, a just, true and perfect Account in Writing, fairly entered in a Book or Books to be kept for that Purpose, and signed by the said Trustees, or any five or more of them, of all and every Sum and Sums of Money, which they shall know to have been received or disbursed under the Authority of this Act, during the preceding Year, with the Balance (if any) remaining in the Hands of the said Trustees; and such Accounts shall be kept by the Clerk of the said Sessions among the Records thereof, to be inspected by any Person or Persons desiring the same, upon Payment of one Shilling to the said Clerk; and if any Surplus of the said Sums shall remain in the Hands of the said Trustees, the same is hereby appropriated to, and shall be applied, yearly and every Year, by them, within twelve Months next after the delivering of such Accounts to the said Justices as aforesaid, to the Treasurer for the time being of *Westminster Infirmary*, for the Benefit of the said Charity.

Account to be kept amongst the Records of the Sessions; and the Surplus Monies to be paid over, for the Benefit of the Westminster Infirmary.

Corn, &c. bought by the Corn Chandlers in the Market, may be sold again by them in any other Place within the City and Liberty.

XXI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Corn Chandler, or other Person or Persons whatsoever, who shall buy any Corn or Grain, Seed, Malt, Meal or Flour, in the said Market, to sell the same again in any other Place or Places within the said City or Liberty of *Westminster*, or elsewhere, without any Let or Disturbance from any Person or Persons whatsoever for so doing; any Law or Statute to the contrary thereof in any wise notwithstanding.

Clause in Act 22 Geo. 2. c. 49.

'XXII. And whereas by an Act passed in the twenty-second Year of his Majesty's Reign, 'intituled, *An Act for making a free Market for the Sale of Fish, in the City of* Westminster; *and* 'for preventing the forestalling and monopolizing of Fish, and for allowing the Sale of Fish under the 'Dimensions mentioned in a Clause contained in an Act of the first Year of his late Majesty's Reign, in 'case the same are taken with a Hook, the Commissioners for building a Bridge cross the River 'Thames,

'*Thames*, from the *New Palace Yard*, in the City of *Westminster*, to the opposite Shore in the 'County of *Surry*, were impowered to make a Grant to the Trustees appointed by the said Act 'of the twenty-second Year of his Majesty's Reign, of a Piece of Ground near *Common Row*, in 'the said City of *Westminster*, which was conveniently situated for holding the said intended 'Market, which Grant has been since made for the Purposes of the said Act: And whereas 'the said Piece of Ground may be found convenient for holding the said Corn Market, in 'Common with the said Fish Market;' Be it therefore enacted by the Authority aforesaid, That in case the Trustees herein before appointed by this Act, or any nine or more of them, shall find the said Piece of Ground to be proper and convenient for holding the said Market for the Sale of Corn and Grain, that then it shall and may be lawful to and for the Trustees, appointed to put the said Act of the twenty-second Year of his Majesty's Reign in Execution, or any five or more of them, to contract and agree with the Trustees for putting this Act in Execution, to permit and suffer the said Piece of Ground to be used as a free and open Market for all Sorts of Corn and Grain, Seed, Malt, Meal and Flour whatsoever, in common with the said Market for the Sale of Fish; and the said Trustees appointed by the said Act of the twenty-second Year of his present Majesty's Reign, are hereby authorized and impowered, in case such Agreement shall take Place, to use and apply the said Piece of Ground for the holding of a Market for all Sorts of Corn and Grain, Seed, Malt, Meal and Flour, in common with the said Market for the Sale of Fish; any Thing in the said Act of the twenty-second Year of his present Majesty, or any other Act contained to the contrary notwithstanding.

If the Scite of the Fish Market shall be convenient for holding the Corn Market in common with it, the Trustees of the recited and this Act, are impowered to agree to permit such Use to be made thereof.

XXIII. Provided always, in case such Agreement shall take Place, that then from and immediately after the Execution thereof, all the Powers and Authorities vested by this Act in the Trustees herein named, shall cease and determine; and that then and from thenceforth, the Trustees appointed to put in Execution the said Act of the twenty-second Year of his present Majesty, shall be, and they are hereby declared to be, Trustees for putting this Act in Execution, and shall be, and are hereby declared to be, invested with all and every the Powers and Authorities in this Act contained, in as full and ample Manner, to all Intents and Purposes, as if they had been originally nominated and appointed as Trustees for putting this Act in Execution.

If such Agreement take Place, the Powers vested in the Trustees named in this Act, are to cease; and are to vest in Trustees named in the recited Act;

XXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees appointed to put the said Act of the twenty-second Year of his present Majesty's Reign in Execution, or any five or more of them, in case such Agreement shall take Place as aforesaid, to impower the Lessee or Lessees of the said Premisses for the time being, his, her or their Executors, Administrators or Assigns, to permit or suffer any Person or Persons whatsoever, to inhabit, dwell in or occupy any Messuage, Dwelling-house, Shop or other Building whatsoever, which shall be erected or built, in or upon any Part of the said Premisses, for the exercising or carrying on therein, any Occupation, Trade or Business, which shall relate to the buying or selling of Corn and Grain, Seed, Malt, Meal and Flour; any Law or Statute to the contrary notwithstanding.

and the Lessees of the Premisses are to be impowered by them, to permit the Houses, &c. therein, to be used for the Purposes of buying and selling Corn.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Trustees, or any nine or more of them, if they shall think fit, to suffer Corn and Grain, Seed, Malt, Meal and Flour, to be sold for any Time not exceeding the Space of three Years from the opening of the said Market, without the Payment of any Toll; and also to reduce or lessen the Toll, from time to time, as to them, or any nine or more of them, at a publick Meeting assembled, shall appear reasonable (Notice of which Meeting shall be given in the *London Gazette*, one Week at least before such Meeting) any thing in this Act contained to the contrary notwithstanding.

Trustees may suspend the Payment of the Tolls for 3 Years;

and may also reduce the same,

XXVI. Provided always, and be it further enacted and declared, That no Person or Persons appointed or to be appointed by this Act a Trustee or Trustees for putting the same in Execution, shall have or accept of any Place of Profit arising out of or by reason of any Sums by this Act laid or granted, but such Person or Persons shall be incapable of acting as a Trustee or Trustees, from the Time of his accepting, and during the Enjoyment of such Place of Profit as aforesaid.

Trustees disabled from holding any Place of Profit under this Act.

XXVII. And, for continuing a sufficient Number of Trustees, for putting this Act in Execution; Be it further enacted by the Authority aforesaid, That when and as often as any Trustee or Trustees shall die, or by Writing under his or their Hand refuse to act, it shall and may be lawful for such of the said Trustees as shall survive or remain, or any nine or more of them, at any General Meeting, by any Writing or Writings under their Hands and Seals, to elect, nominate and appoint one or more fit Person or Persons, in the Room or Place of such Trustee or Trustees so dying or refusing to act as aforesaid; and such Person or Persons so elected, nominated or appointed, shall be joined with such surviving or remaining Trustees, in the Execution of all and every the Powers in them reposed by virtue of this Act.

Election of new Trustees,

XXVIII. And be it further enacted by the Authority aforesaid, That the first Meeting of the said Trustees shall be on the first *Tuesday* in *July* one thousand seven hundred and fifty-eight, at the House known by the Name of the *King's Arms Tavern* in *New Palace Yard*, within the said City of *Westminster*; and they shall have Power to adjourn their succeeding Meetings, from time to time, and to such Places within the said City or Liberty, as they shall think fit.

First Meeting of the Trustees.

Power of Adjournment.

XXIX. And be it further enacted by the Authority aforesaid, That if any Action, Plaint, Suit or Information, shall be commenced or prosecuted against any Person or Persons for what he or they shall do in pursuance or Execution of this Act, the same shall be commenced within six

Limitation of Actions,

six Months after the Offence committed; and such Person or Persons so sued in any Court whatsoever, shall and may plead the General Issue Not guilty, and upon any Issue joined, may give this Act and the Special Matter in Evidence; and if the Plaintiff or Prosecutor shall become nonsuit, or forbear further Prosecution, or suffer a Discontinuance; or if a Verdict pass against him, the Defendant shall recover Treble Costs, for which he shall have the like Remedy, as in any Case where Costs by the Law are given to Defendants.

General Issue.

Treble Costs.

XXX. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices and other Persons whatsoever, without specially pleading the same.

Publick Act.

CAP. XXVI.

An Act to explain, amend and enforce an Act made in the last Session of Parliament, intituled, *An Act for the better Ordering of the Militia Forces in the several Counties of that Part of* Great Britain *called* England.

Preamble.
30 *Geo.* 2. *c.* 25. *For former Provisions concerning Militia refer to* 4 *&* 5 *P. & M. c.* 3. 13 *&* 14 *Car.* 2. *c.* 3. 15 *Car.* 2. *c.* 4. 10 *&* 11 *W.* 3. *c.* 12. 1 *Ann. stat.* 2. *c.* 23. 1 *Geo.* 1. *stat.* 2. *c.* 14. 9. *Geo.* 1. *c.* 8. 7 *Geo.* 2. *c.* 23.

'WHEREAS several Doubts have arisen, and Difficulties have occurred, in carrying into 'Execution an Act passed in the last Session of Parliament, intituled, *An Act for the* 'better Ordering of the Militia Forces in the several Counties of that Part of Great Britain *called* 'England: And whereas it has been found, that some farther Provisions are necessary, in order 'to enforce the Execution of the said Act;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, and by the Authority of the same, That in all Counties, Ridings or Places, wherein nothing has been done towards carrying the said Act into Execution, his Majesty's Lieutenant for every such County, Riding or Place, shall immediately proceed to put in Execution the said recited Act, and this present Act; and that his Majesty's Lieutenants, and all other Persons concerned in such Execution, shall, in all Points, conform themselves to the Directions of the said former Act, so far only as they are not either amended or repealed by this present Act; and in all Counties, Ridings or Places, where some Progress has been made towards the Execution of the said former Act, but not sufficient to enable them to chuse the Men by Lot out of the Lists already returned, his Majesty's Lieutenant of every such County, Riding or Place, and all other Persons concerned as aforesaid, shall begin with and proceed in the Execution of the said former Act, and of this present Act, in like Manner, to all Intents and Purposes, as if nothing had been hitherto done in such County, Riding or Place, towards the Execution of the said former Act; and that in all Counties, Ridings or Places where the Militia Men have been actually chosen by Lot, or where they can now be chosen out of the Lists already returned, either for the whole County, or for any Subdivision thereof, his Majesty's Lieutenant, and all other Persons concerned in the Execution of the said former Act, and of this present Act, within such County, Riding or Place, shall proceed to execute the remaining Provisions of the said former Act (which have not been yet executed in all or any of the Subdivisions within such County, Riding or Place) as the same are amended, supplied or enforced by the Provisions of this Act.

Renewal of the former Direction to Lieutenants to execute the Militia Acts, conforming to the former Act where unrepealed by this Act, and to the new Provisions of this.

In Counties where they have not proceeded so far as to be able to chuse by Lot out of the Lists returned, such Counties to begin the whole Execution of the two Acts de novo.

In Counties where the Men can be chose by Lot out of the Lists returned, the Remainder of the former Act to be executed, as amended by this.

II. And be it enacted, That his Majesty's Lieutenant of every County, Riding or Place, shall, and he is hereby required to appoint a proper Number of Commission Officers to train and discipline the Militia of his respective County, Riding or Place, before the Times appointed for holding the second Meetings of the Deputy Lieutenants and Justices of the Peace within their respective Subdivisions, for chusing by Lot the Persons to serve in the Militia for such County, Riding or Place.

Direction to appoint the Officers of the Militia before the second Meeting of the Deputy Lieutenants in their Subdivisions.

'III. And whereas in the said recited Act passed in the last Session of Parliament, there is 'contained a Proviso, That there shall not be more than three Commission Officers (that is 'to say) one Captain, one Lieutenant and one Ensign to eighty Private Men, and so in Pro-'portion, as near as may be, to any greater or lesser Number of Private Men, which has been 'found inconvenient;' Be it therefore enacted and declared, That the said Proviso shall be and is hereby repealed.

Repeal of the Clause in the former Act prescribing that there shall not be more than 3 Officers to 80 Private Men, and so in Proportion.

IV. And be it enacted, That a Person seised or possessed, either in Law or Equity, for his own Use and Benefit, in Possession of an Estate for a certain Term originally granted for twenty-one Years or more, and renewable, of an annual Value, over and above all Rents and Charges payable out of, or in respect of, the same, equal to the annual Value of such an Estate as is required by the said recited Act for the Qualification of a Deputy Lieutenant and Commission Officer of the Militia respectively, and situate as in the said recited Act required, shall be, and is hereby deemed and declared to be, duly and sufficiently qualified to act and serve under such respective Commission; any thing in the said recited Act, or in this Act, contained to the contrary notwithstanding.

A Leasehold Estate originally granted for 21 Years renewable, shall be deemed a Qualification for Deputy Lieutenants and Officers.

V. And be it enacted, That in such Counties where twenty Deputy Lieutenants cannot be found, who are seised or possessed of an Estate of the yearly Value of three hundred Pounds, as is required by the said recited Act, and this Act, it may and shall be lawful for his Majesty's Lieutenant of any such County, to appoint such Number of Persons to be Deputy Lieutenants as he shall think fit, who shall respectively be seised or possessed of a like Estate of the yearly Value of two hundred Pounds, and situate as in the said recited Act is required; provided that the Persons so appointed shall not make the whole Number of Deputy Lieutenants for the said

That in those Counties where 20 Deputy Lieutenants cannot be found with 300 l. Qualification, the Lieutenant may appoint Persons with 200 l. Qualification.

County to exceed the Number of twenty; and every such Person shall be, and is hereby deemed and declared to be, duly and sufficiently qualified to act and serve under such respective Commission; any thing in the said recited Act, or this Act, contained to the contrary notwithstanding.

Power to Captains to appoint Corporals and Drummers, and displace them; and, with the Approbation of the Lieutenants, to appoint Serjeants out of the Militia Men to fill up Vacancies; and the Colonel or Commanding Officer of the Battalion, may, upon Complaint to the Captain, remove such Serjeants.

VI. And be it enacted, That the Captain of every Company of Militia may and shall appoint two Persons to be Drummers to his Company, and may and shall appoint Corporals out of the Private Men of his Company, in the Proportion of one Corporal to twenty Men, and may displace such Drummers and Corporals respectively for Misbehaviour, and appoint others in their Room, from time to time, as he shall see Occasion; and may and shall appoint, with the Approbation of his Majesty's Lieutenant, Serjeants out of the Private Men of his Company, to fill up such Vacancies of Serjeants as may happen therein; and every such Appointment shall be deemed an actual Discharge of the Person so appointed from serving in the Militia as a Private Militia Man; and that it shall be lawful for the Colonel, or, in his Absence, for the Commanding Officer of any Battalion of Militia, to displace, upon the Application of the Captain, any Person so appointed a Serjeant out of the Private Militia Men.

A Deputy Lieutenant and Justice of the Peace may act in any Subdivision.

VII. Provided always, and be it enacted and declared, That it is and shall be lawful for any Deputy Lieutenant, or Justice of the Peace, to act in the Execution of this Act in any and every Subdivision within the County, Riding or Place for which he is or shall be commissioned; and that each and every such Deputy Lieutenant and Justice of the Peace hath, and shall have, the same Power and Authority therein, as is by the said recited Act, or by this Act, given to any Deputy Lieutenant or Justice of the Peace, within the Subdivision to which he is or shall be particularly appointed; any thing in the said recited Act, or in this Act, to the contrary notwithstanding.

A Clerk for the General Meetings to be appointed by the Lieutenant; and Clerks for the Subdivision Meetings to be appointed by the Deputy Lieutenants.

VIII. And be it enacted, That his Majesty's Lieutenant for any County, Riding or Place, may and shall appoint a Clerk for the General Meetings within such County, Riding or Place, and may displace such Clerk if he shall think fit, and appoint another in his Room; and the Deputy Lieutenants, at their first Meeting within their respective Subdivisions, or the major Part of them present, may and shall appoint a Clerk for their Subdivision, and may, at any other Meeting within their Subdivision, displace such Clerk, if they, or the major Part of them present, shall think fit, and appoint another in his Room.

Where Commissions have not been issued, or accepted of, the Lieutenant to advertise a Meeting of Persons qualified and willing to act as Officers in the Militia for that County or Place;

IX. And be it enacted by the Authority aforesaid, That in every County, Riding or Place, in which Commissions for the Field Officers, and Captain of any one Battalion of the Militia of such County, Riding or Place, have not already been given and accepted in Pursuance of the said recited Act, his Majesty's Lieutenant shall, within fourteen Days after the passing of this Act, or as soon after as may be, by an Advertisement inserted in the *London Gazette*, and also in some one or more of the Weekly News Papers (if any such there be) published or usually circulated within such County, Riding or Place, summon a Meeting of all Persons qualified according to the Directions of the said recited Act, and of this Act, to serve as Officers in the Militia of such County, Riding or Place, and willing to accept such Commissions, to be holden on some certain Day within one Month after the Publication of such Advertisement; and at some certain Place within such County, Riding or Place; in order that every Person so qualified as aforesaid, and willing to accept any such Commission, may, at such Meeting, deliver his Name in Writing, or cause it to be delivered to his Majesty's said Lieutenant, or, in case of his Absence, to such Person as shall be authorized by such Lieutenant to receive the same, specifying also the Rank in which he is willing to serve; and that if his Majesty's said Lieutenant shall not be able to find, within one Month after such Meeting, so many Persons qualified and willing to accept the Commissions of Field Officers and Captains respectively, as shall be equal to the Number of Field Officers and Captains requisite for any one Battalion of the Militia of such County, Riding or Place, then, and in such Case, it shall be lawful for his Majesty's said Lieutenant, upon Notice thereof published by him in the *London Gazette*, and such other Papers as aforesaid, to suspend all farther Proceedings in the Execution of the Provisions of the said recited Act, and of this Act, within such County, Riding or Place, until the following Year; and that whensoever and as often as such Execution shall have been so suspended, his Majesty's said Lieutenant shall, on or before the twenty-fifth Day of *March* next following, summon, in like Manner, and with like Notice, a Meeting within such County, Riding or Place, of all Persons so qualified and willing to serve as aforesaid; and his Majesty's said Lieutenant, and all other Persons, shall proceed thereupon, and also in the farther Execution of the Provisions of the said recited Act, and of this Act, in like Manner, to all Intents and Purposes, as he and they respectively ought to have done, in case a sufficient Number of Persons so qualified and willing to serve as aforesaid had been found in the Year one thousand seven hundred and fifty-eight.

where they are to deliver in their Names, and Rank they are willing to serve in;

and if at such Meeting, or within one Month after, a sufficient Number of Persons duly qualified shall not be found to accept Commissions, the Lieutenant is, by like publick Notice, to suspend all further Proceeding,

till March following, when like Summons and Notice is to be given, and the Provisions in the former and this Act, are then to be carried into full Execution.

The Names of Persons intended for Officers are to be certified to his Majesty, before Commissions be granted them; and if he shall signify, within a Month, his Disapprobation of any such, no Commission is to be granted to such Person.

X. Provided always, That no Commission shall be granted to any Person to be an Officer of the Militia of any County, Riding or Place, until the Lieutenant of such County, Riding or Place, shall have certified the Name of such Person to his Majesty, his Heirs or Successors, (which such Lieutenant is required to do) and in case his Majesty, his Heirs or Successors, shall, within one Month after such Certificate laid before his Majesty, his Heirs or Successors, signify his or their Disapprobation of such Person to be such Officer in the said Militia, his Majesty's said Lieutenant shall not grant such Commission to such Person.

XI. And

General Directions for carrying the former and this Act into present Execution, viz. A General Meeting to be had of the Lieutenants and Deputy Lieutenants in their respective Counties, &c. in August, for appointing the Subdivisions of the Deputy Lieutenants, and their first Meetings therein, and also the second General Meeting. Orders to be then issued to the Constables, to return, on a Day appointed, to the Deputy Lieutenants,

Lists of the Inhabitants between 18 and 50 Years of Age, distinguishing each Person.

Copy of the List to be affixed on the Door of the Church on the Sunday before the Return is made.

Deputy Lieutenants, assisted by the Justice, on the Day of the Returns, after hearing particular Grievances, are to amend the Lists; and then appoint a second Meeting.

The Lists, so amended, to be returned to the next General Meeting; when Orders are to be given for Copies of the said Lists to be made out, and returned to the Deputy Lieutenants, at their second Meetings in their Subdivisions; and the Number of Men each Hundred, &c. is to furnish, is to be ascertained;

at the said second Meetings such Number is to be chosen by Lot, out of the said Lists.

A Meeting is then to be appointed to be held within 3 Weeks after, and Orders issued for summoning the Men chosen, to appear thereat;

the Men to appear accordingly, and be sworn and inrolled, to serve for 3 Years;

or provide proper Substitutes;

who are to be sworn and sign on the Roll their Consent to serve for the said Term;

on Penalty of 10 l. and being liable to serve at the End of 3 Years.

XI. And be it enacted, That the Method for carrying into Execution the said recited Act, and this Act, to be observed in the year one thousand seven hundred and fifty-eight, shall be as followeth; that is to say, his Majesty's Lieutenant for each County, Riding or Place, together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Absence of his Majesty's Lieutenant, the Deputy Lieutenants or any three or more of them, shall meet at some City or principal Town of the County, Riding or Place for which they shall be commissioned, on the third *Tuesday* in *August*, and shall, at their first General Meeting, appoint Subdivisions of the Deputy Lieutenants within their respective Counties, Ridings and Places, and the Times and Places for their first Meetings within the said Subdivisions respectively, and the Time and Place for a second General Meeting; and shall issue out their Orders to the Chief Constable, and where there is no Chief Constable, to some other Officer of the several Hundreds, Rapes, Laths, Wapentakes or other Divisions within their respective Counties, Ridings or Places, to require, by Orders under their Hands, the Constable, Tythingman, Headborough, or other Officer of each Parish, Tything or Place, within their respective Hundreds, Rapes, Laths, Wapentakes or other Divisions, to return to the Deputy Lieutenants within their respective Subdivisions, at the Place, and on the Day appointed at the said first General Meeting, fair and true Lists in Writing, of all the Men usually and at that Time dwelling within their respective Parishes, Tythings and Places, between the Ages of eighteen and fifty Years, distinguishing their respective Ranks and Occupations, and which of the Persons so returned, labour under any Infirmities incapacitating them from serving as Militia Men, having first affixed a true Copy of such List on the Door of the Church or Chapel belonging to such Parish, Tything or Place; and if any Place, being Extraparochial, shall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of some Parish or Place thereto adjoining, on the *Sunday* Morning before they shall make such Return; and on the Day, and at the Place, so respectively appointed as aforesaid, for the Returns of the Lists, the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, so assembled in their Subdivisions, shall after hearing any Person who shall think himself aggrieved by having his Name inserted in such Lists, or by any others being omitted) direct such Lists, to be amended, as the Case shall require, and also the Names of all Persons by this Act respectively excepted, to be struck out of the said Lists, and shall appoint the Times and Places for their second Meetings within their respective Subdivisions, and shall return to the second General Meeting all the Lists for the several Parishes, Tythings and Places so amended; at which said second General Meeting, his Majesty's Lieutenant, together with any two or more Deputy Lieutenants, or, in the Absence of his Majesty's said Lieutenant, any three or more Deputy Lieutenants, shall order Copies to be made of all the said Lists, and such Copies to be returned to the Deputy Lieutenants at their second Meetings within their Subdivisions, wherein the Parishes, Tythings and Places, for which such Lists are made and returned, are respectively situate; and shall appoint what Number of Men in each respective Hundred, Rape, Lath, Wapentake or other Division, shall serve in the said Militia, towards raising the Number of Militia Men, by the said recited Act ordered and directed to be raised for such respective County, Riding or Place, in Proportion to the whole Number contained in such Lists; and the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, assembled at their said second Meetings within the said Subdivisions, shall cause the Number of Men appointed at the said second General Meeting to serve for each respective Hundred, Rape, Lath, Wapentake or other Division, to be chosen by Lot out of the Lists of the several Parishes, Tythings and Places within the same; and the said Deputy Lieutenants, or any one or more of them, shall appoint another Meeting to be held within three Weeks in the same Subdivision, and shall issue out an Order to the Chief Constable or other Officers of the respective Hundreds, Rapes, Laths, Wapentakes or other Divisions, to direct the Constable, Tythingman, Headborough or other Officer of each Parish, Tything or Place, to give Notice to every Man so chosen to serve in the Militia, to appear at such Meeting; which Notice shall be given or left at his Place of Abode, at least seven Days before such Meeting; and every Person so chosen by Lot, shall, upon such Notice, appear at such Meeting, and there take the Oath by this Act directed to be taken (which Oath any one Deputy Lieutenant is hereby authorized then and there to administer) and shall be inrolled to serve in the Militia of such respective County, Riding or Place, as a Private Militia Man, for the Space of three Years, in a Roll to be then and there prepared for that Purpose, or shall provide a fit Person (to be approved by the said Deputy Lieutenants, or any three or more of them, or by any two Deputy Lieutenants, together with any one Justice of the Peace, or by any one Deputy Lieutenant, together with any two Justices of the Peace, then met) to serve as his Substitute; which Substitute so provided, shall take the said Oath, and sign on the said Roll his Consent to serve as his Substitute, during the said Term; and if any Person so chosen by Lot to serve in the Militia (not being one of the People called *Quakers*) shall refuse or neglect to take the said Oath, and serve in the Militia, or to provide a Substitute to be approved as aforesaid, who shall take the said Oath, and sign his Consent to serve as his Substitute, every such Person so refusing or neglecting, shall forfeit and pay the Sum of ten Pounds, and at the End of three Years be appointed to serve again.

XII. Provided

XII. Provided always, That no Peer of this Realm, nor any Person who shall serve as a Commission Officer in any Regiment, Troop or Company, in his Majesty's other Forces, or in any one of his Majesty's Castles or Forts, nor any Noncommission Officer or Private Man, serving in any of his Majesty's other Forces, nor any Commission Officer serving in the Militia, nor any Person being a Member of either of the Universities, nor any Clergyman, nor any Teacher of any separate Congregation, nor any Constable or other Peace Officer, nor any articled Clerk, Apprentice, Seaman or Seafaring Man, shall serve personally, or provide a Substitute to serve in the Militia. Specification of Persons exempted from serving in the Militia.

'XIII. And whereas the Members of the Company of Watermen of the River *Thames*, are 'liable at all Times under certain Penalties to serve in the Royal Navy of *Great Britain*, when 'summoned for that Purpose;' Be it therefore enacted, That no Person free of the said Company, shall serve personally, or provide a Substitute to serve in the Militia. Persons that are free of the Watermens Company not liable to serve.

XIV. And be it enacted, That all Deputy Lieutenants and Parish Officers shall be liable to serve in the Militia, and the Constable, Tythingman, Headborough or other Officers of every Parish, Tything or Place, is and are hereby required to insert the Names of such Deputy Lieutenants and Parish Officers, in the List to be returned to the Lieutenants and Deputy Lieutenants of Persons liable to serve in the Militia, for such Parish, Tything or Place, according to the Directions of the said recited Act, and this Act; any thing therein or herein contained to the contrary notwithstanding. Deputy Lieutenants and Parish Officers to be returned in the Lists, and liable to serve.

XV. And be it enacted, That the Deputy Lieutenants, and Justices of the Peace, shall every Year, within fourteen Days after their respective Meetings in their Subdivisions for administering the Oaths to, and inrolling, the Private Militia Men, transmit to his Majesty's Lieutenant true Copies of the Rolls for their respective Subdivisions; and that a General Meeting of his Majesty's Lieutenant, and the Deputy Lieutenants, or of the Deputy Lieutenants, for the forming and ordering the Militia of the respective Counties, Ridings and Places, into Regiments, and for the posting Officers to each Company, shall be held within three Weeks after the said Rolls shall have been transmitted to his Majesty's Lieutenant as aforesaid; any thing in the said recited Act, or this Act, to the contrary notwithstanding. Deputy Lieutenants are annually to transmit to the Lieutenant true Copies of the Roll for their respective Subdivisions; and a General Meeting for forming and ordering the Militia, to be held within 3 Weeks after.

XVI. And be it enacted, That it shall be lawful for any three or more Deputy Lieutenants, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, within their respective Subdivisions, to add together, whensoever they shall think necessary, the Lists for two or more Parishes, Tythings or Places, and proceed upon such Lists thus added together, in like Manner as if they had been originally returned for one Parish, Tything or Place, so as to make the Choice of Militia Men by Lot, within such Subdivision, as equal and impartial as possible. The Lists of two or more Parishes may be united, and proceeded on, as if they had been returned for one Parish.

XVII. Provided always, and be it enacted, That if the Churchwardens or Overseers, or Churchwarden or Overseer, of any Parish, Tything or Place, or of two or more Parishes, Tythings or Places, so added together, as aforesaid, shall provide and produce to the said Deputy Lieutenants, or any three or more of them, or to any two Deputy Lieutenants, together with any one Justice of the Peace, or to any one Deputy Lieutenant, together with any two Justices of the Peace, at their Meetings within their respective Subdivisions for chusing the Militia Men, any Number of Voluntiers, not being Seamen or Seafaring Men, and such Voluntiers shall be approved by the said Deputy Lieutenants and Justices so met as aforesaid, the said Deputy Lieutenants and Justices within their respective Subdivisions, shall cause only such a Number of Persons to be chosen by Lot out of the List returned for such Parish, Tything or Place, or Parishes, Tythings or Places, as aforesaid, as shall be wanted, after the Acceptance of the said Voluntiers, to make up the Whole Number to serve for such Parish, Tything or Place, or Parishes, Tythings or Places, as aforesaid; and in case all or any such Voluntiers shall not, at the next Meeting of the said Deputy Lieutenants, or any three or more of them, or of any two Deputy Lieutenants, together with any one Justice of the Peace, or of any one Deputy Lieutenant, together with any two Justices of the Peace, appear, and be sworn and inrolled to serve in the Militia for such Parish, Tything or Place, or Parishes, Tythings or Places, as aforesaid, the Churchwardens and Overseers, or Churchwarden and Overseer, of such Parish, Tything or Place, or Parishes, Tythings or Places, as aforesaid, shall find one or more fit Person or Persons in the Room of such Voluntier or Voluntiers, or forfeit and pay the Sum of ten Pounds for every Voluntier not appearing as aforesaid; such Penalty to be recovered and applied in the same Manner as the Penalty of ten Pounds laid upon any Person for refusing or neglecting to appear, and be sworn and inrolled to serve in the Militia, is, by the said recited Act, and this Act, directed to be recovered and applied; and the said Churchwarden and Overseer, and Churchwardens and Overseers, shall be reimbursed the said Penalty out of the Rates to be made for the Relief of the Poor within such Parish, Tything or Place, or Parishes, Tythings or Places, as aforesaid. Parishes may offer, and Deputy Lieutenants accept Voluntiers; in which Case, so many Men only as shall then be wanting of the Quota of such Parish are to be chosen by Lot out of the Lists. If such Voluntiers shall not appear at the next Meeting, and serve; the Churchwardens are to find other Persons to serve in their Stead, or forfeit 10 l. a Man. Application of the Penalty. Churchwardens to be reimbursed the same out of the Poors Rate.

XVIII. And be it enacted, That every Person who shall be chosen by Lot to serve in the Militia, or the Person provided to serve as a Substitute, instead of taking the Oaths, and making, repeating and subscribing the Declaration, in the said recited Act mentioned, shall, at the Time and Place appointed by the said recited Act for taking the said Oaths, and making, repeating and subscribing the said Declaration, take the Oath following; that is to say, The following Oath to be taken instead of the Oaths and Declaration appointed to be made and subscribed by the former Act.

'I *A. B.* do sincerely promise and swear, That I will be faithful, and bear true Allegiance to 'his Majesty King GEORGE, his Heirs and Successors; and I do swear, that I am a Pro- 'testant, The Oath;

'testant, and that I will faithfully serve in the Militia within the Kingdom of *Great Britain*, 'for the Defence of the same, during the Time for which I am inrolled, unless I shall be sooner 'discharged.'

to be administered by the Deputy Lieutenant.

Which Oath any one Deputy Lieutenant is hereby authorized to administer: And in case any such Person shall refuse or neglect to take the said last-mentioned Oath, he shall be subject and liable to the same Penalties as are inflicted in and by the said recited Act, for refusing to take the Oaths, and to make, repeat and subscribe the Declaration therein mentioned; to be recovered and applied in the same Manner as the said Penalties are therein directed to be recovered and applied.

Penalty of refusing to take the same.

Discharges may be granted, and Vacancies filled up, at any Meeting of the Deputy Lieutenants in their Subdivisions.

XIX. And be it enacted, That it may and shall be lawful for the said Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, at any of their Meetings within their respective Subdivisions, as well as at their annual Meetings in the Week before *Michaelmas* Day, to discharge Persons from serving in the Militia, and also to fill up all Vacancies, according to the Directions of the said recited Act, and this Act.

A Vacancy upon the Death of a Substitute; or his entering into the King's Service; or upon his Promotion in the Militia; or upon his Discharge for just Cause; to be filled up by Lot.

XX. Provided always, That when any Substitute shall, after having been approved of by any three Deputy Lieutenants, or by any two Deputy Lieutenants, together with any one Justice of the Peace, or by any one Deputy Lieutenant, together with any two Justices of the Peace, and before the Expiration of the Term for which he was to serve, die, or enter into any of his Majesty's Land or Sea Forces, or be appointed a Serjeant in the Militia, or be discharged for any other just Cause, the Person for whom he served as Substitute shall not be obliged to serve himself, or to find another Substitute; but such Vacancy shall be filled up in like Manner as is directed by the said recited Act, and by this Act, in case of Vacancies occasioned by the Death or Discharge of Persons serving for themselves.

'XXI. And whereas it is found by the Returns of the Numbers of Persons contained in 'the Lists for the Parishes, Tythings and Places within the several Counties, Ridings and Pla-'ces in that Part of *Great Britain* called *England*, out of which Lists the Private Militia Men 'are by the said recited Act passed in the last Session of Parliament directed to be raised, that 'the Numbers of Private Militia Men so directed to be raised in the said several Counties, 'Ridings and Places, do not bear so just a Proportion to each other, in making up the Whole 'Number of Private Militia Men, by the said Act directed to be raised, within the Part of '*Great Britain* aforesaid, as in Justice they ought;' Be it enacted, That after all the said Lists shall have been returned to, and amended by the respective Deputy Lieutenants and Justices of the Peace, and transmitted to his Majesty's Privy Council, as they are by the said recited Act, and by this Act, directed to be, it shall be lawful for the said Council, and they are hereby required to fix and settle, as near as may be, the Number of Private Militia Men, who shall for the future serve for each County, Riding or Place, within the Part of *Great Britain* aforesaid, by the Proportion which the Number returned in all the Lists for the Parishes, Tythings and Places therein, bears to the Whole Number of Private Militia Men by the said recited Act directed to be raised, within the Part of *Great Britain* aforesaid; and forthwith to transmit Accounts of the Numbers so fixed and settled to all his Majesty's Lieutenants of Counties, Ridings and Places, within the Part of *Great Britain* aforesaid respectively: And where the Number of Private Militia Men so fixed and settled as aforesaid, shall be respectively greater than the Number of Private Militia Men who shall have been, by virtue of the said recited Act, appointed to serve for any County, Riding or Place, then, and in such Case, his Majesty's Lieutenants, together with any two or more Deputy Lieutenants, or, in the Absence of his Majesty's Lieutenant, any three or more Deputy Lieutenants, shall, at a General Meeting to be held for that Purpose, appoint what Number of Private Militia Men shall serve for each respective Hundred, Rape, Lathe, Wapentake, or other Division, within the County, Riding or Place to which they belong; and the additional Number of Private Militia Men to make up the Whole Number so fixed and settled as aforesaid, shall be chosen by Lot, in the same Manner as all other Private Militia Men are by this Act directed to be chosen; and all the additional Men so chosen, or their Substitutes (to be appointed as Substitutes are required to be by this Act) shall take the Oath by this Act required to be taken, and shall respectively be inrolled, or sign their Consent to serve in the Militia in the same Manner as is directed, and shall be subject, in case of Refusal, to the same Penalties as are in like Cases inflicted by this Act: And where the Number of Private Militia Men so fixed and settled as aforesaid, shall be respectively less than the Number of Private Militia Men who shall have been, by virtue of the said recited Act, appointed to serve for any County, Riding or Place, then and in such Case, his Majesty's Lieutenant, together with any two or more Deputy Lieutenants, or, in the Absence of his said Majesty's Lieutenant, any three or more Deputy Lieutenants, shall, at a General Meeting to be held for that Purpose, discharge by Lot proportionably out of each respective Hundred, Rape, Lathe, Wapentake, or other Division, so many private Militia Men as shall exceed the Number so fixed and settled as aforesaid.

The Privy Council, upon receiving the corrected Lists ordered to be transmitted to them, are to settle the Quota of Men to serve for each County, according to the Proportion the Returns for each County bear to the Whole Number to be raised throughout the Kingdom;

and are forthwith to transmit Accounts of the Numbers so settled, to the respective Lieutenants; and if the Number shall be greater than was required by the former Act,

a General Meeting is to be held,

and the additional Men are to be then chosen by Lot;

and if less, a proportional Number is to be discharged by Lot.

Where the Number to be raised in any County, shall be unequally or erroneously apportioned amongst the Hundreds or Divisions thereof; the Lieutenant and Deputy Lieutenants are to

XXII. And be it enacted, That in case it shall at any Time appear to his Majesty's Lieutenant, and any two or more Deputy Lieutenants, or on the Death or Removal, or in the Absence of his Majesty's Lieutenant, to any three or more Deputy Lieutenants of any County, Riding or Place; at their General Meeting, that the Distribution by them made of the whole Number of Militia Men charged upon such County, Riding or Place, among the several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions, was either unequally and erroneously made, or, from any subsequent Altera-

Alteration of Circumstances, is become unequal and disproportionable, it shall be lawful for his Majesty's said Lieutenant, and any two or more Deputy Lieutenants, or on the Death or Removal, or in the Absence of his Majesty's Lieutenant, for any three or more Deputy Lieutenants, to make a new and more equal Distribution of such Number as aforesaid, among the said several Hundreds, Rapes, Lathes, Wapentakes, or other Divisions, according to the Method prescribed by this Act for making the original Distribution for the Year one thousand seven hundred and fifty-eight; and to cause such additional Number of Men to be chosen by Lot, or such Number to be discharged out of those before chosen, for each respective Hundred, Rape, Lathe, Wapentake, or other Division, as shall become necessary in Consequence of such new Distribution, in like Manner as is by this Act prescribed to be done, where the same shall become necessary in Consequence of the Accounts transmitted from his Majesty's Privy Council.

make a new and more equal Distribution;

and raise, and discharge Men conformable thereto.

XXIII. And be it enacted, That any Person who shall, by Gratuity, Gift or Reward, or by Promise thereof, or of any Indemnification, or by Menaces, endeavour to prevail on any Chief Constable, or any Constable, Tythingman, Headborough, or other Officer, of any Parish, Tything or Place, to make a false Return of any List for any Parish, Tything or Place, or to erase or leave out of any such List, the Name of any such Person as ought to be returned, shall, for every such Offence, forfeit and pay the Sum of fifty Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Wager of Law, or Protection, or more than one Imparlance shall be allowed; all which Penalty shall go to the Use of the Person who shall sue for the same.

Persons tampering with the Constables to make false Returns, or to erase the Name of any Person out of the Lists, forfeit 50 l.

XXIV. Provided always, and be it enacted, That no Private Man serving in the Militia, either for himself, or as a Substitute, shall, during the Time of such Service, be liable to do any Highway Duty commonly called *Statute Work*: or be appointed to serve as a Peace Officer or Parish Officer; nor shall such Private Militia Man be liable to serve in any of his Majesty's Land or Sea Forces, unless he shall consent thereto; and that every Person having served as a Substitute in the Militia, when ordered out into actual Service, and being a married Man, shall have the like Privilege in respect to setting up and exercising any Trade, as by the said recited Act is given to those who shall have personally served in the Militia in the like Circumstances.

Militia Men exempted from Statute work; and from serving any Parish Office; and from being pressed into the King's Service; and Substitutes, having been in actual Service, are equally intitled, with Persons serving for themselves, to set up any Trade.

XXV. Provided also, That every such Private Militia Man, who shall have served in the Militia for the Space of three Years, shall be intitled to, and shall keep and retain to his own Use, the Cloathes provided for him as a Private Militia Man.

Militia Men to retain their Regimentals at the End of 3 Years Service.

XXVI. And be it enacted, That in case any Private Man serving in the said Militia shall, on the March, or at the Place where he shall be called out to annual Exercise, be disabled by Sickness, it shall and may be lawful for any one Justice of the Peace of the County, or any Mayor or Chief Magistrate of any City, Town or Place, where such Man shall then be, to order him such Relief as he shall think reasonable, by Warrant under his Hand and Seal; and the Officers of the Parish, Tything or Place, for which such Man shall serve as a Militia Man, shall reimburse the same to the Officers of the Parish where such Militia Man shall then receive such Relief, which shall be allowed in their Accounts, upon producing the above Order: Provided that such Allowance shall not intitle such Person to any Settlement in the said Parish or Place where he shall receive such Relief.

Militia Man falling sick on a March, or at the Place of annual Exercise, is to be provided for by an Order from the Magistrate, or Justice of the Peace; and the Expence thereof to be reimbursed by his proper Parish.

XXVII. And be it enacted, That when the Militia of any County, Riding or Place, shall be ordered out into actual Service, the Receiver or Receivers General of the Land Tax for such County, Riding or Place, shall, and he or they is and are hereby required to pay, or cause to be paid, to the Captain, or other Commanding Officer of each Company of Militia so ordered out for such County, Riding or Place, one Guinea for each Private Militia Man belonging to his Company, to be paid over by such Captain, or other Officer, to every such Private Militia Man, on or before the Day appointed for Marching; and such Receiver or Receivers General shall be allowed the same in his or their Accounts.

Every Militia Man to receive one Guinea upon being ordered out into actual Service.

XXVIII. And be it enacted, That when any Militia Man shall be ordered out into actual Service, leaving a Family not of Ability to support themselves during his Absence, the Overseer or Overseers of the Parish where such Family shall reside, shall, and they are hereby required to allow to such Family such Weekly Allowance for their Support, until the Return of such Militia Man, as shall be ordered by any one Justice of the Peace; such Allowance to be reimbursed out of the County Stock by the Treasurer of the County; and such Treasurer shall be allowed the same in his Accounts.

Weekly Allowance to be made to the distressed Families of Militia Men in actual Service;

which is to be reimbursed out of the County Stock.

XXIX. And be it enacted, That all Sums of Money arising by Forfeitures paid by or levied upon Persons refusing to serve in the Militia personally, or by Substitute, shall be applied in the first Place, by any three Deputy Lieutenants, or by any two Deputy Lieutenants, together with any one Justice of the Peace, or by any one Deputy Lieutenant, together with any two Justices of the Peace, within their respective Subdivisions, in providing a Substitute for the Person who shall have paid such Penalty; and if any Part of such Penalty shall remain after such Substitute shall be provided, the same shall be paid into, and be applied as Part of, the Regimental Stock; any thing in the said recited Act, or this Act, to the contrary notwithstanding.

Fines for not serving, to be applied in providing Substitutes in such Persons Room.

Surplus to go into the Regimental Stock.

'XXX. And whereas by the said recited Act passed in the last Session of Parliament, it is 'enacted, That the Militia of every County, Riding or Place, shall be trained and exercised 'in Half Companies, on the first *Monday* in the Months of *March*, *April*, *May*, *June*, *July*, '*August*, *September* and *October*, and in Companies, on the third *Monday* in the said Months: 'And whereas the Training and Exercising of the Whole Militia for any County, Riding or 'Place, in Half Companies, or Companies, in the Week, on the same Day, will render it im-

'possible for the Adjutant of any Regiment or Battalion to attend such Half Companies, or 'Companies, so often as the Necessity of the Service may require;' Be it enacted, That it shall be lawful for his Majesty's Lieutenant of any County, Riding or Place, together with any two or more Deputy Lieutenants, or, in the Absence of the Lieutenant, for any three or more Deputy Lieutenants, to change the Day of Training and Exercising any Half Company, or Companies of Militia, from *Monday* to any other Day of the Week (*Sunday* excepted) as shall appear to them to be best for the Good of the Service, so that the Whole Militia for his or their respective County, Riding or Place, be trained and exercised in Half Companies, within the first Week, and in Whole Companies, within the third Week, in each of the Months aforesaid; any thing in the said recited Act to the contrary notwithstanding.

The Exercise in Half and Whole Companies not confined to Monday, and the Day left open to be appointed as shall be found best for the Service;

so as the Men be exercised in Half Companies the first Week, and in Whole the third Week, in the Months above recited.

XXXI. And be it enacted, That his Majesty's Lieutenant, together with any two or more Deputy Lieutenants, or on the Death or Removal, or in the Absence of his Majesty's Lieutenants, the Deputy Lieutenants, or any three or more of them, are hereby impowered to dispense with the Training and Exercising of the Militia within their respective Counties, Ridings or Places, in any one Month in the Time of Harvest, and to order and direct that the said Militia shall be trained and exercised instead thereof on the *Tuesday* and *Wednesday* in *Easter* Week; any thing in the said recited Act, or this Act, to the contrary notwithstanding.

The Lieutenants may change the Exercise from two Days in a Harvest Month, to the Tuesday and Wednesday in Easter Week.

XXXII. And be it enacted, That it may and shall be lawful for the Officers of the Militia, or, in the Absence of an Officer, for a Non-commission Officer, to detain the Militia Men, on the Days of Exercise, any Time not exceeding six Hours; provided they do not keep them above two Hours under Arms at any one Time, without allowing them a proper Time to refresh themselves.

The Time the Militia Men may be kept to Exercise.

XXXIII. And be it enacted, That the Officers and Private Men serving in the Militia quartered and billeted according to the Directions of the said recited Act, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Alehouses, Victualling-houses, and other Houses in which they are allowed to be quartered and billeted, paying and allowing for the same the several Rates herein after mentioned; that is to say, For one Commission Officer under the Degree of a Captain, for Diet and Small Beer *per Diem*, one Shilling; and for one Private Man's Diet and Small Beer *per Diem*, four Pence.

Militia Men to be furnished where they are quartered at a certain Rate, viz.

Subalterns at 1 s.

and Private Men at 4 d. per Diem.

XXXIV. And be it enacted by the Authority aforesaid, That Pay, Arms, Accoutrements and Clothing, may be issued, and that an Adjutant and Serjeants may be appointed, for any Regiment or Battalion of Militia of any County, Riding or Place, when it shall appear, by a Return signed by his Majesty's Lieutenant, or in his Absence by three Deputy Lieutenants, that three Fifths of the Militia Men of any such Regiment or Battalion have been inrolled; and that three Fifths of the Commission Officers have been appointed; and that they have taken out their Commissions, and entered their Qualifications; any thing in the said recited Act to the contrary notwithstanding.

When the Pay, Arms, Cloaths and Accoutrements may be issued.

XXXV. And be it enacted, That it shall be lawful for the Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, within their respective Subdivisions, from time to time, to issue out their Order or Warrant, under their Hands and Seals, commanding the Attendance of the Constable, Tythingman, Headborough, or other Officer, of any Parish, Tything or Place, within their several Subdivisions, at such Times and Places as in such Order or Warrant shall be expressed; and such Constable, Tythingman, Headborough, or other Officer, who shall refuse or neglect to appear according to such Order or Warrant, shall suffer all the like Pains and Penalties as are inflicted by the said recited Act upon such Officers, for not complying with any Orders given in pursuance of the said recited Act.

Attendance of Constables enforced by like Penalties, as are inflicted by the recited Act for Non-compliance with Orders.

XXXVI. And be it enacted, That whensoever the Militia shall be ordered out into actual Service, it shall and may be lawful for the Captain of any Company of Militia Men to augment his Company, by incorporating, with the Consent of his Majesty's Lieutenant, or, in the Absence of his Majesty's Lieutenant, with the Consent of two or more of the Deputy Lieutenants, any Number of Persons who shall offer themselves as Voluntiers, and who shall appear to him to be sufficiently trained and disciplined, and provided with proper Cloaths, Arms and Accoutrements, and who shall take the Oath appointed to be taken by this Act, and sign their Consent to serve in the Militia for the Time of such actual Service, and to submit to the same Rules and Articles of War as Militia Men are by the said recited Act, and this Act, liable to, during the Time of their continuing in actual Service.

Power to the Captain, when the Militia is called into actual Service, to augment his Company with Voluntiers, with the Consent of the Lieutenant.

XXXVII. And be it enacted, That it shall be lawful for any Commission Officer of the Militia, being a Justice of the Peace, and acting as such, upon his own View of any Offence committed by any Non-commission Officer or Private Militia Man under his Command, punishable by the said recited Act passed in the last Session of Parliament, to punish such Non-commission Officer or Private Militia Man respectively, in the same Manner as any one Justice of the Peace is impowered to do, upon Proof thereof made according to the Directions of the said recited Act.

A Commission Officer being a Justice of the Peace, may, upon his own View, punish a Militia Man guilty of any Offence punishable by the recited Act.

XXXVIII. And be it enacted, That any two Deputy Lieutenants, together with any one Justice of the Peace, or any one Deputy Lieutenant, together with any two Justices of the Peace, within the Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Westmorland*, and *Rutland*, and within all the several Counties and Places within the said Dominion of *Wales* respectively, shall have and exercise all and every the Powers conferred by the said recited Act, and this Act, on any three Deputy Lieutenants, or on any two Deputy Lieutenants, together with any one

Persons required for the Execution of this Act in Cumberland, Huntington, &c.

Justice of the Peace, or on any one Deputy Lieutenant, together with any two Justices of the Peace of any County, Riding or Place, within that Part of *Great Britain* called *England*; any thing therein or herein contained to the contrary notwithstanding.

'XXXIX. And whereas by the said recited Act passed in the last Session of Parliament, it is 'enacted, That the Number of Private Men to be raised for the *Tower Division* in the County 'of *Middlesex*, commonly called *The Tower Hamlets*, shall be one thousand one hundred and 'sixty;' Be it enacted, That so much of the said Act as relates to the Number of Private Militia Men to be raised within and for the said Division or Hamlets, or to the levying, training and exercising the Militia of the said Division or Hamlets, or to the Appointment of Officers, or levying Trophy Money, within the same, shall be, and the same is hereby repealed.

Clause in the recited Act respecting the Number and Training of the Militia of the Tower Hamlets, repealed.

XL. Provided always, and be it enacted, That whereas the Militia of the *Tower Division* in the County of *Middlesex*, commonly known by the Name of *The Tower Hamlets*, is, and always has been, under the Command of his Majesty's Constable of the *Tower*, or Lieutenant of the *Tower Hamlets*, for the Service and Preservation of that Royal Fort; it shall be lawful for his Majesty's said Constable or Lieutenant, for the time being, from time to time, to appoint his Deputy Lieutenants, and to give Commissions to a proper Number of Officers to train and discipline the Militia to be raised within and for the said Division or Hamlets, pursuant to an Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for Ordering the Forces of the several Counties of this Kingdom*; and to form the same into two Regiments of eight Companies each, in such Manner as the said Constable or Lieutenant hath used to do; and also for defraying the necessary Charge of Trophies, and other incident Expences of the Militia of the same Division or Hamlets, it shall be lawful for his Majesty's said Constable or Lieutenant, to continue to raise in every Year the Proportion of a fourth Part of one Month's Assessment of Trophy Money, within the said Division or Hamlets, in such Manner as he hath used to do, by virtue and in pursuance of the said Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second.

Lieutenant of the Tower impowered to appoint Deputy Lieutenants, and grant Commissions, and regiment the Militia of the said Hamlets, as the Act of 13 & 14 Car. 2. c. 3. directs;

and raise Trophy Money for defraying incident Charges;

XLI. And be it further enacted, That his Majesty's said Constable of the *Tower*, or Lieutenant of the *Tower Hamlets*, shall appoint a Treasurer of the said Trophy Money, for receiving and paying such Monies as shall be levied by virtue of the said Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second; which said Treasurer shall yearly account in Writing, and upon Oath, for the same, to the said Lieutenant, or his Deputy Lieutenants, or any three or more of them; which Oath they shall have Power to administer; and which Accounts for the same shall be certified to the Justices of the Peace for the said Division at their next General or Quarter Sessions; and that the said Constable, or Lieutenant, shall not issue out Warrants for raising any Trophy Money, until the Justices of the Peace, or the major Part of them at such Sessions, shall have examined, stated and allowed the Accounts of the Trophy Money raised, levied and collected, for the preceding Year, and certified the same under the Hands and Seals of four or more of such Justices, unless in case where it shall appear to such Justices, that by reason of the Death of such Treasurer, or otherwise, such Accounts cannot be passed.

and appoint a Treasurer of the said Monies,

who is to account yearly upon Oath.

The said Accounts to be certified to the Justices at their Sessions; and no Warrant to be issued for raising Trophy Money, till the preceding Year's Accounts are settled.

'XLII. And whereas from the Peculiarity of the Jurisdiction of the Town of *Berwick* upon 'Tweed, the said recited Act could not be carried into Execution in that Place without a parti-'cular Provision;' Be it therefore enacted, That all the Powers given, and Provisions made, by the said recited Act, and this Act, with respect to the County of *Northumberland*, and the Militia thereof, shall, in like Manner, take Place, and be in Force, with respect to the said Town of *Berwick* upon *Tweed*, except only as to the Particulars herein expressed, and otherwise provided for; and that out of the Persons returned in the Lists for the said Town, a Number of Private Militia Men shall be chosen by Lot to serve for the said Town, in the same Proportion with the Private Militia Men appointed to serve for the other respective Hundreds, Wards and other Divisions, within the said County of *Northumberland*; and if Persons can be found within the said Town and Liberties thereof, with such Qualifications as are required for Deputy Lieutenants and Officers within Cities and Towns which are Counties of themselves, the Chief Magistrate of the said Town of *Berwick* upon *Tweed* shall appoint five Deputy Lieutenants, and such Number of Officers of the Militia as shall be proportionable to the Number of Militia Men which the said Town shall raise, as their *Quota* towards the Militia of the County of *Northumberland*; and the said Lieutenants and Officers are hereby required to put the Powers conferred by the said recited Act, and this Act, for raising and training the Militia, into Execution, within the said Town and Liberties, subject to such Penalties as are inflicted upon Deputy Lieutenants and Officers of the Militia for acting, not being duly qualified according to the Directions of the said recited Act, and this Act; and that the said Militia shall annually join the Militia of the County of *Northumberland*, and be exercised together at the General annual Exercise in *Whitsun* Week, and shall then, and also in Time of actual Service, be deemed the Militia of the County of *Northumberland* for the Purposes aforesaid.

Provisions, &c. in the recited Act with respect to Com' Northumberland, extended to Berwick upon Tweed;

and the Number of Men to be chosen by Lot to serve for the said Town, to be in Proportion to the Number appointed for the other Hundreds, &c. within the said County.

Chief Magistrate to appoint 5 Deputy Lieutenants, if so many shall be found qualified, and a Number of Officers in Proportion to the Quota of the Men.

Men to join the Militia of the County at their General annual Exercise.

'XLIII. And whereas the separating the Militia of the Isle of *Purbeck* from the Militia of the 'County of *Dorset*, is attended with many Inconveniencies;' Be it enacted, That the Clause in the said recited Act passed in the last Session of Parliament relative to the Militia of the Isle of *Purbeck* aforesaid, be and is hereby repealed; and that all the Powers given, and Provisions made by any Part of the said recited Act unrepealed, and by this Act, with respect to the said County of *Dorset*, and the Militia thereof, shall take Place and be in Force with respect to the said Isle; and that out of the Persons to be returned in the Lists for the several Parishes, Tythings and Places,

Clause in the recited Act relative to the Militia in the Isle of Purbeck repealed;

The Militia thereof for the future to be [illegible] is pro-

vided with respect to the other Hundreds, &c. in the County of Dorset.

Places, within the said Isle, a Number of private Militia Men shall be chosen by Lot to serve for the respective Hundreds, Liberties, and other Divisions, within the said Isle, in the same Proportion with the private Militia Men appointed to serve for the other respective Hundreds, Liberties, and other Divisions, within the said County of *Dorset*, with the Town and County of the Town of *Poole*; and that the Number remaining out of the eighty private Men, by the said Clause in the said recited Act directed to be raised for and in the said Isle, shall be apportioned as equally as may be amongst all the Hundreds, Liberties, and other Divisions, within the said County of *Dorset*, with the said Town and County of the Town of *Poole*.

Nothing in this Act shall make void what has been done in pursuance of the former Act.

XLIV. Provided always, That nothing in this Act contained, shall in any wise extend to annul, or make void, any thing already done in pursuance of the said recited Act, within any such County, Riding or Place, or any such Subdivision where the Militia Men have been, or now can be, chosen out of the Lists already returned; or to oblige his Majesty's Lieutenant, or any other Person concerned in the Execution of the said recited Act, and of this Act, within such County, Riding, Place or Subdivision, to put in Execution any of the Provisions contained in this Act, except only such as relate to Matters subsequent, in Order of Time, to those Provisions of the said recited Act, which they have already put in Execution, within such County, Riding, Place or Subdivision; any thing in this Act contained to the contrary notwithstanding.

Limitation of Actions.

XLV. And be it enacted, That if any Action or Actions, Suit or Suits, shall be brought or commenced against any Person or Persons, for any Thing done in pursuance of the said recited Act, or this Act, such Action or Actions, Suit or Suits, shall be commenced within six Calendar Months after the Fact committed, and not afterwards; and shall be laid in the County or Place where such Action or Actions, Suit or Suits, did arise, and not elsewhere; and the Defendant or Defendants in such Action or Actions, Suit or Suits, to be brought, may plead the General Issue, and give this Act, and the Special Matter, in Evidence; and if such Action or Actions, Suit or Suits, shall be brought after the Time for bringing the same; or if the Jury shall find for the Defendant or Defendants in such Action or Actions; or if the Plaintiff or Plaintiffs shall be nonsuited, or discontinue his or their Action or Actions, Suit or Suits, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have, in other Cases, to recover Costs by Law.

General Issue.

Treble Costs.

Continuance of the Act. *See further*, 32 *Geo.* 2. *c.* 20. 33 *Geo.* 2. *c.* 2, 22 & 24. *And* 2 *Geo.* 3. *c.* 20.

XLVI. Provided always, and be it enacted, That this Act shall continue and be in Force, for and during the Continuance of the said recited Act, and no longer.

CAP. XXVII.

An Act for repealing an Act made in the twenty-fifth Year of his present Majesty, to restrain the making Insurances on Foreign Ships bound to or from the *East Indies*.

Preamble, reciting certain Clauses in Act 25 Geo. 2. *c.* 26. *For former Laws concerning Insurance refer to* 43 *El. c.* 12. 13 & 14 *Car.* 2. *c.* 23. 6 *Geo.* 1. *c.* 18. 7 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 15. 11 *Geo.* 1. *c.* 30 19 *Geo.* 2. *c.* 37. 21 *Geo.* 2. *c.* 4.

'WHEREAS by an Act made in the twenty-fifth Year of the Reign of his present Majesty, intituled, *An Act to restrain the making Insurances on Foreign Ships bound to or from the* East Indies; all and every Person or Persons, Bodies Politick or Corporate, being Subjects of his Majesty in *Great Britain* or *Ireland*, or elsewhere; and all other Persons whatsoever residing within *Great Britain* or *Ireland*, are restrained and prohibited from granting, signing or underwriting any Policy or Policies of Assurance, or lending any Money on Bottomree or Respondentia, of or upon any Foreign Ships trading or sailing to or from the *East Indies*, and other Places beyond the *Cape* of *Good Hope*, within the Limits of Trade granted to the United Company of Merchants of *England* trading to the *East Indies*, or to or from any Ports or Places within the said Limits;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act shall, from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, be repealed; any thing to the contrary thereof in any wise notwithstanding.

The recited Act repealed.

CAP. XXVIII.

An Act to permit the Importation of Salted Beef, Pork and Butter from *Ireland* for a limited Time.

Preamble.

'WHEREAS the permitting the Importation of Salted Beef, Pork and Butter, into this Kingdom from *Ireland*, for a limited Time, may, at this Time, be of great Advantage to both Kingdoms;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, the Importation of all Sorts of Salted Beef, Pork and Butter into this Kingdom from *Ireland*, shall be, and is hereby permitted, allowed and authorized, for and during the Term of six Months from thence next ensuing;

Importation of Salted Beef, Pork and Butter allowed for 6 Months;

enſuing; and that all Perſons ſhall be and are hereby exempted, freed and diſcharged from the Payment of all Subſidies, Cuſtoms, Rates, Duties or other Impoſitions, and alſo from all Penalties, Forfeitures, Payments and Puniſhments for or upon account of importing or bringing Salted Beef, Pork and Butter into this Kingdom from *Ireland*, during the Term aforeſaid, other than ſuch as herein after are mentioned in reſpect thereof; any Act or Acts of Parliament to the contrary notwithſtanding. without being ſubject to any Penalties or Forfeitures,

II. Provided always, and to the Intent that the Revenue ariſing from Salt may not be prejudiced by ſuch Importation of Salted Beef, Pork and Butter from *Ireland*; Be it enacted, That after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-eight, during the Continuance of this Act, there ſhall be paid to ſuch Officer as the Commiſſioners for the Duties on Salt for the time being ſhall appoint, at the Port in *England* into which any ſuch Salted Beef, Pork or Butter, ſhall, in purſuance of this Act, be imported from *Ireland*, and before any Part thereof ſhall be delivered out to the Perſon or Perſons to whom the ſame ſhall belong or be conſigned, the Sum of one Shilling and three Pence for every hundred Weight of all ſuch Salted Beef or Pork; and the Sum of four Pence for every hundred Weight of all ſuch Salted Butter; and ſo in Proportion for any greater or leſſer Quantity than an hundred Weight of any ſuch Salted Beef, Pork or Butter, as or for Cuſtom or for Duty, on or in reſpect thereof; the Money ſo ariſing by the Importation of the ſaid Salted Beef, Pork or Butter, to be paid into his Majeſty's Exchequer as Part of the Duties on Salt laid on by an Act in the fifth Year of his preſent Majeſty's Reign, and continued by ſeveral ſubſequent Acts. or other Duties, on the Landing thereof, than 1 s. 3 d. per C. Wt. for Beef or Pork, and 4 d. per C. Wt. for Butter; the ſame to be paid into the Exchequer, as Part of the Duties on Salt, laid by the Act of 5 Geo. 2.

III. And be it enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-eight, during the Continuance of this Act, land any ſuch Salted Beef, Pork or Butter into this Kingdom from *Ireland*, before Payment of the Duty or Duties by this Act ſpecified and directed, the ſame ſhall be forfeited and loſt, and twenty Shillings *per* Barrel for every Barrel thereof; and ſo in Proportion for any greater or leſſer Quantity, to be recovered of the Importer or Proprietor thereof; and that all ſuch Forfeitures and Penalties ſhall be diſtributed in Manner following; that is to ſay, one Moiety thereof to the King, his Heirs and Succeſſors, and the other Moiety thereof to the Perſon or Perſons who ſhall ſeize, ſue or inform for the ſame; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*. If any ſhall be landed before Duty paid, the Importer, beſides the Forfeiture of the ſaid Commodities, is to forfeit alſo 20 s. per Barrel; One Moiety thereof to the King, the other to the Informer.

IV. Provided always, and it is hereby enacted, That no Bounty ſhall be allowed or paid for any ſuch Salted Beef or Pork, ſo imported into this Kingdom from *Ireland*, and which ſhall be exported from hence elſewhere. No Bounty to be allowed on the exporting thereof from hence.

V. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in Purſuance of this Act, the Defendant or Defendants in any ſuch Action or Suit, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance, and by the Authority of this Act; and if it ſhall appear ſo to have been done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared; or if Judgment ſhall be given, upon any Verdict or Demurrer, againſt the Plaintiff, the Defendant or Defendants ſhall and may recover Treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law. General Iſſue. Treble Coſts. *Continued by* 32 *Geo.* 2, *c.* 1.

CAP. XXIX.

An Act for the due Making of Bread; and to regulate the Price and Aſſize thereof; and to puniſh Perſons who ſhall adulterate Meal, Flour or Bread.

Explained and amended by 3 *Geo.* 3 *c.* 6 & 11.

'WHEREAS by an Act of Parliament made in the one and fiftieth Year of the Reign of King *Henry* the Third, intituled, *Aſſiſa Panis & Cerviſiæ*, Proviſion was made, amongſt other Things, for ſettling the Aſſize of Bread: And whereas by an Act of Parliament made in the eighth Year of the Reign of her late Majeſty Queen *Ann*, intituled, *An Act to regulate the Price and Aſſize of Bread*, ſo much of the ſaid Act (intituled, *Aſſiſa Panis & Cerviſiæ*) as related to the Aſſize of Bread, was repealed, annulled, and made void; and the ſaid Act made in the ſaid eighth Year of the Reign of her ſaid late Majeſty Queen *Ann*, was only made to continue in Force for three Years, and from thence to the End of the then next Seſſion of Parliament, but by ſome ſubſequent Acts of Parliament, the ſaid in Part recited Act made in the ſaid eighth Year of her ſaid Majeſty Queen *Ann*, with ſeveral Alterations and Amendments thereto, hath been continued until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament: And whereas it is expedient to reduce into one Act the ſeveral Laws now in Force relating to the due Making, and to the Price and Aſſize of Bread, and to make ſome Alterations in, and Amendments to the ſame;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Act made in the ſaid eighth Year of the Reign of her ſaid late Majeſty Queen *Ann*, and all Alterations and Amendments made by any Acts of Parliament ſubſequent thereto, for continuing, explaining or amending the ſame, is and are hereby further continued from the Expiration thereof, until the twenty- Preamble, reciting Act 51 Hen. 3. *ſtat.* 6. and 8 Anne, *c.* 18. The recited Act of 8 Anne, and other Acts ſubſequent, and relating thereto, continued to 29 Sept. 1758;

from which Time so much of the Act of 51 Hen. 3. as relates to the Assize of Bread;

and Act 8 Anne, and other Acts continuing or amending the same, are repealed.

twenty-ninth Day of *September* one thousand seven hundred and fifty-eight; and that from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-eight, so much of the said Statute (intituled, *Assisa Panis & Cervisiæ*) as relates to the Assise of Bread, and which would otherwise be revived, when the said recited Act made in the said eighth Year of her said late Majesty Queen *Ann*, shall expire; and also the said Act of Parliament made in the said eighth Year of the Reign of her said late Majesty Queen *Ann*, and all the Alterations and Amendments made by any Acts of Parliament subsequent thereto, for continuing, explaining or amending the same, shall be and are hereby repealed, annulled and made void.

General Ordinance for setting an Assize and Price of Bread.

II. And, to the Intent that from and after the said twenty-ninth Day of *September*, a plain and constant Rule and Method may be duly observed and kept in the making and assizing of the several Sorts of Bread which shall be made for Sale in any Place or Places where an Assize of Bread shall at any Time be thought proper to be set in pursuance of this Act, Be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, it shall be lawful for the Court, or Person or Persons herein after authorized by this Act to set the Assize of Bread, to set, ascertain and appoint, in any Place or Places within their respective Jurisdictions, the Assize and Weight of all Sorts of Bread, which shall, in any such Place or Places, be made for Sale, or exposed to Sale, and the Price to be paid for the same respectively, when, and as often, from time to time, as any such Court, or Person or Persons as aforesaid, shall think proper; and that in every Assize of Bread which shall be set in pursuance of this Act, Respect shall, from time to time, be had by the Court, Person or Persons as aforesaid, who shall set the same, to the Price which the Grain, Meal or Flour, whereof such Bread shall be made, shall bear in the publick Market or Markets, in or near the Place or Places for which any such Assize shall be so at any Time set; and making, from time to time, reasonable Allowance to the Makers of Bread for Sale, where any such Assize shall be so set, for their Charges, Labour, Pains, Livelihood and Profit, as such Court, or Person or Persons as aforesaid respectively, who shall at any Time think fit to set any such Assize, shall, from time to time, deem proper.

Assize to be regulated by the Price the Grain, Meal or Flour bears in the Market, and the Profit to be allowed to the Baker.

Where an Assize shall be set, no Sort of Bread (Wheaten and Houshold excepted) other than what is thereby allowed, is to be made for Sale;

III. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, where an Assize of Bread shall at any Time be thought proper to be set for any Place or Places by virtue of this Act, no Person or Persons shall there make for Sale, or sell, or expose to or for Sale, any Sort of Bread, except Wheaten and Houshold, otherwise Brown Bread, and such other Sort or Sorts of Bread, as in such Place or Places shall be publickly allowed to be made or sold by the Court, or Person or Persons, who by this Act are authorized to set an Assize of Bread for any such Place or Places; but where it hath been usual to make Bread with the Meal or Flour of Rye, Barley, Oats, Beans or Pease, or with the Meal or Flour of any such different Sorts of Grain mixed together, or the Court or Person or Persons impowered to set an Assize of Bread by virtue of this Act, shall at any Time think fit to order or allow in any Place or Places within the Limits of their respective Jurisdictions, Bread to be made with Rye, Barley, Oats, Beans or Pease, or with the Flour or Meal thereof, or with the Meal or Flour of any such different Sorts of Grain mixed together, such Bread shall and may be there made and sold; and if any Person shall offend in the Premisses, and shall be convicted of any such Offence, either by his, her or their own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Magistrate or Magistrates, Justice or Justices of the Peace, within the Limits of his or their Jurisdiction, every one so offending shall, on every such Conviction, forfeit and pay any Sum not exceeding forty Shillings, nor less than twenty Shillings, as any such Magistrate or Magistrates, Justice or Justices, shall think fit and order.

under Penalty of forfeiting not exceeding 40s. nor less than 20s.

Assize and Price of Bread to be set according to the two following Tables, marked N° I. and N° II.

IV. And be it also enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, in every Place and Places for which an Assize of Bread shall at any Time be thought proper to be set by virtue of this Act, the Assize and Weight of the several Sorts of Bread which shall be there made for Sale, or sold, or exposed to or for Sale, and the Price to be paid for the same respectively, shall be set and ascertained according to the Tables hereafter following, marked N° I. and II.

N° I. A TABLE

N° I.

A TABLE of the Assize and Price of Bread made of Wheat,

IN TWO PARTS.

Part the First, or, the Assize Table,

Contains, in Column N° I. the Price of the Bushel of Wheat *Winchester* Measure, from 2 *s.* 9 *d.* to 14 *s.* 6 *d.* the Bushel, the Allowance of the Magistrates or Justices to the Baker, for Baking, being included; and in Column N° II. are the Weights of the several Loaves: So that (for Example) if the Price of Wheat in the Market is 5 *s.* the Bushel, and the Magistrates allow 1 *s.* 6 *d.* the Bushel to the Baker for Baking, find 6 *s.* 6 *d.* in Column N° I. and even therewith, under N° II. will be found the Weights of the several Loaves; but if the Price in the Market is 3 *s.* and the Allowance 1 *s.* then the Weight of the said Loaves will be found even with 4 *s.*

Note, That the Wheaten Loaves are Three-fourths of the Weight of the Household Loaves; and if the Magistrates or Justices shall think fit to allow of any White Loaves of the Price of One Penny or Two Pence, they are to weigh at all Times Three-fourths of the Weight of the Wheaten Loaves of the same Price.

Part the Second, or, the Price Table,

Contains, in Column N° II. the Price of the Bushel of Wheat *Winchester* Measure, from 2 *s.* 9 *d.* to 14 *s.* 6 *d.* the Bushel, the Allowance of the Magistrates or Justices to the Baker, for Baking, being included; and in Column N° I. are the Prices of the Peck, Half Peck and Quartern, Wheaten and Household Loaves: So that (for Example) if the Price of Wheat in the Market is 5 *s.* the Bushel, and the Magistrates allow 1 *s.* 6 *d.* to the Baker for Baking, find 6 *s.* 6 *d.* in N° II. and even therewith, under N° I. will be found the Prices of the several Loaves; but if the Price in the Market is 3 *s.* the Bushel, and the Allowance 1 *s.* then the Prices of the said Loaves will be found even with 4 *s.*

Note, That the Prices of the Household Loaves are always Three-fourths of the Prices of the Wheaten Loaves; and where it shall be thought proper to allow of Half Quartern Loaves, the Prices of such Loaves (if sold singly) are to be Half a Farthing higher than is allowed by this Table, when it shall so happen that the Farthing is split.

And Magistrates and Justices, within their respective Jurisdictions, being to set the Assize and fix the Price of the several Loaves of Bread, having Respect to the Price which the Grain, Meal or Flour, of which the same are made, shall bear in the Market; but no Provision being made how they should know what Price the respective Sorts of Meal and Flour should be esteemed to bear, in Proportion to the Price of Wheat, they are therefore to take Notice, That the Peck Loaf of each Sort of Bread is to weigh, when well baken, 17 *lb.* 6 Ounces *Averdupois*, and the rest in Proportion; and that every Sack of Meal or Flour is to weigh 2 Cwt. 2 qrs. net; and that from every Sack of Meal or Flour there ought to be produced, on the Average, 20 such Peck Loaves of Bread; and, by observing the said Rule, Magistrates and Justices may at all Times know if the Baker hath more or less than the Allowance they intend to give him.

N°I.	N°II. Part the First; or, The Assize Table.															
The Price of the Bushel of Wheat, and Baking.	Small Assize Bread.						Large Assize Bread.									
	The Penny Loaf.				The Twopenny Loaf		The Sixpenny Loaf				Twelvepenny Loaf.				Eighteenpenny Loaf	
	Wheaten		Houshold		Wheaten	Houshold	Wheaten		Houshold		Wheaten		Houshold		Wheaten	Houshold
s. d.	oz.	dr.	oz.	dr.	lb. oz. dr.	lb. oz. dr.	lb. oz. dr.		lb. oz. dr.		lb. oz. dr.		lb. oz. dr.		lb. oz. dr.	lb. oz. dr.
2 9	22	4	29	4	2 12 8	3 10 8	8 5 8		10 15 9		16 11 0		21 15 2		25 0 8	32 14 11
3 0	20	4	27	1	2 8 8	3 6 2	7 9 8		10 2 0		15 3 0		20 4 12		22 12 8	30 7 2
3 3	18	9	25	4	2 5 8	3 2 9	6 15 4		9 7 11		13 14 7		18 15 5		20 13 11	28 7 0
3 6	17	6	23	3	2 2 1	2 14 5	6 8 4		8 11 0		13 0 9		17 6 1		19 8 13	26 1 1
3 9	16	6	21	6	2 0 11	2 10 12	6 2 2		8 0 5		12 4 4		16 0 11		18 6 7	24 1 0
4 0	15	4	20	4	1 14 8	2 8 8	5 11 8		7 9 8		11 7 0		15 3 0		17 2 8	22 12 8
4 3	14	4	19	1	1 12 8	2 6 2	5 5 9		7 2 6		10 11 2		14 4 12		16 0 11	21 7 2
4 6	13	9	17	15	1 11 2	2 3 14	5 1 0		6 11 10		10 2 12		13 7 4		15 4 2	20 2 14
4 9	12	12	17	1	1 9 9	2 2 2	4 12 11		6 6 7		9 9 7		12 12 14		14 6 2	19 3 5
5 0	12	1	16	6	1 8 3	2 0 11	4 8 9		6 2 2		9 1 1		2 4 4		13 9 10	18 6 7
5 3	11	9	15	7	1 7 3	1 14 14	4 5 8		5 12 11		8 11 1		11 9 6		13 0 9	17 6 1
5 6	11	2	14	10	1 6 4	1 13 4	4 2 12		5 7 13		8 5 8		10 15 10		12 8 3	16 7 7
5 9	10	8	14	4	1 5 0	1 12 8	3 15 0		5 5 9		7 14 0		10 11 2		11 13 0	16 0 11
6 0	10	2	13	9	1 4 4	1 11 2	3 12 12		5 1 0		7 9 8		10 2 12		11 6 4	15 4 2
6 3	9	11	13	1	1 3 0	1 10 1	3 10 2		4 14 3		7 4 4		9 12 0		10 14 0	14 10 9
6 6	9	4	12	10	1 2 9	1 9 4	3 7 10		4 11 13		6 15 4		9 7 11		10 6 13	14 3 8
6 9	9	0	12	1	1 1 13	1 8 3	3 5 13		4 8 9		6 11 10		9 1 11		10 1 7	13 9 10
7 0	8	11	11	9	1 1 0	1 7 3	3 4 2		4 5 8		6 8 4		8 11 1		9 12 7	13 0 9
7 3	8	7	11	2	1 0 14	1 6 4	3 2 9		4 2 12		6 5 2		8 5 8		9 7 11	12 8 3
7 6	8	3	10	11	1 0 0	1 5 0	3 1 1		4 0 3		6 2 2		8 0 5		9 3 3	12 0 8
7 9	7	14	10	6	0 15 12	1 4 12	2 15 4		3 14 5		5 14 8		7 12 10		8 13 12	11 10 15
8 0	7	10	10	2	0 15 2	1 4 4	2 13 12		3 12 12		5 11 8		7 9 8		8 9 4	11 6 4
8 3	7	5	9	15	0 14 11	1 3 14	2 11 14		3 11 9		5 7 13		7 7 3		8 3 11	11 2 12
8 6	7	2	9	9	0 14 4	1 3 3	2 10 12		3 9 8		5 5 9		7 3 1		8 0 5	10 12 9
8 9	6	15	9	4	0 13 14	1 2 9	2 9 11		3 7 10		5 3 7		6 15 4		7 13 2	10 6 13
9 0	6	13	8	15	0 13 9	1 1 13	2 8 11		3 5 11		5 1 6		6 11 0		7 10 1	10 1 1
9 3	6	9	8	12	0 13 2	1 1 8	2 7 7		3 4 9		4 14 14		6 9 2		7 6 5	9 13 10
9 6	6	7	8	8	0 12 11	1 1 0	2 6 9		3 2 15		4 13 2		6 5 14		7 3 11	9 8 13
9 9	6	4	8	5	0 12 8	1 0 10	2 5 8		3 1 14		4 11 0		6 3 12		7 0 8	9 5 10
10 0	6	1	8	2	0 12 1	1 0 5	2 4 4		3 0 15		4 8 0		6 1 14		6 12 13	9 2 13
10 3	5	15	7	15	0 11 13	0 15 11	2 3 8		2 15 11		4 7 0		5 15 5		6 10 8	8 15 0
10 6	5	13	7	12	0 11 9	0 15 7	2 2 12		2 14 5		4 5 8		5 12 11		6 8 4	8 11 0
10 9	5	11	7	9	0 11 6	0 15 1	2 2 1		2 13 3		4 4 2		5 10 6		6 6 2	8 7 9
11 0	5	9	7	5	0 11 2	0 14 10	2 1 0		2 11 14		4 2 12		5 7 13		6 4 2	8 3 11
11 3	5	6	7	3	0 10 13	0 14 5	2 0 7		2 10 11		4 0 14		5 5 14		6 1 5	8 0 12
11 6	5	5	7	1	0 10 10	0 14 2	1 15 14		2 10 0		3 15 12		5 4 12		5 15 10	7 15 2
11 9	5	2	6	15	0 10 5	0 13 14	1 14 14		2 9 11		3 13 13		5 3 7		5 12 11	7 13 2
12 0	5	1	6	13	0 10 2	0 13 9	1 14 5		2 8 11		3 12 11		5 1 6		5 11 9	7 10 1
12 3	4	15	6	10	0 9 15	0 13 4	1 13 13		2 7 12		3 11 0		4 15 7		5 9 6	7 7 3
12 6	4	14	6	8	0 9 12	0 12 15	1 13 4		2 6 13		3 10 9		4 13 10		5 7 13	7 4 7
12 9	4	13	6	5	0 9 9	0 12 10	1 12 12		2 5 15		3 9 8		4 11 13		5 6 5	7 1 12
13 0	4	11	6	4	0 9 5	0 12 8	1 11 15		2 5 8		3 7 14		4 11 0		5 3 13	7 0 8
13 3	4	9	6	3	0 9 2	0 12 6	1 11 5		2 5 1		3 6 10		4 10 2		5 1 15	6 15 4
13 6	4	8	6	1	0 9 0	0 12 1	1 11 0		2 4 4		3 6 0		4 8 9		5 1 0	6 12 13
13 9	4	7	5	15	0 8 13	0 11 13	1 10 7		2 3 8		3 4 14		4 7 9		4 15 5	6 10 8
14 0	4	5	5	13	0 8 11	0 11 9	1 10 1		2 2 12		3 4 2		4 5 8		4 14 3	6 8 4
14 3	4	4	5	11	0 8 8	0 11 6	1 9 9		2 2 1		3 3 2		4 4 2		4 12 11	6 6 2
14 6	4	3	5	9	0 8 6	0 11 2	1 9 2		2 1 6		3 2 4		4 2 12		4 11 6	6 4 2

N° 1								N°. II.
Part the Second.								
Prized Bread.								
Quartern Loaf.		Halfpeck Loaf.		Peck Loaf.				The Price of the Bushel of Wheat, and Baking.
Wheaten	Houſhold	Wheaten	Houſhold	Wheaten	Houſhold			
s. d.	s. d.	s. d.	s. d.	s. d.	s. d.			s. d.
0 3 1/4	0 2 1/2	0 6 1/4	0 4 3/4	1 0 1/2	0 9 1/2			2 9
0 3 1/2	0 2 3/4	0 7	0 5 1/2	1 1 1/2	0 10 1/2			3 0
0 3 3/4	0 2 3/4	0 7 1/2	0 5 1/2	1 3	0 11			3 3
0 4	0 3	0 8	0 6	1 4	1 0			3 6
0 4 1/4	0 3 1/4	0 8 1/2	0 6 1/2	1 5	1 1			3 9
0 4 1/2	0 3 1/2	0 9	0 6 3/4	1 6 1/2	1 1 3/4			4 0
0 4 3/4	0 3 3/4	0 9 1/4	0 7 1/4	1 7 1/2	1 2 1/2			4 3
0 5	0 3 3/4	0 10 1/4	0 7 1/4	1 8 1/2	1 3 1/2			4 6
0 5 1/2	0 4	0 10 3/4	0 8	1 9 1/2	1 4 1/2			4 9
0 5 3/4	0 4 1/4	0 11 1/2	0 8 1/2	1 11	1 5			5 0
0 6	0 4 1/2	1 0	0 9	2 0	1 6			5 3
0 6 1/4	0 4 3/4	1 0 1/2	0 9 1/2	2 1	1 7			5 6
0 6 1/2	0 5	1 1 1/4	0 9 3/4	2 2 1/2	1 7 1/2			5 9
0 7	0 5 1/4	1 1 3/4	0 10 1/4	2 3 1/2	1 8 1/2			6 0
0 7 1/4	0 5 1/2	1 2 1/4	0 10 3/4	2 4 3/4	1 9 1/2			6 3
0 7 1/2	0 5 1/2	1 3	0 11	2 6	1 10			6 6
0 7 3/4	0 5 3/4	1 3 1/2	0 11 1/2	2 7	1 11			6 9
0 8	0 6	1 4	1 0	2 8	2 0			7 0
0 8 1/4	0 6 1/4	1 4 1/2	1 0 1/2	2 9	2 1			7 3
0 8 1/2	0 6 1/2	1 5	1 1	2 10	2 2			7 6
0 8 3/4	0 6 3/4	1 5 1/2	1 1 1/2	2 11 1/4	2 2 3/4			7 9
0 9 1/4	0 6 3/4	1 6 1/4	1 1 1/2	3 0 1/2	2 3 1/2			8 0
0 9 1/2	0 7	1 7	1 2	3 2	2 4			8 3
0 9 3/4	0 7 1/4	1 7 1/2	1 2 1/2	3 3	2 5			8 6
0 10	0 7 1/2	1 8	1 3	3 4	2 6			8 9
0 10 1/4	0 7 3/4	1 8 1/2	1 3 1/2	3 5	2 7			9 0
0 10 1/2	0 8	1 9	1 3 3/4	3 6 1/4	2 7 3/4			9 3
0 10 3/4	0 8 1/4	1 9 1/2	1 4 1/4	3 7 1/4	2 8 1/2			9 6
0 11	0 8 1/2	1 10 1/4	1 4 1/4	3 8 1/2	2 9 1/2			9 9
0 11 1/2	0 8 1/2	1 11	1 5	3 10	2 10			10 0
0 11 1/2	0 8 3/4	1 11 1/2	1 5 1/2	3 11	2 11			10 3
1 0	0 9	2 0	1 6	4 0	3 0			10 6
1 0 1/4	0 9 1/4	2 0 1/2	1 6 1/2	4 1	3 1			10 9
1 0 1/2	0 9 1/2	2 1	1 7	4 2	3 2			11 0
1 0 3/4	0 9 3/4	2 1 1/2	1 7 1/2	4 3 1/4	3 2 3/4			11 3
1 1	0 10	2 2	1 7 1/2	4 4 1/4	3 3 1/4			11 6
1 1 1/2	0 10	2 3	1 8	4 6	3 4			11 9
1 1 3/4	0 10 1/4	2 3 1/2	1 8 1/2	4 7	3 5			12 0
1 2	0 10 1/2	2 4	1 9	4 8	3 6			12 3
1 2 1/4	0 10 3/4	2 4 1/2	1 9 1/2	4 9	3 7			12 6
1 2 1/2	0 11	2 5	1 10	4 10	3 8			12 9
1 3	0 11 1/4	2 5 1/2	1 10 1/2	4 11 1/2	3 8 1/2			13 0
1 3 1/4	0 11 1/4	2 6	1 10 1/2	5 1	3 9			13 3
1 3 1/2	0 11 1/2	2 7	1 11	5 2	3 10			13 6
1 3 3/4	0 11 3/4	2 7 1/2	1 11 1/2	5 3	3 11			13 9
1 4	1 0	2 8	2 0	5 4	4 0			14 0
1 4 1/4	1 0 1/4	2 8 1/2	2 0 1/2	5 5	4 1			14 3
1 5	1 0 1/2	2 9	2 1	5 6	4 2			14 6

N° II.

A TABLE of the Assize and Price of Bread made of the several Grains hereunder mentioned.

This Table is divided into seven Columns: Columns the 1st and 7th contain the Prices of the Bushel of Grain, the Allowance for Baking included; which Prices are adapted so as to serve either for the *Winchester* Bushel of Rye, the *Winchester* Bushel of Barley, the *Winchester* Bushel of Oats, the *Winchester* Bushel of Beans, the *Winchester* Bushel of Maslin *alias* Miscellany, consisting of Two-thirds Wheat and One-third Rye; the Price of either of which Bushels in the Market being known, the Magistrates are to add the intended Allowance thereto; the Amount of which being found either in Column N° I. or VII. the Weights which the several Penny, Twopenny, Sixpenny, and Twelvepenny Loaves ought to be of, will be found under Columns N° II. III. IV. and V. and the Price of the respective Peck Loaves (which are to weigh 17 *lb.* 6 *z.* each) under N° VI.

Example, When the Price of the Bushel of Barley in the Market, with the Allowance to the Baker, is 4 *s.* look for that Sum in Column the 1st or 7th, and under their respective Titles in the same Line will be found the Weights which the several Assize Barley Loaves should be of, and the Price of the Peck Barley Loaf, and so of each of the other Sorts.

Note, Where Bread is allowed at any Time to be made for Sale of Pease only, the Assize and Price thereof are to be set and fixed from the Bean Columns; and where Bread is ordered to be made for Sale of a coarse Sort of Maslin or Miscellany Grain, consisting of One-third Rye, One-third Barley, and One-third either Pease or Beans, the Assize and Price thereof are to be set and fixed from the Barley Columns.

Note also, That this Table is framed for Bread to be made of the whole Produce of the said several Grains, except the Bran or Hull thereof only.

N° I.	N° II.										N° III.									
Price of the Bushel and Baking.	Weight of the Penny Loaf.										Weight of the Twopenny Loaf.									
	Rye.		Barley.		Oats.		Beans.		Maslin.		Rye.		Barley.		Oats.		Beans.		Maslin.	
s. d	oz.	d.	oz.	d.	oz.	d.	oz.	d.	oz.	d.	lb. oz.	d.	lb. oz.	d.	lb. oz.	d.	lb. oz.	d.	lb. oz.	d.
1 0	62	8	67	8	31	4	83	12	70	0	7 13	0	8 7	0	3 14	8	10 7	8	8 12	0
1 3	50	0	54	0	25	0	67	0	56	0	6 4	0	6 12	0	3 2	0	8 6	0	7 0	0
1 6	41	10	45	0	20	14	55	12	46	10	5 3	5	5 10	0	2 9	12	6 15	8	5 13	4
1 9	35	11	38	9	17	14	47	14	40	0	4 7	6	4 13	2	2 3	12	5 15	12	5 0	0
2 0	31	4	33	12	15	10	41	14	35	0	3 14	8	4 3	8	1 15	4	5 3	12	4 6	0
2 3	27	13	30	0	13	14	37	4	31	2	3 7	10	3 12	0	1 11	12	4 10	8	3 14	4
2 6	25	0	27	0	12	8	33	8	28	0	3 2	0	3 6	0	1 9	0	4 3	0	3 8	0
2 9	22	11	24	9	11	6	30	7	25	6	2 13	6	3 1	2	1 6	12	3 12	14	3 2	12
3 0	20	13	22	8	10	7	27	14	23	5	2 9	10	2 13	0	1 4	14	3 7	12	2 14	10
3 3	19	4	20	12	9	10	25	12	21	8	2 6	8	2 9	8	1 3	4	3 3	8	2 11	0
3 6	17	13	19	4	8	15	23	15	20	0	2 3	11	2 6	8	1 1	14	2 15	14	2 8	0
3 9	16	11	18	0	8	5	22	5	18	10	2 1	6	2 4	0	1 0	11	2 12	10	2 5	4
4 0	15	10	16	14	7	13	20	15	17	8	1 15	4	2 1	12	0 15	10	2 9	14	2 3	0
4 3	14	12	15	14	7	6	19	11	16	8	1 13	8	1 15	13	0 14	12	2 7	6	2 1	0
4 6	13	14	15	0	6	15	18	10	15	9	1 11	12	1 14	0	0 13	14	2 5	3	1 15	2
4 9	13	2	14	4	6	9	17	11	14	12	1 10	5	1 12	9	0 13	3	2 3	0	1 13	8
5 0	12	8	13	8	6	4	16	12	14	0	1 9	0	1 11	0	0 12	8	2 1	8	1 12	0
5 3	11	14	12	14	5	15	15	15	13	5	1 7	12	1 9	12	0 11	15	1 15	14	1 10	10
5 6	11	5	12	4	5	11	15	3	12	11	1 6	11	1 8	9	0 11	6	1 14	7	1 9	6
5 9	10	13	11	12	5	7	14	9	12	2	1 5	11	1 7	8	0 10	14	1 13	2	1 8	4
6 0	10	6	11	4	5	3	13	15	11	10	1 4	13	1 6	8	0 10	7	1 11	14	1 7	5
6 3	10	0	10	13	5	0	13	6	11	3	1 4	0	1 5	10	0 10	0	1 10	12	1 6	6
6 6	9	10	10	6	4	13	12	14	10	12	1 3	4	1 4	12	0 9	10	1 9	12	1 5	8
6 9	9	4	10	0	4	10	12	6	10	6	1 2	9	1 4	0	0 9	5	1 8	13	1 4	12
7 0	8	15	9	10	4	7	11	15	10	0	1 1	13	1 3	4	0 8	15	1 7	15	1 4	0

N° IV.

N° IV. Weight of the Sixpenny Loaf. Rye.			Barley.			Oats.			Beans.			Maslin.			N° V. Weight of the Twelvepenny Loaf. Rye.			Barley.			Oats.			Beans.			Maslin.			N° VI. Price of the Peck Loaf. Rye.		Barley.		Oats.		Beans.		Maslin.		N° VII. Price of the Bushel and Baking.
lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	lb.	oz.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s.	d.	s. d.
23	7	0	25	5	0	11	11	8	31	6	8	26	4	0	46	14	0	50	10	0	23	7	0	52	13	0	52	8	0	0	4	0	3	0	0	4	0	1	0
18	12	0	20	4	0	9	6	0	25	2	0	21	0	0	37	8	0	40	8	0	18	12	0	50	4	0	42	0	0	0	5	0	4	0	0	5	0	1	3
15	9	15	16	14	0	7	13	4	20	14	8	17	7	12	31	3	14	33	12	0	15	10	8	41	13	0	34	15	8	0	6	0	5	0	0	6	0	1	6
13	6	2	14	7	6	6	11	4	17	15	4	15	0	0	26	12	4	28	14	12	13	6	8	35	14	8	30	0	0	0	7	0	1	0	0	7	0	1	5
11	11	8	12	10	8	5	13	12	15	11	4	13	2	0	23	7	0	25	5	0	11	11	8	31	6	8	26	4	0	0	8	0	1	0	0	8	0	1	6
10	6	14	11	4	0	5	3	4	13	15	8	11	10	12	10	13	12	22	8	0	10	6	8	27	15	0	23	5	8	0	10	0	1	0	0	9	0	1	7
9	6	0	10	2	0	4	11	0	12	9	0	10	8	0	18	12	0	20	4	0	9	6	0	25	2	0	21	0	0	0	11	0	1	10	0	8	0	0	10
8	8	2	9	3	6	4	4	4	11	6	10	9	8	4	17	0	4	18	6	12	8	8	8	21	13	4	19	0	8	0	11	1	2	1	0	9	0	0	11
7	12	15	8	7	0	3	14	10	10	7	4	8	11	14	15	9	15	16	14	0	7	13	4	20	14	8	17	7	12	1	1	0	2	2	0	10	0	1	0
7	3	8	7	12	8	3	9	12	9	10	8	8	1	0	14	7	0	15	9	0	7	3	8	19	5	0	16	2	0	1	2	1	2	4	0	10	0	1	1
6	11	1	7	3	8	3	5	10	8	15	10	7	8	0	13	6	2	14	7	0	6	11	4	17	15	4	15	0	0	1	3	1	2	6	0	11	0	1	2
6	4	2	6	12	0	3	2	1	8	5	14	6	15	12	12	7	4	13	8	0	6	4	2	16	11	12	13	15	8	1	4	1	2	8	1	0	0	1	3
5	13	12	6	5	4	2	14	14	7	13	10	6	9	0	11	11	8	12	10	8	5	13	12	15	11	4	13	2	0	1	5	1	2	11	1	1	4	1	4
5	8	8	5	15	7	2	12	4	7	6	2	6	3	0	11	1	0	11	14	14	5	8	8	14	12	4	12	6	0	1	6	1	2	4	1	2	5	1	5
5	3	7	5	10	0	2	9	10	6	15	9	5	13	6	10	6	14	11	4	0	5	3	4	13	15	2	11	10	12	1	8	1	3	2	1	3	6	1	6
4	14	15	5	5	11	2	7	9	6	10	2	5	8	8	9	13	14	10	11	6	4	15	2	13	4	4	11	1	0	1	8	1	3	5	1	2	7	1	7
4	11	0	5	1	0	2	5	8	6	4	8	5	4	0	9	6	0	10	2	0	4	11	0	12	9	0	10	8	0	1	9	1	4	3	1	1	8	1	8
4	7	7	4	13	7	2	3	13	5	15	10	4	15	14	8	14	14	9	10	14	4	7	10	11	15	4	9	15	12	1	10	1	5	8	1	0	9	1	9
4	4	1	4	9	11	2	2	2	5	11	5	4	12	2	8	8	2	9	3	6	4	4	4	10	6	10	9	8	4	2	0	1	7	1	1	7	10	1	10
4	1	1	4	6	8	2	0	10	5	7	6	4	8	12	8	2	2	8	13	0	4	1	4	10	14	12	9	1	8	2	1	2	0	4	3	1	7	1	11
3	14	7	4	3	8	1	15	5	5	3	10	4	5	15	7	12	15	8	7	0	3	14	10	10	7	4	8	11	14	2	2	2	1	4	5	1	8	2	0
3	12	0	4	0	14	1	14	0	5	0	4	4	3	2	7	8	0	8	1	12	3	12	0	10	0	8	8	6	4	2	3	2	2	4	7	1	8	2	1
3	9	12	3	14	4	1	12	14	4	13	4	4	0	8	7	3	8	7	12	8	3	9	12	9	10	8	8	1	0	2	5	2	3	4	9	1	9	2	2
3	7	11	3	12	0	1	11	15	4	10	7	3	14	4	6	15	0	7	8	0	3	7	14	9	4	14	7	12	8	2	6	2	4	5	0	1	10	2	3
3	5	8	3	9	12	1	10	13	4	7	13	3	12	0	6	11	1	7	3	8	3	5	10	8	15	10	7	8	0	2	7	2	5	5	1	1	11	2	4
3	2	14	3	6	4	1	10	15	4	4	6	3	9	4	6	6	12	6	13	4	2	15	6	8	0	6	7	4	8	2	8	2	6	5	1	2	12	2	5
2	15	0	3	3	0	1	9	6	4	1	0	3	6	0	6	3	0	6	3	0	2	10	0	7	5	0	6	8	0	2	10	2	8	6	1	3	13	2	6
2	12	4	3	0	0	1	8	0	3	14	0	3	3	4	5	14	0	5	14	0	2	7	4	6	10	0	5	12	0	2	12	2	10	7	1	4	14	2	7
2	9	8	2	13	4	1	7	12	3	12	8	3	0	8	4	13	4	5	15	4	2	4	8	6	0	4	4	13	4	2	15	3	0	8	1	5	15	2	8
2	6	12	2	10	8	1	5	18	3	1	4	2	12	12	4	0	8	4	16	8	2	1	12	5	5	8	3	14	8	3	2	3	4	9	1	7	16	3	9
2	3	4	2	0	0	1	4	0	2	12	0	2	1	0	3	9	0	3	17	0	1	14	0	5	0	0	3	0	0	3	0	3	6	10	1	0	18	3	10
1	15	8	1	13	8	1	2	6	2	10	8	1	13	4	2	6	4	2	18	4	1	7	4	4	10	4	2	15	4	3	8	3	8	11	1	0	19	3	11
1	12	12	1	7	4	0	15	12	2	8	4	1	14	8	1	3	8	1	19	8	1	0	8	3	15	8	1	13	8	3	14	4	0	12	1	1	0	4	0
1	9	16	1	1	0	0	14	0	2	4	0	1	15	0	1	0	0	1	19	12	1	3	0	3	0	0	1	12	0	4	0	4	1	1	1	2	1	4	1
1	6	20	0	14	12	0	13	18	1	15	8	0	17	4	0	13	4	1	0	0	0	14	8	2	5	0	1	1	4	4	2	4	3	1	1	3	2	4	2
1	3	24	0	12	8	0	12	24	1	7	12	0	16	8	0	12	8	1	0	12	0	13	12	2	0	8	1	0	8	4	13	4	5	1	1	4	13	4	3
1	0	28	0	11	4	0	12	30	1	0	0	0	16	0	0	12	0	1	0	0	0	13	0	1	15	0	1	0	0	5	3	4	7	1	1	5	3	4	4
0	14	0	0	10	8	0	11	6	0	15	0	0	15	4	0	11	4	0	15	0	0	12	4	0	15	4	0	14	8	5	4	5	0	1	1	6	4	5	5
0	13	4	0	10	0	0	11	0	0	14	0	0	15	8	0	11	0	0	14	12	0	12	0	0	15	8	0	13	12	5	5	5	8	1	1	7	5	5	6
0	12	8	0	9	4	0	10	12	0	13	4	0	14	12	0	10	8	0	14	8	0	11	8	0	15	12	0	13	0	6	6	6	0	1	1	8	6	6	7

Assize to be set in Averdupoize Weight, and in the Proportions directed by the Tables, for the several Sorts of Bread.

V. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* one thousand seven hundred and fifty-eight, every Assize which shall, from time to time, be set in any City, Town Corporate, Hundred, Division, Liberty, Rape or Wapentake, in pursuance of this Act, shall be always set in Averdupoize Weight, of sixteen Ounces to the Pound, and not Troy Weight, and in the several Proportions directed in or by the said Tables above set forth, or as near the same as may be, as to the several Sorts of Bread in this Act specified; and that the said Tables shall extend as well to such Bread which shall be made with the Flour of Wheat mixed with the Flour of other Grain, as also to Bread which shall be made with the Flour of other Grain or Grains than Wheat, which shall be publickly licensed and allowed to be made into Bread, in any Place or Places in Pursuance of this Act; and that the Assize of all such mixed Bread shall be set and ascertained as near as may be, according to the said Tables.

Return to be made Weekly to the Court of Mayor and Aldermen of London, by the Meal Weighers, of the Prices which the several Kinds of Grain, Meal and Flour, fit for Bread, publickly sell for in the Markets of the City;

the Prices to be entered by them on a certain Day in a Book to be kept in the Town Clerk's Office; and the Assize and Price of Bread to be set the next Day;

and to take Place according to Order, and continue till a new Assize be set;

and to be publish'd forthwith.

Before any Advance or Reduction be made in the Price of Bread, the Meal Weighers are to leave at the Bakers Hall a Copy of the Returns made that Day,

that the Company may have Time to object thereto, before the Assize be set.

VI. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, the respective Prices which the several Kinds of Grain, Meal, and Flour, fit and proper to make the different Sorts of Bread which shall be allowed to be made in pursuance of this Act, shall, from time to time, *bona fide*, sell for in the Markets or Places in *London*, where such Grain, Meal and Flour, shall be openly and publickly sold during the whole Market, and not at particular Times thereof, or on particular Contracts only, shall, from time to time, be given in and certified on Oath, on some certain Day in every Week, as the Court of Mayor and Aldermen of the City of *London* shall, from time to time, appoint, by the Meal Weighers of the said City of *London*, or such other Persons as the said Court of Mayor and Aldermen in *London* shall, from time to time, direct; and shall also on some certain Day in every Week, to be appointed by the said Court of Mayor and Aldermen in *London*, be entered by such Meal Weighers, or other Persons to be appointed as aforesaid, in Writing under their Hands, in some Book to be for that Purpose provided by the said City of *London*, and kept at the Town Clerk's Office in the said City: And the next Day after every such Price shall be so given in and certified as aforesaid, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale by any Person within the Limits of their Jurisdiction, and the Price to be paid for the same respectively, shall, from time to time, be set by the said Court of Mayor and Aldermen in *London*, if the said Court shall then sit, and if such Court shall not then sit, by the Mayor of the said City for the time being; and that the Assize of Bread which shall be so set in *London* shall take Place from such Time as the said Court shall order, and be in Force for the said City of *London* and the Liberties thereof, and the Weekly Bills of Mortality (the City of *Westminster* and Liberties thereof, the Borough of *Southwark*, and Weekly Bills of Mortality in the County of *Surry* excepted) until a new or other Assize of Bread in *London* shall be set; and that after the Fixing or Setting of every such Assize of Bread, by the said Court of Mayor and Aldermen of *London*, or the Mayor of the said City for the time being, when the said Court of Mayor and Aldermen of *London* shall not sit, the Assize so from time to time set shall, with all convenient Speed after setting thereof, be made Publick in such Manner as the said Court of Mayor and Aldermen shall order or direct: But before any Advance or Reduction shall in any Week be made by the said Court of Mayor and Aldermen, or the Mayor of the said City of *London* for the time being, in the Price of Bread, the Meal Weighers of the said City of *London* for the time being, or such other Persons as the said Court of Mayor and Aldermen shall from time to time appoint to return the Price of Grain, Meal and Flour, shall leave in Writing at the Common Hall of the Company of Bakers in the said City of *London*, a Copy of every Return of the Price of Grain, Meal and Flour, which they shall make, and enter in such Book to be provided and kept at the Town Clerk's Office as aforesaid, some Time of the same Day on which such Meal Weighers or other Persons shall make every such Return and Entry as aforesaid; to the Intent that the said Company of Bakers may the Morning of the next Day after every such Return and Entry shall be made, and before any Assize shall be set, from time to time, have an Opportunity to offer to the said Court of Mayor and Aldermen, if such Court shall then sit, and if such Court shall not then sit, to the Mayor of the said City of *London* for the time being, all such Objections as the said Company of Bakers shall have and think fit to offer against any Advance or Reduction being that Day made in *London* in the Price of Bread.

The Court of Mayor and Aldermen and Magistrates, &c. in other Cities, Towns and Boroughs, may, in like Manner, cause Returns to be made them of the Prices which the several Sorts of Grain, Meal and Flour, fit for Bread, shall be publickly sold at in the Markets, within their Jurisdictions;

VII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, the Court of Mayor and Aldermen of every other City, where there shall be any such Court, and when such Court shall sit; and where there shall be no such Court, or, there being any such, when the same shall not sit, the Mayor, Bailiffs or other Chief Magistrate or Magistrates of every such other respective City; and in Towns Corporate, or Boroughs, the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates for the time being of every such Town Corporate or Borough; or two or more Justices of the Peace in such Towns and Places where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrates; shall and may severally and respectively, from time to time, as there shall be Occasion, within their several and respective Jurisdictions, cause the respective Prices which the several Sorts of Grain, Meal and Flour, fit and proper to make the different Sorts of Bread which shall be allowed to be made in every such other respective City, Town Corporate, Borough, Town or Place, shall, from time to time, *bona fide*, sell for, in the respective publick Markets in or near to every such other Town Corporate, Borough, Town or Place, during the Whole Market, and not at particular Times thereof, or on particular Contracts only, from time to time be given in and certified, upon Oath, unto such Court, Mayor, Bailiffs, Aldermen, Chief Magistrate or Magistrates, or Justices, as aforesaid respectively, within their several Jurisdictions, in such

such Manner, and by such Person or Persons, and on such Day in every Week, as any such respective Court, Mayor, Bailiffs, Aldermen, Chief Magistrate or Magistrates, or Justices, as aforesaid, within their respective Jurisdictions, shall from time to time appoint; and the Price which shall be so certified, shall, from time to time, be entered by the respective Person or Persons who shall certify the same in some Book or Books to be provided by such respective Person or Persons, and kept by him or them for that Purpose: And within two Days after every such Price shall be so returned, the Assize and Weight of Bread for every such other respective City, Town Corporate, Borough, Town and Place, and the Price to be paid for the same, shall, from time to time, be set by the Court of Mayor and Aldermen of every such other City where there shall be any such Court, and when the same shall sit; and when such Court shall not sit, by the Mayor of every such other respective City; and where there shall be no such Court of Mayor and Aldermen in any such other City, then by the Mayor, Bailiffs or other Chief Magistrate or Magistrates of every such other City; and in Towns Corporate and Boroughs, by the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates of every such Town Corporate or Borough; and by two or more Justices of the Peace in Towns or Places where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrate or Magistrates: And the Assize and Weight of Bread, and Price to be paid for the same, which shall be so from time to time set in every such other City, and in every Town Corporate or Borough, and in every Town and Place where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrate or Magistrates, as aforesaid, shall commence and take Place on such Day in every Week, and be in Force for such Time, not exceeding seven Days from the Setting of every such Assize, and shall be made Publick in such Manner, as such Court of Mayor and Aldermen in every such other City where there shall be any such Court, and when the same shall sit; and where there shall be no such Court of Mayor and Aldermen, or there being any such, when the same shall not sit, as the Mayor, Bailiffs or other Chief Magistrate or Magistrates, as aforesaid, of every such other City; and as the Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates, as aforesaid, of every such Town Corporate, or Borough; and in Towns and Places where there shall be no such Mayor, Bailiffs, Aldermen or Chief Magistrate or Magistrates, as aforesaid, as any such two Justices, as aforesaid, shall, within their respective Jurisdictions, from time to time direct.

the Prices to be entered and certified in a proper Book;

and the Assize and Price of Bread, to be set within 2 Days after;

and to take Place, and continue (not exceeding 7 Days) and to be published, as the Court or Magistrates shall direct.

VIII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, if any two or more Justices of the Peace of Counties at Large, Ridings or Divisions, shall at any Time think fit to set an Assize of Bread, for any Place or Places within the Limits of their respective Jurisdictions, then, and in any such Case, it shall be lawful for any such two or more Justices, within the Limits of their respective Jurisdictions, to cause the Price which Grain, Meal and Flour, fit to make the several Sorts of Bread which shall be made for Sale in any such Place or Places, shall, from time to time, *bona fide*, sell for in the respective Publick Corn Market or Corn Markets, in or near any such Place or Places respectively, during the whole Market, and not at particular Times thereof, or on special Contracts only, to be from time to time given, and certified on Oath, to them at their respective Houses or Places of Abode, in any such County, Riding or Division, on such Day in every Week, as any such two or more Justices shall for that Purpose fix on and appoint, by the respective Clerks of the Market of the several Markets in or near such respective Place or Places, or such other Person or Persons as any such two or more Justices as aforesaid respectively, within their respective Jurisdictions, shall for that Purpose appoint; and that the Price of Grain, Meal and Flour, which shall be so returned, shall, from time to time, be entered by the respective Person or Persons who shall so return the same, in some Book or Books to be provided by him or them, and kept for that Purpose; and within two Days after any such Return of the Price of Grain, Meal and Flour, shall be made, to any such two or more Justices, as aforesaid, the Price and Assize of Bread may be by them, or any two of them, set for every such Place or Places, for any Time not exceeding fourteen Days from every Setting thereof: And the Assize which shall be so from time to time set, shall commence and be in Force, at such Time after every Setting thereof, and be made Publick in such Place or Places for which the same shall be so set, in such Manner as the Justices who shall set the same, shall order or direct.

Two or more Justices within their Jurisdictions, may set an Assize of Bread, and cause Returns to be made by the Clerks of the neighbouring Markets of the Price at which Grain, Meal and Flour shall be there sold;

the Returns to be made on a certain Day,

and to be entered and signed in a Book to be kept for that Purpose;

the Assize and Price of Bread to be set within 2 Days after, and to continue (not exceeding 14 Days) and to commence and be published as shall be ordered.

IX. And be it further enacted by the Authority aforesaid, That any Maker of Bread for Sale in any such other City, Town Corporate, Borough or Place, where the Price and Assize of Bread, in pursuance of this Act, shall at any Time be thought proper to be set, shall have Liberty, at all seasonable Times, in the Day Time, the next Day after every Return of the Price of Grain, Meal and Flour, shall be made for any such other City, Town Corporate, Borough, Town or Place, and entered in the proper Book hereby directed to be provided and kept for that Purpose, to see the Entry which shall be made in such Book, of the Price of Grain, Meal and Flour, without paying any Thing for the same; to the Intent that every such Maker of Bread for Sale may have an Opportunity on the said next Day after any such Entry as aforesaid shall be made as hereby is directed, to offer to any such Court, Mayor, Bailiffs, Aldermen or other Chief Magistrate or Magistrates, or Justices, as aforesaid, who shall think fit to set any such Assize of Bread within their respective Jurisdictions, and before any such Assize shall be set, such Objections as any such Maker of Bread for Sale can reasonably make against any Advance or Reduction being at any Time made in the Assize or Price of Bread in any such other City, Town Corporate, Borough, Town or Place.

Bakers may see the Returns, the Day after the same shall be made,

that they may have Time to object to the Advance or Reduction to be made in the Price of Bread, before the Assize be set.

X. And be it further enacted by the Authority aforesaid, That no Baker or Maker of Bread for Sale shall be liable or compellable to pay any Fee, Gratuity or Reward, to any Person or Persons for, or

Baker not liable to pay Fees on Account of the Assize of Bread.

or by means of, any Aſſize of Bread being at any Time ſet, altered or publiſhed, by virtue of or under this Act.

Form of the Returns to be made of the Price of Grain, Meal or Flour.

XI. And be it further enacted by the Authority aforeſaid, That the Form of the Return, or the Certificate of the Price of Grain, Meal or Flour, ſhall, from time to time, be to the Purport or Effect as followeth; that is to ſay,

The Prices of Grain, Meal and Flour, as ſold in the Corn Market in of the Day of 17 in the

The beſt Wheat	at	by the Buſhel.
The Second	at	by Ditto.
The Third	at	by Ditto.
The beſt Wheaten Flour	at	by the Sack.
Houſehold Flour	at	by Ditto.
Rye	at	by the Buſhel.
Rye Meal or Flour,	at	by the Buſhel.
Barley	at	by Ditto.
Barley Meal	at	by Ditto.
Oats	at	by Ditto.
Oatmeal	at	by
White Peas	at	by the Buſhel.
White Pea Flour or Meal	at	by
Beans	at	by the Buſhel.
Bean Meal, or Flour	at	by

Returns to be ſigned.

To every of which Returns the Perſon or Perſons, who ſhall be appointed to make the ſame, ſhall, from time to time, ſign their reſpective Names or Marks.

Form of Publication of the Aſſize of Bread.

XII. And be it further enacted by the Authority aforeſaid, That when an Aſſize of Bread ſhall at any Time be ſet in purſuance of this Act, the ſame ſhall be made Publick in the Form or to the Effect following; that is to ſay,

To wit, The Aſſize of Bread, ſet the Day of for to take Place on the Day of now next enſuing, and to be in Force for the ſaid of

And in Places where Penny, Twopenny, Sixpenny, Twelvepenny and Eighteenpenny Loaves ſhall be made, as followeth;

	lb.	*oz.*	*dr.*
The Penny Loaf Wheaten is to weigh			
Ditto Houſehold is to weigh			
The Twopenny Loaf Wheaten is to weigh			
Ditto Houſehold is to weigh			
The Sixpenny Loaf Wheaten is to weigh			
Ditto Houſehold is to weigh			
The Twelvepenny Loaf Wheaten is to weigh			
Ditto Houſehold is to weigh			
The Eighteenpenny Loaf Wheaten is to weigh			
Ditto Houſehold is to weigh			

And in Places where Quartern, Half Peck and Peck Loaves ſhall be made, then as follows;

	lb.	*oz.*	*dr.*		*s.*	*d.*
The Peck Loaf Wheaten is to weigh				and is to be ſold for		
Ditto Houſehold is to weigh				and is to be ſold for		

And

And the Half Peck and Quarter of a Peck Loaves of Wheaten and Houſehold Bread are to weigh, from time to time, in Proportion to the Weight a Peck Loaf of Wheaten or Houſehold Bread ought to weigh, and are to be ſold according to the Price a Peck Loaf of Wheaten or Houſehold Bread reſpectively is to be ſold; and whenever any Bread ſhall be ordered to be made by any ſuch Magiſtrate or Magiſtrates, or Juſtices, within the Limits of their Juriſdiction, with the Meal or Flour of Rye, Barley, Oats, Peas, or Beans either alone, or mixed with the Meal or Flour of any other Grain or Grains, the Aſſize of ſuch Bread ſhall be made Publick in ſuch Manner as the ſaid Magiſtrate or Magiſtrates, or Juſtices, who ſhall ſet ſuch Aſſize, ſhall from time to time direct.

Half Peck, and Quarters Loaves to weigh, and be ſold in due Proportion to the Peck Loaf.

Magiſtrate to direct how the Aſſize of Rye, Barley, or mixed Bread, when order'd to be made, ſhall be publiſhed.

XIII. And be it alſo enacted by the Authority aforeſaid, That in Places where any ſix Penny, twelve Penny and eighteen Penny Loaves ſhall at any time be ordered or allowed to be made or ſold, no Peck, Half-peck, or Quarter of a Peck Loaves ſhall be permited or allowed at the ſame Time to be there made or ſold; to the Intent that one of thoſe Sorts of Loaves of Bread may not be ſold deſignedly, or otherwiſe, for the other Sort thereof, to the Injury of unwary People; upon Pain that every one who ſhall offend in the Premiſſes, and ſhall be thereof convicted in Manner herein after preſcribed, ſhall, for every ſuch Offence, forfeit a Sum not exceeding forty Shillings, nor leſs than twenty Shillings, as the Magiſtrate or Magiſtrates, Juſtice or Juſtices, before whom any ſuch Offender ſhall be convicted, ſhall from time to time think fit.

Where Bread of a certain Denomination and Value ſhall be ordered or allowed to be made, no Bread of a different Denomination is to be ſold at the ſame Time,

under Penalty of forfeiting not exceeding 40 s. nor leſs than 20 s. for ſuch Offence.

XIV. And be it further enacted by the Authority aforeſaid, That if, for the better carrying into Execution this Act, the Juſtices of the Peace of any County, Riding, or Diviſion, ſhall, at any General or General Quarter-Seſſions of the Peace to be held by them for any ſuch County, Riding, or Diviſion, think fit to aſcertain or fix, that any Hundred or Hundreds, or other Place or Places, in any ſuch County, Riding, or Diviſion, ought to be eſtimated or conſidered, as of, or in, any one particular Hundred, Riding, or Diviſion, of any ſuch County, Riding, or Diviſion, in order that the Aſſize of Bread which ſhall be ſet for ſuch particular Hundred, Place or Places, may extend to or comprize ſuch other Hundred, Place or Places, then, and in any ſuch Caſe, it ſhall be lawful for them ſo to do; but by ſo doing thereof, no Juſtice of the Peace of any ſuch County, Riding, or Diviſion, ſhall be excluded or debarred from acting as a Juſtice of the Peace in any Hundred, Riding, or Diviſion, of any ſuch County in which any ſuch particular Towns, Diſtricts, or Places ſhall lie, or the Aſſize for them ſhall be ſet.

The Juſtices at a General or Quarter-Seſſions, may fix the Juriſdiction of any Hundred or Place within a certain Diſtrict, ſo as the Aſſize of Bread ſet for the ſame may extend thereto.

XV. And be it likewiſe enacted by the Authority aforeſaid, That an Entry ſhall, from time to time, be made by every Clerk of the Market, or other Perſon or Perſons who, in purſuance of this Act, ſhall be appointed to make ſuch Return and Certificate as hereby is directed reſpectively, in ſome Book or Books to be provided and kept by them reſpectively for that Purpoſe, of every Return which ſhall be made, in purſuance of this Act, by them reſpectively; and alſo of the Rate at which the Price, Aſſize, and Weight of Bread ſhall, from time to time, be ſet or fixed within the Juriſdiction of every ſuch Clerk of the Market, or other Perſons who ſhall, in purſuance of this Act, be appointed to make ſuch Return or Certificate as aforeſaid; which Book or Books any Inhabitant of every ſuch City, Town Corporate, Borough Franchiſe, Hundred, Riding, Diviſion, Liberty, Lath, Rape, or Wapentake, ſhall, at all ſeaſonable Times in the Day-time, have Liberty to ſee and inſpect, without any Fee or Reward being to be paid for the ſame.

Entry to be made by every Clerk of the Market, &c. in proper Books, of the Returns made by him,

and of the Rate the Aſſize and Price of Bread ſhall be ſet at from time to time,

the ſaid Books to be open to the Inſpection of any Inhabitant.

XVI. And be it alſo enacted by the Authority aforeſaid, That after an Aſſize of Bread ſhall, at any Time after the ſaid twenty-ninth Day of *September*, be ſet, no Alteration ſhall be made therein in any ſubſequent Week, either to riſe the ſame higher, or to ſink the ſame lower, unleſs and except when the Price of Wheat, or other Grain, ſhall be returned as having roſe three Pence each Buſhel, more than the laſt Return made, or having fallen three Pence each Buſhel lower than the ſaid laſt Return; no Proviſion being made by the ſaid Aſſize Tables for altering any Aſſize, when the Variation in the Price of Wheat, or other Grain, ſhall not in any Week have amounted to, and have been returned three Pence a Buſhel.

No Alteration is to be made in Aſſize of Bread, unleſs the Price of Wheat, or other Grain, ſhall vary 3 d. in the Buſhel from the laſt Return.

XVII. And be it likewiſe enacted by the Authority aforeſaid, That if any Meal Weigher, Clerk of any Market, or other Perſon or Perſons who ſhall be appointed to certify or return, as hereby is directed, the Price of Grain, Meal, and Flour, ſhall in any wiſe neglect, omit or refuſe to do, any Matters or Things by this Act required or directed to be done by him or them reſpectively, or ſhall deſignedly or knowingly make any falſe Certificate or Return; or if any Conſtable, Headborough, or other Peace Officer, ſhall refuſe or neglect to obſerve or obey any Warrant in Writing which ſhall be delivered to him under the Hand and Seal of any Magiſtrate or Juſtice of the Peace, or to do any other Act requiſite to be done by him or them for the carrying this Act, or any of the Powers or Authorities hereby given, into Execution; then every Perſon ſo offending in any of the Premiſſes, on being convicted of any ſuch Offence, ſhall forfeit and pay for every ſuch Offence, any Sum not exceeding five Pounds, nor leſs than twenty Shillings, as the Magiſtrate or Magiſtrates, Juſtice or Juſtices, before whom any ſuch Offender or Offenders ſhall be convicted, ſhall think fit and order, every Time he or they ſhall ſo offend and be convicted, as hereby is directed.

Any Meal Weigher, Clerk of the Market, &c. who ſhall neglect his Duty, or make a falſe Return;

and any Peace Officer, who ſhall diſobey the Warrant of any Magiſtrate, or Juſtice, or otherwiſe neglect his Duty,

forfeit not exceeding 5 l. nor leſs than 20 s.

XVIII. And be it further enacted by the Authority aforeſaid, That in caſe any Buyers or Sellers of, or Dealers in, Corn, Grain Meal, or Flour, at any Time after the ſaid twenty-ninth Day of *September*, on reaſonable Requeſt to him, her or them made by the Meal Weighers of the City of *London* in *London*, or by the reſpective Clerks of the Markets, or other Perſons, who, in purſuance of

Any Buyer, Seller, or Dealer, who ſhall refuſe to diſcloſe to the Meal Weighers in London or Clerks of the Markets, &c. in other Places, the

true Prices the ſeveral Sorts of Grain, Meal, and Flour, ſhall be bought or ſold at in the publick Market,

of this Act, shall be appointed to give in and certify, as hereby is directed, the Prices of Grain, Meal, and Flour, from the respective Markets or Places within their respective Jurisdictions, shall refuse to disclose and make known to such Meal Weighers, Clerks of the Markets, or other Persons, who shall be appointed to make such Returns and Certificates as hereby are directed respectively, and also shall request the same within their respective Jurisdictions, the true real Prices the several Sorts of Grain, Meal, and Flour, shall be *bona fide* bought at, or sold, by or for him, her or them respectively, at any Corn Market or Corn Markets, or other Place, where Corn, Grain, Meal, or Flour, is or shall be usually, openly, or publickly sold, within the Jurisdiction of any such Person or Persons as aforesaid, who shall request any such Account to be given to him or them; or shall knowingly give in to any such Meal Weigher, Clerk of the Market, or other Person, who shall be appointed in pursuance of this Act, to give in and certify the Price of Grain, Meal, and Flour, any false or untrue Price or Prices of any Grain, Meal, or Flour, bought or sold, or agreed so to be, or any Price which hath been made by any deceitful Means; then, and in every such Case, he, she or they so offending, on being convicted of any such Offence by the Oath of one or more credible Witness or Witnesses, or solemn Affirmation of any credible Witness or Witnesses, being a *Quaker*, or on the Confession of the Party accused, shall forfeit any Sum not exceeding ten Pounds, nor less than forty Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom any such Offender or Offenders shall be convicted, shall think fit and order, every Time he, she or they shall so offend, and be convicted of any such Offence.

or shall give in a false or colluſive Price,

forfeit not exceeding 10 l. nor less than 40 s.

XIX. And be it further enacted by the Authority aforesaid, That if any such Court, Magistrate or Magistrates, Justice or Justices, as aforesaid, who shall have thought proper to have ordered any Return to be made of the Price of Grain, Meal, or Flour, within their respective Jurisdictions, shall, at any Time within the Space of three Days after any such Return shall have been made, suspect that the same was not truly and *bona fide* made; then, and in any such Case, it shall be lawful for any such Court, Magistrate or Magistrates, Justice or Justices, within their respective Jurisdictions, to summon before them respectively, any Person or Persons who shall have bought or sold, or shall be suspected to have bought or sold, or agreed to buy or sell any Grain, Meal, or Flour, within their respective Jurisdictions, or who shall be thought to be likely to give any Information concerning the Premisses, and to examine them respectively upon their several Oaths, touching the Rates and Prices the several Sorts of Grain, Meal and Flour, or any of them, were there really and *bona fide* bought at, or sold for, or agreed so to be by him, her or them respective, at any Time or Times within the Space of seven Days preceding the summoning of him, her or them respectively: And if any Person or Persons who shall be so summoned as aforesaid, shall neglect or refuse to appear on such Summons (and Proof shall be made on Oath of such Summons having been duly served upon him, her or them, for that Purpose) or if any Person or Persons so summoned shall appear, and neglect or refuse to answer such lawful Questions touching the Premisses, as shall be proposed to him, her or them, by any such Court, Magistrate or Magistrates, Justice or Justices as aforesaid, within their respective Jurisdictions, without some just or reasonable Excuse, to be allowed of by any such Court, Magistrate or Magistrates, Justice or Justices as aforesaid, he, she or they so offending, on being convicted of any such Offence, either by the Oath of one or more credible Witness or Witnesses, or his, her or their own Confession, before any such Court, Magistrate or Magistrates, Justice or Justices, shall, on every such Conviction, forfeit and pay any Sum not exceeding ten Pounds, and not less than forty Shillings, as any such Court, Magistrate or Magistrates, Justice or Justices, shall think fit and order: And if any Person, who shall be so examined on Oath, shall wilfully forswear him or herself, every such Person shall be subject and liable to be prosecuted as for perjury, by Indictment or Information by due Course of Law; and, if convicted, shall be liable to the Penalties Persons convicted of wilful and corrupt Perjury are subject and liable to; provided that the Party or Parties so summoned be not obliged to travel above five Miles from the Place or Places of his, her or their Abode.

Where any false Return shall be suspected to be made, the Court, Magistrate, or Justice, may, within three Days, summon any Buyer or Seller, or other Person likely to give Information,

and examine them upon Oath touching the Prices of Grain, Meal, and Flour, within seven Days before;

and any Person who shall not appear thereto, without just Cause shewn, or shall refuse to give Evidence,

forfeits not exceeding 10 l. nor less than 40 s. and so swearing himself, incurs the Penalties of Perjury.

Party summoned, not obliged to travel above 5 Miles from the Place of his Abode.

XX. And be it further enacted by the Authority aforesaid, That whenever any Court as aforesaid, Magistrate or Magistrates, or Justices of the Peace, shall order any Bread to be made within their respective Jurisdictions, of or with the Flour or Meal of any other Grain or Grains than Wheat, or to be mixed with the Flour of Wheat, or to be made with the Flour or Meal of any other Sort or Sorts of Grain or Grains, either separate or mixed together, all Persons who shall make any Bread for Sale, in any Place where any such Order or Orders shall at any Time be made, shall, from Time to Time, make Bread with such mixed Meal or Flour, in every such Place and Places, in such Manner as they shall be required and ordered by any such Court, Magistrate or Magistrates or Justices as aforesaid, within their respective Jurisdictions, and shall, from Time to Time, make the same of such Weight and Goodness, and shall sell the same at such Prices, as any such Court, Magistrate or Magistrates, or Justices, within their respective Jurisdictions, shall, from Time to Time, order or direct; upon Pain that every Person who shall at any Time offend in the Premisses, and shall be convicted of any such Offence in the Manner herein after prescribed by this Act, shall forfeit any Sum not exceeding five Pounds, nor less than forty Shillings, as the Magistrate or Magistrates before whom any such Offender or Offenders shall be convicted shall think fit and order, every Time he, she or they shall so offend and be convicted.

When an Order shall be made for making Bread for Sale of any other Grain than Wheat, or of mixed Meal or Flour,

Bakers to conform to such Order, and make the Bread of such Weight and Goodness, and at such Price, as shall therein be directed,

on Penalty of forfeiting not exceeding 5 l. nor less than 40 s.

3r

XXI. And

XXI. And be it further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, the several Sorts of Bread which shall be made for Sale, or sold, or exposed to or for Sale, in any Place or Places, shall always be well made, and in their several and respective Degrees, according to the Goodness of the several Sorts of Meal or Flour whereof the same ought to be made; and that no Allum, or Preparation or Mixture in which Allum shall be an Ingredient, or any other Mixture or Ingredient whatsoever (except only the genuine Meal or Flour which ought to be put therein, and common Salt, pure Water, Eggs, Milk, Yeast and Barm, or such Leaven as shall at any Time be allowed to be put therein by the Court, or Person or Persons who shall, by virtue of this Act, have set an Assize of Bread, for the Place or Places where any such Leaven shall be used, and where no such Assize shall have been set, then such Leaven as any Magistrate or Magistrates, Justice or Justices of the Peace, within his or their Jurisdiction, shall allow to be used in making of Bread) shall be put into, or in any wise used in making Dough, or any Bread to be sold, or as or for Leaven to ferment any Dough, or on any other Account, in the Trade or Mystery of making Bread, under any Colour or Pretence whatsoever; upon Pain that every Person (other than a Servant or Journeyman) who shall knowingly offend in the Premisses, and shall be convicted of any such Offence, either by his, her or their own Confession, or by the Oath of one or more credible Witness or Witnesses, before any such Magistrate or Magistrates, Justice or Justices of the Peace, within the Limits of his or their Jurisdiction, shall, on every such Conviction, forfeit and pay any Sum of Money not exceeding ten Pounds, and not less than forty Shillings; or shall, by Warrant under the Hand and Seal, or Hands and Seals, of any such Magistrate or Magistrates, Justice or Justices within his or their respective Jurisdiction, be apprehended and committed to the House of Correction, or some Prison of the County, City, Town Corporate, Borough, Riding, Division or Place, where the Offence shall have been committed, or the Offender or Offenders shall be apprehended, there to remain and be kept to hard Labour for any Time not exceeding one Calendar Month, nor less than ten Days, from the Time of such Commitment, as any such Magistrate or Magistrates, Justice or Justices, shall think fit and order; and if any Servant or Journeyman Baker shall knowingly offend in the Premisses, and shall be convicted of any such Offence, either by his, her or their own Confession, or by the Oath of one or more credible Witness or Witnesses, before any such Magistrate or Magistrates, Justice or Justices of the Peace, within the Limits of his or their Jurisdiction, he, she or they, who shall so offend, shall, on every such Conviction, forfeit and pay any Sum of Money not exceeding five Pounds, and not less than twenty Shillings; or shall, by Warrant under the Hand and Seal, or Hands and Seals, of any such Magistrate or Magistrates, Justice or Justices, within his or their respective Jurisdiction, be apprehended and committed to the House of Correction, or some Prison of the County, City, Town Corporate, Borough, Riding, Division, Liberty or Place, where the Offence shall have been committed, or the Offender or Offenders shall be apprehended, there to remain and be kept to hard Labour for any Time not exceeding one Calendar Month, nor less than ten Days, from the Time of every such Commitment, as any such Magistrate or Magistrates, Justice or Justices, shall think fit and order; and it shall and may be lawful for the Magistrate or Magistrates, Justice or Justices, before whom any such Offender shall be convicted, out of the Money forfeited, when recovered, to cause the Offender's Name, Place of Abode, and Offence, to be published in some News Paper, which shall be printed or published in or near the County, City or Place, where any such Offence shall have been committed.

The several Sorts of Bread made for Sale, are to be always well made, and, in their Degrees, according, to the Goodness of the Sorts of Meal or Flour the same ought to be made of,

without any Adulteration or Mixture, except the genuine Meal or Flour, Salt, Water, Eggs, Milk Yeast and Barm, or such Leaven as shall be occasionally allowed;

upon Penalty of the Offender forfeiting not being the Servant or Journeyman) not exceeding 10 l. nor less than 40 s.

or being committed, and kept to hard Labour for any Time not exceeding 1 Month, nor less than 10 Days;

and if the Offender be a Servant or Journeyman, on Penalty of his forfeiting not exceeding 5 l. nor less than 20 s.

or being committed, and kept to hard Labour for any Time not exceeding 1 Month nor less than 10 Days;

and the Magistrate may, out of the Money of the Forfeiture, publish in some News Paper the Offender's Name, Place of Abode, and Offence.

XXII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* no Person shall knowingly put into any Corn, Meal or Flour, which shall be ground, dressed, bolted or manufactured for Sale, either at the Time of grinding, dressing, bolting or in any wise manufacturing the same, or at any other Time or Times, any Ingredient, Mixture or Thing whatsoever; or shall knowingly sell, offer or expose to or for Sale, any Meal or Flour of one Sort of Grain as or for the Meal or Flour of any other Sort of Grain, or any Thing as or for, or mixed with the Meal or Flour of any Grain, which shall not be the real and genuine Meal or Flour of the Grain the same shall import to be and ought to be; upon Pain that every Person who shall offend in the Premisses, and shall be thereof convicted in Manner herein after prescribed, shall forfeit and pay for every such Offence, any Sum not exceeding five Pounds, nor less than forty Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom any such Offender or Offenders shall be convicted, shall think fit or order.

The Penalty of adulterating Corn, Meal or Flour, whether at the Time of grinding, dressing or bolting, &c.

or of selling the Meal or Flour of one Sort of Grain for another Sort;

or any Thing mixed which shall not be of the genuine Meal or Flour of the Grain the same is sold for;

is not to exceed 5 l. nor be less than 40 s.

XXIII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September* no Person shall knowingly put into any Bread which shall be made for Sale, any Mixture of Meal or Flour of any other Sort of Grain than of the Grain the same shall import to be, and shall be allowed to be made of, in pursuance of this Act; or shall put into any Bread which shall be made for Sale, any larger or other Proportion of any other or different Sort or Sorts of Grain, or the Meal or Flour thereof, than what shall be appointed or allowed to be put therein by this Act; or any Mixture or Thing as for or in lieu of Flour, which shall not really be the genuine Flour the same shall import to be, and ought to be; upon Pain that every Person who shall offend in the Premisses, and shall be convicted of any such Offence in Manner herein after prescribed, shall forfeit and pay any Sum not exceeding five Pounds, nor less than twenty Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom any such Offender or Offenders

Where Bread shall be of a different Mixture of Corn than what it importeth to be of, or is allowed,

or where the Proportion of the Mixture allowed of shall not be duly observed,

or where any Thing shall be sold as Flour, which is not genuine,

the Offender is to forfeit not exceeding 5 l. nor less than 20 s.

ders ſhall be convicted, ſhall think fit and order, every Time he, ſhe or they, ſhall ſo offend, and be convicted.

Where Bread ſhall be made under Weight,

XXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons who ſhall make any Bread for Sale, or who ſend out, or ſell or expoſe to or for Sale, any Bread, ſhall at any Time from and after the ſaid twenty-ninth Day of *September* make, ſend out, ſell or expoſe to or for Sale any Bread which ſhall be deficient in Weight, according to the Aſſize which ſhall be ſet for any ſuch Bread, from Time to Time to be ſold at, in purſuance of this Act, he, ſhe or they ſo offending in the Premiſſes, and being thereof convicted in Manner herein after preſcribed of any ſuch Offence, ſhall forfeit and pay a Sum not exceeding five Shillings, nor leſs than one Shilling, for every Ounce of Bread which ſhall at any Time be wanting or deficient in the Weight every ſuch Loaf ought to be of; and for every Loaf of Bread which ſhall be found wanting leſs than an Ounce of the Weight the ſame ought to be of, a Sum not exceeding two Shillings and ſix Pence, nor leſs than ſix Pence; as any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, before whom any ſuch Bread which ſhall not be of the due Weight the ſame ought to be, ſhall be brought, ſhall think fit or order; ſo as ſuch Bread which ſhall be complained of as wanting at any Time in the Weight the ſame ought to be of, in any City, Town Corporate, Borough, Liberty or Franchiſe, or the Juriſdiction thereof or within the weekly Bills of Mortality, ſhall from Time to Time be brought before ſome Magiſtrate or Magiſtrates, Juſtice or Juſtices, having Juriſdiction in the Premiſſes, and ſhall be weighed before ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, within twenty-four Hours after the ſame ſhall have been baked, ſold or expoſed to or for Sale; and ſo as ſuch Bread which ſhall be complained of as wanting at any Time in the Weight the ſame ought to be of, in any Hundred, Riding, Diviſion, Liberty, Rape, Wapentake or Place, ſhall from Time to Time be brought before ſome Juſtice or Juſtices of the Peace of ſuch Hundred, Riding, Diviſion, Liberty, Rape or Wapentake, or other Place, and ſhall be weighed before ſuch Juſtice or Juſtices within three Days after the ſame ſhall have been baked, ſold or expoſed to or for Sale; unleſs it ſhall be made out to the Satisfaction of any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, by or on the Behalf of the Party or Parties againſt whom any ſuch Complaint or Information ſhall be made, that ſuch Deficiency in Weight wholly aroſe from ſome unavoidable Accident in Baking or otherwiſe, or was occaſioned by or through ſome Contrivance or Confederacy.

the Offender forfeits not exceeding 5 s. nor leſs than 1 s. for every Ounce deficient.

and if under an Ounce, not exceeding 2 s. 6 d. nor leſs than 6 d.

provided ſuch Bread complained of, if in any City, Town Corporate or Borough,

be weighed before the Magiſtrate, within 24 Hours after the ſame ſhall be baked, ſold or expoſed to Sale;

and if in any Hundred, Riding or Diviſion, &c. within three Days of the baking or Sale thereof;

unleſs ſuch Deficiency aroſe from ſome unavoidable Accident, or by Contrivance or Confederacy.

All Bread made for Sale, is to be fairly marked;

XXV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* every Perſon who ſhall make for Sale, or ſell, expoſe, or ſend out, to or for Sale, any Sort of Bread whatſoever, ſhall, from Time to Time, cauſe to be fairly imprinted or marked on every Loaf of each reſpective Sort of Bread which he, ſhe or they, ſhall make or ſell, or carry out, or expoſe to or for Sale, the Roman Letters herein after-mentioned; that is to ſay, Upon every Loaf of Bread which ſhall be made, ſold, carried out, or expoſed to or for Sale, as Wheaten Bread, a large Roman W; and upon every Loaf of Bread which ſhall be made, ſold, carried out or expoſed to or for Sale, as Houſhold or Brown Bread, a large Roman H; and that every Perſon who ſhall make for Sale, or ſhall ſell, carry out or expoſe to or for Sale, any Loaf of any Sort of Bread, which ſhall be allowed to be made in purſuance of this Act, which ſhall not be marked purſuant to the Directions of this Act, ſo as the ſame may, on the View thereof, be aſcertained, from Time to Time, under what Denomination or Sort of Bread every ſuch Loaf was made, and ought to be weighed (except as to ſuch Loaves which ſhall be raſped after the beſpeaking or purchaſing thereof, by the particular Deſire of any Perſon who ſhall order the ſame to be ſo raſped, for his, her or their own Uſe or Uſes) ſhall, for every Time he, ſhe or they, ſhall offend in the Premiſſes, and be thereof convicted in Manner herein after preſcribed, forfeit and pay a Sum not exceeding twenty Shillings, nor leſs than five Shillings, as any Magiſtrate or Magiſtates, Juſtice or Juſtices, before whom the Offender ſhall be convicted, ſhall direct, for every Loaf of Bread not marked as hereby is directed.

the Wheaten Bread with a large Roman W, and Houſhold with H,

in order to aſcertain under what Denomination it was made, and ought to be weighed,

under Penalty not exceeding 20 s. nor leſs than 5 s.

Bakers demanding or taking a higher Price for Bread, than what the ſame ſhall be ſet at by the Aſſize;

XXVI. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* no Baker, or other Perſon or Perſon or Perſons ſhall aſk, demand or take, for any Bread which he, ſhe or they ſhall ſell, or expoſe to or for Sale, any greater or higher Price than ſuch Bread ſhall be aſcertained to be ſold for or at by the Court, Magiſtrate or Magiſtrates, or Juſtices, hereby authorized to ſet the Price and Aſſize of Bread, within their reſpective Juriſdictions; and that no Baker, or other Perſon who ſhall make any Bread for Sale, ſhall refuſe or decline to ſell any Loave or Loaves of any of the Sorts of Bread which, in purſuance of this Act, ſhall be allowed or ordered to be made, to any Perſon or Perſons who ſhall tender ready Money in Payment for the ſame, at or for the Price ſuch Bread, by the Aſſize which ſhall have been ſet in reſpect thereof, ſhall be fixed at, or aſcertained to be ſold for, when any ſuch Baker, or other Perſon who ſhall make Bread for Sale, ſhall have any Loaf of any ſuch Bread in his or their Houſe, Bakehouſe, Shop or Poſſeſſion to be ſold, more than ſhall be requiſite for the immediate neceſſary Uſe of his, her or their own Family or Cuſtomers; and which it ſhall be incumbent on ſuch Baker, or other Perſon who ſhall be complained of, for refuſing or declining to ſell any ſuch Bread to prove before the Magiſtrate or Magiſtrates, Juſtice or Juſtices, to whom any ſuch Complaint ſhall be made, if thereunto required by the Party or Parties who ſhall make any ſuch Complaint; upon Pain that every Perſon who ſhall be convicted of any ſuch Offence, in Manner herein after preſcribed, ſhall forfeit and pay a Sum not exceeding forty Shillings, nor leſs than ten Shillings, as the Magiſtrate or Magiſtrates,

or refuſing to ſell to any Perſon any of the Sorts allowed or ordered to be made;

when he ſhall have more than is neceſſary for the immediate Uſe of his Family or Cuſtomers;

forfeits not exceeding 40 s. nor leſs than 10 s.

giſtrates, Juſtice or Juſtices, before whom any ſuch Offender or Offenders ſhall be convicted, ſhall think fit and order, every Time he, ſhe or they, ſhall ſo offend and be convicted.

Bread of any inferior Quality to Wheaten, is not to be ſold at a higher Price than Houſhold Bread is ſet at, on Penalty of 20 s.

XXVII. Provided further, and it is hereby likewiſe enacted, That from and after the ſaid twenty-ninth Day of *September* no Perſon ſhall ſell or offer to Sale, any Bread of an inferior Quality to Wheaten Bread, at a higher Price than Houſhold Bread ſhall be ſet at by the Aſſize; and if any Perſon ſhall offend in the Premiſſes, he ſhall forfeit and pay for every ſuch Offence, on being convicted thereof, either by his, her or their Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes, before any Magiſtrate or Magiſtrates, Juſtice or Juſtices, within whoſe Juriſdiction any ſuch Offence ſhall have been committed, the Sum of twenty Shillings.

Magiſtrates, Juſtices or Peace Officers, properly authorized, may enter in the Day Time, the Houſes, Shops, &c. of Bakers, and ſearch for, and weigh the Bread therein;

and may ſeize ſuch as ſhall be found wanting in Goodneſs, due Baking or Weight,

or not properly marked,

or of any different Sort than is allowed of,

and diſpoſe thereof at their Diſcretion.

XXVIII. And, that the good Deſign of this Statute may be the more effectually accompliſhed, be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-ninth Day of *September* it ſhall be lawful for any Magiſtrate or Magiſtrates, Juſtice or Juſtices of the Peace, within the Limits of their reſpective Juriſdictions, and alſo for any Peace Officer or Officers, authorized by Warrant under the Hand and Seal, or Hands and Seals, of any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices; and which Warrant any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, is and are hereby impowered to grant; at ſeaſonable Times in the Day Time, to enter into any Houſe, Shop, Stall, Bakehouſe, Warehouſe or Outhouſe, of or belonging to any Baker, or Seller of Bread, to ſearch for, view, weigh and try, all or any the Bread which ſhall be there found: And if any Bread, on any ſuch Search, ſhall be found to be wanting either in the Goodneſs of the Stuff whereof the ſame ſhall be made, or to be deficient in the due Baking or Working thereof, or ſhall be wanting in the due Weight, or ſhall not be truly marked according to the Directions of this Act, or ſhall be of any other Sort of Bread than ſhall be allowed to be made by Virtue of this Act; any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, Peace Officer or Peace Officers, within the Limits of their reſpective Juriſdictions, may ſeize the ſame; and any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, may diſpoſe thereof as he or they, in his or their Diſcretion ſhall think fit.

Where any Miller, Mealman or Baker, ſhall be ſuſpected of adulterating Meal or Flour,

the Magiſtrate, &c. upon Information made thereof on Oath, may enter the Premiſſes of ſuch ſuſpected Perſon himſelf, and make Search, or may grant a Search Warrant to ſome Peace Officer;

and ſuch Meal and Flour as ſhall be deemed to have been adulterated, may be ſeized, together with the baſe Mixtures and Ingredients; and if ſeized by a Peace Officer, it is to be carried before a Magiſtrate;

if ſeized by the Magiſtrate or adjudged by him to be adulterated,

he may diſpoſe thereof as he thinks proper;

XXIX. And be it further enacted by the Authority aforeſaid, That if at any Time, after the ſaid twenty-ninth of *September*, Information ſhall be given, on Oath, to any Magiſtrate or Magiſtrates, Juſtice or Juſtices of the Peace, that there is reaſonable Cauſe to ſuſpect that any Miller who grinds any Grain for Toll or Reward, or any Perſon or Perſons who doth or do dreſs, bolt or in any wiſe manufacture any Meal or Flour for Sale, or any Maker of Bread for Sale, within the Limits of the Juriſdiction of any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, doth or do mix up with, or put into, any Meal or Flour ground or manufactured for Sale, any Mixture, Ingredient or Thing whatſoever, not the genuine Produce of the Grain ſuch Meal or Flour ſhall import and ought to be, or whereby the Purity of any Meal or Flour, in the Poſſeſſion of any ſuch Miller, Mealman or Baker, is or ſhall be in any wiſe adulterated; then, and in every ſuch Caſe, it ſhall be lawful for any ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices, and alſo for any Peace Officer or Officers, authorized by Warrant or Warrants to him or them directed, under the Hand and Seal, or Hands and Seals of any Magiſtrate or Magiſtrates, Juſtice or Juſtices, within the Limits of their reſpective Juriſdictions; and which Warrant or Warrants every ſuch Magiſtrate and Magiſtrates, Juſtice and Juſtices, is and are hereby impowered to grant; at all ſeaſonable Times in the Day Time, to enter into any Houſe, Mill, Shop, Bake-houſe, Stall, Bolting-houſe, Paſtry, Warehouſe or Out-houſe, of or belonging to any ſuch Miller, Mealman or Baker, and to ſearch and examine whether any Mixture, Ingredient or Thing, not the genuine Produce of the Grain ſuch Meal or Flour ſhall import and ought to be, ſhall have been mixed up with, or put into, any Meal or Flour in the Poſſeſſion of any ſuch Miller, Mealman or Baker, either in the grinding of any Grain at the Mill, or in the dreſſing, bolting, or manufacturing thereof, or whereby the Purity of any Meal or Flour is or ſhall in any wiſe adulterated: And if on any ſuch Search it ſhall appear that any Offence hath been committed in any Mill, Bolting-houſe or other Place allowed to be ſearched, contrary to the true Intent of this Act; then and in every ſuch Caſe, it ſhall and may be lawful to and for any Magiſtrate or Magiſtrates, Juſtice or Juſtices of the Peace, Officer or Officers authoriſed as aforeſaid reſpectively, within the Limits of their reſpective Juriſdiction, to ſeize and take any Meal or Flour which ſhall be deemed, on any ſuch Search, to have been adulterated, and all Mixtures and Ingredients which ſhall be found and deemed to have been uſed, or intended to be uſed, in or for any ſuch Adulteration; and ſuch thereof as ſhall be ſeized by any Peace Officer or Officers authoriſed as aforeſaid, ſhall with all convenient Speed, after Seizure thereof, be carried to ſome Magiſtrate or Magiſtrates, Juſtice or Juſtices of the Peace, within the Limits of whoſe Juriſdiction the ſame ſhall have been ſo ſeized: And if any Magiſtrate or Magiſtrates, Juſtice or Juſtices of the Peace, who ſhall make any Seizure in purſuance of this Act, or to whom any Thing ſeized under the Authority of this Act ſhall be brought, ſhall adjudge that any Mixture or Ingredients, not the genuine Produce of the Grain any ſuch Meal or Flour which ſhall have been ſo ſeized, ſhall import and ought to be, ſhall have been put into any ſuch Meal or Flour, or that the Purity of any ſuch Meal or Flour ſo ſeized, was adulterated by any Mixture or Ingredient put therein; then and in any ſuch Caſe, every ſuch Magiſtrate or Magiſtrates, Juſtice or Juſtices is and are hereby required, within the Limits of their reſpective Juriſdiction, to diſpoſe of the ſame as he or they, in his or their Diſcretion, ſhall from time to time think proper.

XXX. And

and the Miller, Mealman, or Baker, in whose Premisses such Mixture or Ingredients shall be found, and adjudged to be intended to be used in adulterating, is to forfeit upon Conviction, not exceeding 10 l. nor less than 40 s.

XXX. And be it further enacted by the Authority aforesaid, That every Miller, Mealman, Baker, or Seller of Bread as aforesaid, in whose House, Mill, Shop, Bake-house, Stall, Bolting-house, Pastry, Warehouse, Out-house, or Possession, any Mixture or Ingredient shall be found, which shall be adjudged by any Magistrate or Magistrates, Justice or Justices, to have been lodged there, with an Intent to have adulterated the Purity of Meal, Flour, or Bread, shall, on being convicted of any such Offence, either by his, her, or their own Confession, or by the Oath of one or more credible Witness or Witnesses, before any such Magistrate or Magistrates, Justice or Justices of the Peace, within whose Jurisdiction any such Offence shall have been committed, forfeit and pay for every such Offence, a Sum not exceeding ten Pounds, nor less than forty Shillings, as the Magistrate or Magistrates, Justice or Justices, before whom any such Offender or Offenders shall be convicted, shall think fit and order;

unless it be made appear, that the same were not lodged there with such Intention, but for some other lawful Purpose,

unless the Party or Parties charged with any such Offence, shall make it appear to the Satisfaction of the Magistrate or Magistrates, Justice or Justices, who shall find or seize any such Mixture or Ingredients, or before whom the same shall be brought, that such Mixture or Ingredients was or were not brought or lodged where the same was or were found or seized, with any Design or Intent to have been put into any Meal or Flour, or to have adulterated therewith the Purity of any Meal or Flour, but that the same was in the Place or Places in which the same shall have been so found or seized as aforesaid, for some other lawful Purpose;

and Part of the Forfeiture may be applied in publishing the Offender's Name, Place of Abode, and the Offence.

and it shall and may be lawful for the Magistrate or Magistrates, Justice or Justices before whom any such Offender shall be convicted, out of the Money forfeited, when recovered, to cause the Offender's Name, Place of Abode, and Offence, to be published in some News Paper which shall be printed or published in or near the County, City or Place where any such Offence shall have been committed.

Persons obstructing or opposing any Search or Seizure as aforesaid, are to forfeit not exceeding 5 l. nor less than 40 s.

XXXI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall wilfully obstruct or hinder any Search as herein before is authorised to be made, or the Seizure of any Bread, or of any Ingredients which shall be found on any such Search, and deemed to have been lodged with an Intent to adulterate the Purity or Wholsomeness of Meal, Flour or Bread, or shall wilfully oppose or resist any such Search being made, or the carrying away any such Ingredients as aforesaid, or any Bread which shall be seized, as not being made pursuant to this Act, he, she or they so doing or offending in any of the Cases aforesaid, shall on being convicted thereof in Manner herein after prescribed, forfeit and pay for every Offence such Sum, not exceeding five Pounds, nor less than twenty Shillings, as the Magistrate or Magistrates, Justice or Justices before whom any such Offender or Offenders shall be convicted, shall think fit and order.

Any Miller, Mealman, or Baker, presuming to act as a Magistrate or Justice in the Execution of this Act, forfeits 50 l. to the Informer.

Method of Recovery.

XXXII. Provided always, and be it further enacted by the Authority aforesaid, That no Person who shall follow, or be concerned in the Business of a Miller, Mealman, or Baker, shall be capable of acting, or shall be allowed to act as a Magistrate or Justice of the Peace, under this Act, or in putting in Execution any of the Powers in or by this Act granted; and if any Miller, Mealman, or Baker, shall presume so to do, he or they so offending in the Premisses, shall for every such Offence, forfeit and pay the Sum of fifty Pounds to any Person or Persons who will inform or sue for the same; to be recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information; wherein no Essoin, Wager of Law, or more than one Imparlance shall be allowed; or by way of summary Complaint before the Court of Session in that Part of *Great Britain* called *Scotland*.

Where any Baker shall, on Complaint, make it appear, that the Offence he was charged with, and paid the Penalty of, was occasioned by the wilful Default of his Journeyman or Servant,

XXXIII. Provided always, and be it also enacted by the Authority aforesaid, That if any Person who shall carry on or follow the Trade of a Baker, shall at any Time after the twenty-ninth Day of *September* make Complaint to any Magistrate or Magistrates, Justice or Justices of the Peace within their Jurisdiction, and make appear to them, by the Oath of any credible Witness, that any Offence, which any such Person who shall so carry on or follow the said Trade of a Baker shall have been charged with, and shall have incurred and paid any Penalty under this Act, shall have been occasioned by or through the wilful Neglect or Default of any Journeyman or other Servant employed by or under any such Person who shall so follow or carry on the said Trade of a Baker;

the Magistrate shall issue his Warrant for apprehending the Party;

then and in any such Case, any such Magistrate or Magistrates, Justice or Justices, may and are hereby required to issue out his or their Warrant under his or their respective Hands and Seals, for bringing any such Journeyman or Servant before any such Magistrate or Magistrates, Justice or Justices, or any Magistrate or Justice of the County, City, Riding, Division or Place where the Offender can be found; and on any such Journeyman or Servant being thereupon apprehended, and brought before any such Magistrate or Magistrates, Justice or Justices, he or they within their respective Jurisdictions, is and are hereby authorised and required to examine into the Matter of such Complaint;

and upon Conviction of the Offence, shall decree a reasonable Recompence to be paid to the Master;

and on Proof thereof being upon Oath, to the Satisfaction of any such Magistrate or Magistrates, Justice or Justices of the Peace who shall hear such said Complaint, then any such Magistrate or Magistrates, Justice or Justices is and are hereby directed and authorised, by any Order under his or their respective Hand or Hands, to adjudge and order what reasonable Sum of Money shall be paid by any such Journeyman or Servant to his Master or Mistress, as or by way of Recompence to him or her, for the Money he or she shall have paid by reason of the wilful Neglect or Default of any such Journeyman or Servant:

and on Nonpayment thereof, shall commit the Offender;

And if any such Journeyman or Servant shall neglect or refuse on his Conviction, to make immediate Payment of the Sum of Money which any such Magistrate or Magistrates, Justice or Justices shall order him to pay by reason of such his said wilful Neglect or Default; then any such Magistrate or Magistrates, Justice or Justices within their respective Jurisdictions, is and are hereby authorised and required by Warrant under his or their

Hands

Hands and Seals, to cause every such Journeyman or Servant to be apprehended and committed to the House of Correction, or some other Prison of the County, Riding, Division, City, Town Corporate, Borough or Place in which any such Journeyman or Servant shall be apprehended or convicted, to be there kept to hard Labour for any Time not exceeding one Calendar Month from the Time of such Commitment, as to such Magistrate or Magistrates, Justice or Justices shall seem reasonable, unless Payment shall be made of the Money ordered after such Commitment, and before the Expiration of the said Term of one Calendar Month.

to be kept to hard Labour for any Time not exceeding one Month, unless Payment be sooner made.

XXXIV. And for the better and more easy Recovery of the several Penalties and Forfeitures to be incurred by Disobedience to this Act, and the Powers herein contained, and disposing of the Money which shall be forfeited by Breach or Non-observance of any Part of this Act; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor of the said City of *London* for the Time being, or any Alderman of the said City, within the said City or Liberties thereof; and to and for any other of his Majesty's Justices of the Peace, or any one of them within their respective Counties, Ridings, Divisions, Cities, Towns Corporate, Boroughs, Liberties or Jurisdictions, to hear and determine in a summary Way, all Offences committed against the true Intent and Meaning of this Act; and for that Purpose to summon before them, or any of them within their respective Jurisdictions, any Party or Parties accused of being an Offender or Offenders against the true Intent and Meaning of this Act: And in case the Party accused shall not appear on such Summons, or offer some reasonable Excuse for his Default; then upon Oath by any credible Witness of any Offence committed contrary to the true Intent and Meaning of this Act, any such Magistrate or Magistrates, Justice or Justices, shall issue his or their Warrant or Warrants for apprehending the Offender or Offenders within the Jurisdiction of any such Magistrate or Magistrates, Justice or Justices: And upon the Appearance of the Party or Parties accused, or in case he or they shall not appear, on Notice being given to, or left for him or them, at his or their usual Place of Abode, or if he or they cannot be apprehended on a Warrant granted against him or them as herein before is directed; then and in any such Case, any such Magistrate or Magistrates, Justice or Justices, is and are hereby authorised and required to proceed to make Inquiry touching the Matters complained of, and to examine any Witness or Witnesses who shall be offered on either Side, on Oath as aforesaid, and which every such Magistrate or Magistrates, Justice or Justices is and are hereby authorised, impowered and required to administer; and after hearing of the Parties who shall appear, and the Witnesses who shall be offered on either Side, such Magistrate or Magistrates, Justice or Justices shall convict or acquit the Party or Parties accused: And if the Penalty, or Money forfeited, on any such Conviction, shall not be paid within the Space of twenty-four Hours after any such Conviction, every such Magistrate or Magistrates, Justice or Justices, shall thereupon issue a Warrant or Warrants under his Hand and Seal, or their Hands and Seals respectively, directed to any Peace Officer or Officers within their respective Jurisdictions, impowering him or them to make Distress of the Goods or Chattels of the Offender or Offenders: And if any Offender shall convey away his Goods out of the Jurisdiction of any such Magistrate or Magistrates, Justice or Justices before whom he was convicted, or so much thereof that the Penalty cannot be levied, then some Magistrate or Justice within whose Jurisdiction the Offender shall have removed his Goods, shall back the Warrant granted by any such Magistrate or Justice, Magistrates or Justices; and thereupon the Penalty forfeited shall be levied on the Offender's Goods and Chattels by Distress and Sale thereof; and if within five Days from the Distress being taken, the Money forfeited shall not be paid, the Goods seized shall be appraised and sold, rendering the Overplus (if any) after deducting the Penalty or Forfeiture, and the Costs and Charges of the Prosecution, Distress and Sale to the Owner; which Charges shall be ascertained by the Magistrate or Magistrates, Justice or Justices before whom any such Offender or Offenders shall have been so convicted, or by the Magistrate or Justice who backed the Warrant, if either of them shall continue alive; and if not, by some other Magistrate or Justice of the County, Riding, Division, City or Place in which the Offender shall have been convicted; and for want of such Distress, then every such Magistrate or Justice within whose respective Jurisdiction any such Offender or Offenders shall reside or be, shall on the Application of any Prosecutor or Prosecutors, and Proof made of the Conviction and Nonpayment of the Penalty and Charges, by Warrant under his Hand and Seal, commit every such Offender or Offenders to the common Gaol or House of Correction of the City or County, Riding, Division or Place where such Offender or Offenders shall be found; there to remain for the Space of one Calendar Month from the Time of such Commitment; unless after such Commitment, Payment shall be made of the said Penalty or Forfeiture, Costs and Charges, before the Expiration of the said one Colendar Month; and all such Penalties and Forfeitures, when recovered, shall be paid to the Informer.

All Offences against this Act may be heard and determined in a summary Way, by Magistrates within their respective Jurisdictions.

Offenders may be summoned;

and not appearing thereto, or offering a reasonable Excuse, may be apprehended.

Matter of the Complaint to be enquired into upon Oath, and Examination of Witnesses;

and the Party to be convicted or acquitted thereupon.

The Penalty on Non-payment thereof within 24 Hours,

is to be levied by Distress and Sale; and if the Goods and Chattels of the Party shall be removed into another Jurisdiction, the Magistrate thereof is to back the Warrant of Distress;

and the Distress, if not redeemed within five Days, is to be appraised and sold; and all Charges, after settled by the Magistrate, to be deducted thereout;

and for want of Distress the Offender is to be committed for one Month,

unless Payment be sooner made.

XXXV. And be it further enacted by the Authority aforesaid, That if it shall be made out by the Oath of any credible Person or Persons to the Satisfaction of any Magistrate or Magistrates, Justice or Justices, that any one within the Jurisdiction of any such Magistrate or Magistrates, Justice or Justices, is likely to give or offer material Evidence on Behalf of the Prosecutor of any Offender or Offenders against the true Intent and Meaning of this Act, or on Behalf of the Person or Persons accused, and will not voluntarily appear before such Magistrate or Magistrates, Justice or Justices, to be examined, and give his, her or their Evidence concerning the Premisses; every such Magistrate or Magistrates, Justice or Justices, is and are hereby authorised and required to issue his or their Summons to convene every such Witness and Witnesses before any such Magistrate or Magistrates,

Power to summon material Evidences,

Justice

and of compelling by Warrant, to appear, such as shall not appear upon Summons.

Justice or Justices, at such seasonable Time as in such Summons shall be fixed; and if any Person so summoned shall neglect or refuse to appear at the Time by such Summons appointed, and no just Excuse shall be offered for such Neglect or Refusal, then (after Proof by Oath of such Summons having been duly served upon the Party or Parties so summoned) every such Magistrate and Magistrates, Justice and Justices, is and are hereby authorised and required to issue his or their Warrant under his Hand and Seal, or their Hands and Seals, to bring every such Witness or Witnesses before any such Magistrate or Magistrates, Justice or Justices; and on the Appearance of any such Witness before any such Magistrate or Magistrates, Justice or Justices, every such Magistrate or Magistrates, Justice or Justices, is and are hereby authorised and impowered to examine upon Oath every such Witness: And if any such Witness on his or her Appearance, or on being brought before any such Magistrate or Magistrates, Justice or Justices, shall refuse to be examined on Oath concerning the Premisses, without offering any just Excuse for such Refusal, any such Magistrate or Magistrates, Justice or Justices, within the Limits of his or their Jurisdiction, may, by Warrant under his Hand and Seal, or their Hands and Seals, commit any Person or Persons so refusing to be examined, to the publick Prison of the County, Riding, Division, City, Liberty or Place in which the Person or Persons so refusing to be examined shall be, there to remain for any Time not exceeding fourteen Days, nor less than three Days, as any such Magistrate or Magistrates, Justice or Justices shall direct.

Witnesses to be examined on Oath;

and on Refusal, without just Cause shewn,

may be committed for 14 Days, but not less than 3.

Conviction to be drawn up in the following Form.

XXXVI. And be it further enacted by the Authority aforesaid, That the Magistrate or Magistrates, Justice or Justices before whom any Person shall be convicted, in Manner prescribed by this Act, shall cause such respective Conviction to be drawn up in the Form, or to the Effect following; (that is to say)

(*To wit*) 'BE it remembered, That on this Day of in the 'Year of the Reign of *A. B.* is convicted before Majesty's 'Justices of the Peace for the said County of or for the Riding 'or Division of the said County of or for the City, Liberty, or Town of '(*as the Case shall happen to be*) for and do adjudge him, her '(*or* them) to pay and forfeit for the same, the Sum of

Given under the Day and Year aforesaid.

No Conviction, or other Proceedings, may be removed by Certiorari, &c.

XXXVII. And be it further enacted by the Authority aforesaid, That no *Certiorari*, Letters of Advocation, or of Suspension shall be granted to remove any Conviction, or other Proceedings had thereon in pursuance of this Act.

Persons aggrieved by the Judgment of any Magistrate or Justice, may appeal to the next General or Quarter-Sessions,

and Execution of Judgment is to be thereupon suspended.

Appellant is to enter into Recognizance, and give Security, to prosecute the Appeal with Effect, &c.

and the Justices in their said Sessions are to hear and determine the Matter thereof, and award Costs thereupon.

If the former Judgment be affirmed, the Appellant is to pay down the Forfeiture and Costs;

and on Default is to be committed.

XXXVIII. Provided always, and it is hereby further enacted by the Authority aforesaid, That if any Person convicted of any Offence punishable by this Act, shall think him, her or themselves aggrieved by the Judgment of the Magistrate or Magistrates, Justice or Justices, before whom he, she or they shall have been convicted, such Person shall have Liberty, from time to time, to appeal to the Justices at the next General or Quarter-Sessions of the Peace which shall be held for the County, Riding, Division, City, Liberty, Town or Place where such Judgment shall have been given, and that the Execution of the said Judgment shall in such Case be suspended; the Person so convicted, entering into a Recognizance at the Time of such Conviction, with two sufficient Sureties in double the Sum which such Person shall have been adjudged to pay or forfeit, upon Condition to prosecute such Appeal with Effect, and to be forthcoming to abide the Judgment and Determination of the Justices at their said next General or General Quarter-Sessions, which Recognizance the Magistrate or Magistrates, Justice or Justices before whom such Conviction shall be had, is and are hereby impowered and required to take; and the Justices in the said General or General Quarter-Sessions are hereby authorized and required to hear and finally determine the Matter of every such Appeal, and to award such Costs as to them shall appear just and reasonable to be paid by either Party: And if upon hearing the said Appeal, the Judgment of the Magistrate or Magistrates, Justice or Justices, before whom the Appellant or Appellants shall have been convicted, shall be affirmed, such Appellant or Appellants shall immediately pay down the Sum he, she or they shall have been adjudged to forfeit, together with such Costs as the Justices in their said General or General Quarter-Sessions shall award to be paid to the Prosecutor or Informer, for defraying the Expences sustained by reason of any such Appeal; and in Default of the Appellant's paying the same, any two such Justices, or any one Magistrate or Justice of the Peace, having Jurisdiction in the Place into which any such Appellant or Appellants shall escape, or where he, she or they shall reside, shall and may, by Warrant under their Hands and Seals, or his Hand and Seal, commit every such Appellant and Appellants to the common Gaol of the County, City, Riding, Division or Place where he, she or they shall be apprehended, until he, she or they shall make Payment of such Penalty, and of the Costs and Charges which shall be adjudged on the Conviction, to the Informer; but if the Appellant or Appellants in any such Appeal shall make good his, her or their Appeal, and be discharged of the said Conviction, reasonable Costs shall be awarded to the Appellant or Appellants against such Informer or Informers, who would (in case of such Conviction) have been intitled to the Penalty to have been recovered as aforesaid; and which Costs shall and may be recovered by the Appellant or Appellants against any such Informer or Informers, in like Manner as Costs given at any General or General Quarter-Sessions of the Peace are recoverable.

If the Judgment be reversed, and the Appellant be discharged of the Conviction, Costs are to be awarded and recovered against the Informer.

XXXIX. Provided

XXXIX. Provided also, and be it further enacted by the Authority aforesaid, That if any such Conviction shall happen to be made within six Days before any General or General Quarter-Sessions of the Peace which shall be held for the County, Riding, Division, City, Town Corporate, Borough or Place where such Conviction shall have been made, then the Party or Parties who shall think him, her or themselves aggrieved by any such Conviction, shall and may, on entering into a Recognizance in Manner and for the Purposes before directed, be at Liberty to appeal either to the then next or the next following General or General Quarter-Sessions of the Peace, which shall be held for any such County, Riding, Division, City, Town Corporate, Borough, Liberty or Place, where any such Conviction shall have been made.

If the Conviction shall happen to be within six Days of the Sessions, Appeal may then be made to the Sessions following.

XL. And be it further enacted by the Authority aforesaid, That every Action or Suit which shall be brought or commenced against any Magistrate or Magistrates, Justice or Justices, or any Peace Officer or Officers, for any Matter or Thing done or committed by virtue of or under this Act, shall be commenced within six Months next after the Fact committed, and not afterwards; and shall be laid or brought in the County, City or Place where the Matter in Dispute shall arise, and not elsewhere; and that the Statute made in the twenty-fourth Year of his present Majesty's Reign, intituled, *An Act for rendering the Justices of the Peace more safe in the Execution of their Office; and for indemnifying Constables, and others, acting in Obedience to their Warrants*; so far as the said Act relates to the rendering the Justices more safe in the Execution of their Office, shall extend and be construed to extend to the Magistrate and Magistrates, Justice and Justices of the Peace acting under the Authority or in Pursuance of this Act; and that no Action or Suit shall be had or commenced against, nor shall any Writ be sued out, or Copy of any Writ be served upon any Peace Officer or Officers, for any Thing done in the Execution of this Act, until seven Days after a Notice in Writing shall have been given to or left for him or them, at his or their usual Place of Abode, by the Attorney for the Party intending to commence such Action; which Notice in Writing shall contain the Name and Place of Abode of the Person intending to bring such Action, and also of his Attorney, and likewise the Cause of Action or Complaint: And any Peace Officer or Officers shall be at Liberty, and may by virtue of this Act, at any Time within seven Days after any such Notice shall have been given to, or left for him, tender or cause to be tendered, any Sum or Sums of Money, as Amends for the Injury complained of, to the Party complaining, or to the Attorney named in any such Notice; and if the same is not accepted of, the Defendant or Defendants in any such Action or Actions may plead such Tender in Bar of such Action or Actions, together with the General Issue, or any other Plea, with Leave of the Court in which the Action shall be commenced: And if upon Issue joined on such Tender, the Jury shall find the Amends tendred to have been sufficient, they shall find a Verdict for the Defendant or Defendants: And in every such Case, or if the Plaintiff shall become nonsuit, or discontinue his Action; or if Judgment shall be given for the Defendant or Defendants upon Demurrer; or if any Action or Suit shall be brought after the Time limited by this Act for bringing the same, or shall be brought in any other County or Place than as aforesaid; then and in any such Case, the Jury shall find for the Defendant or Defendants; and the Defendant or Defendants shall be intitled to his or their Costs: But if the Jury shall find, that no such Tender was made, or that the Amends tendered were not sufficient, or shall find against the Defendant or Defendants, on any Plea or Pleas by him or them pleaded; they shall then give a Verdict for the Plaintiff, and such Damages as they shall think proper; and the Plaintiff shall thereupon recover his Costs against every such Defendant and Defendants.

Limitation of Actions against Magistrates, and Justices, and Peace Officers.

Act of 24 Geo. 2. extended to Magistrates and Justices acting under Authority of this Act.

Seven Days Notice to be given to Peace Officers, before the issuing out any Action against them.

Notice to contain the Name and Abode of the Prosecutor, and his Attorney, and Cause of Action.

Officer may thereupon make Tender of Amends; and plead the same, together with the General Issue, &c. in Bar of such Action.

Defendant recovering to be allowed his Costs.

Plaintiff recovering, intitled to Damages and Costs.

XLI. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act: And if it shall appear so to have done, or if a Verdict shall be recorded for the Defendant or Defendants; or if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given, upon a Verdict or Demurrer, against the Plaintiff or Plaintiffs; the Defendant or Defendants in every such Action shall and may recover Treble Costs; and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases by Law for Recovery of his, her or their Costs.

Persons sued on this Act, may plead the General Issue;

and obtaining a Verdict, recover treble Costs.

XLII. Provided always, That no Person shall be convicted, in Manner aforesaid, for any of the before mentioned Offences, unless the Prosecution, in order to such Conviction, be commenced within three Days next after the Offence committed.

Prosecution to be commenced within three Days after the Offence.

XLIII. Provided also, and be it enacted, That this Act, or any Thing herein contained, shall not extend to prejudice any Right or Custom of the City of *London*, or the Practice there used, or any Right or Custom of any Lord or Lords of any Leet, to set, inquire, and punish, the Breach of Assize of Bread, within their respective Leets or Views of Frank Pledge, or the Right of any Clerk or Clerks of the Market in any Place.

General Reservation of Rights.

XLIV. Provided further, and it is hereby likewise enacted, That neither this Act, or any Thing herein contained, shall extend, or be construed to extend, to prejudice the ancient Right or Custom of the Dean of the Collegiate Church of *Saint Peter*, *Westminster*, or the High Steward of the City of *Westminster*, and the Liberties thereof, or his Deputy, or any of them, to set, ascertain and appoint, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale within the said City

Reservation of Rights of the Dean and High Steward of Westminster, to set an Assize of Bread, within the City and Liberty of Westminster;

City of *Westminster*, and the Liberties thereof; but they, and every of them, shall and may severally and respectively, from time to time, as there shall be Occasion, set, ascertain and appoint, within the said City of *Westminster*, and the Liberties thereof, according to the true Intent and Meaning of this Act, the Assize and Weight of all Sorts of Bread which shall be made, sold, or exposed to Sale, by any Person or Persons within the Limits of the said City of *Westminster*, and the Liberties thereof; and shall and may inquire and punish the Breach of every such Assize and Weight of Bread, as fully and freely in all Respects, as they, or any of them, have heretofore been accustomed to do, and as if this Act had never been made; any Thing herein contained to the contrary thereof notwithstanding.

and punish any Breach thereof.

Reservation of Rights to the Universities of Oxford and Cambridge, to set an Assize of Bread within their Jurisdictions;

XLV. Provided likewise, That neither this Act, nor any Thing herein contained, shall extend, or be construed to extend, to prejudice the ancient Right or Custom of the two Universities of *Oxford* or *Cambridge* or either of them, or of their or either of their Clerks of the Market, or the Practice within the several Jurisdictions of the said Universities or either of them used, to set, ascertain and appoint, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale within their several Jurisdictions; but that they, and every of them, shall and may severally and respectively, from time to time, as there shall be Occasion, set, ascertain and appoint, within their several and respective Jurisdictions, the Assize and Weight of all Sorts of Bread to be sold or exposed to Sale by any Baker or other Person whatsoever, within the Limits of their several Jurisdictions; and shall and may inquire and punish the Breach thereof, as fully and freely in all Respects as they used to do, and as if this Act had never been made; any Thing herein contained to the contrary thereof notwithstanding.

and punish any Breach thereof.

See further 32 *Geo.* 2. *c.* 18. *and* 3 *Geo.* 2. *c.* 6 & 11.

CAP. XXX.

An Act for applying the Money granted by Parliament towards defraying the Charge of Pay and Cloathing for the Militia for the Year one thousand seven hundred and fifty-eight; and for defraying the Expences incurred on Account of the Militia in the Year one thousand seven hundred and fifty-seven.

Preamble,

'WHEREAS the Sum of one hundred thousand Pounds has been granted to his Majesty, upon 'Account, towards defraying the Charge of Pay and Cloathing for the Militia for the Year 'one thousand seven hundred and fifty-eight; and for defraying such Expences as were actually in-'curred upon the Account of the Militia in the Year one thousand seven hundred and fifty seven; 'In order therefore that the said Sum of one hundred thousand Pounds may be regularly and properly 'applied;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within fourteen Days after that his Majesty's Lieutenant of any County, Riding, or Place, within that Part of *Great Britain* called *England*, or, in his Absence, three Deputy Lieutenants, shall have certified to the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being, that such Proportion of the Number of private Militia Men of any Regiment or Battalion of such County, Riding, or Place, has been chosen or inrolled, as is by Law required to be chosen or inrolled, before any Pay, Arms, Accoutrements, or Cloathing for the Militia, is allowed to be issued; and that the like Proportion of the Number of the Commission Officers of such Regiment or Battalion have been appointed, and have taken out their Commissions and entered their Qualifications; the said Commissioners of his Majesty's Treasury, or any three or more of them, or the said High Treasurer, shall issue a Warrant or Order directed to the Receiver or Receivers General of the Land Tax for such County, Riding, or Place to make the Issues or Payments following; that is to say,

Upon Certificate of the Lieutenant or Deputy Lieutenants of the County, to the Treasury, of the actual Inrollment of the Proportion of Men required to be inrolled, before Pay, Arms, or Cloathing are to be issued, and that the Officers also are appointed, Treasury is to issue an Order to the Receiver General of the County to make the Payments according to the Rates set down;

viz. for Cloathing;

II. The whole Sum required for Cloathing the Militia for such County, Riding, or Place, at the Rate of one Pound one Shilling for each private Man or Drummer; and at the Rate of two Pounds ten Shillings for each Serjeant.

for Pay of the Militia for 4 Months in Advance;

III. And also for the Pay of the said Militia for four Months in Advance, at the Rate of six Shillings a Day for each Adjutant; and at the Rate of one Shilling a Day for each Serjeant, with the Addition of two Shillings and six Pence a Week for each Serjeant Major; and at the Rate of six Pence a Day for each Drummer, with the Addition of three Shillings and six Pence a Week for each Drum Major; and also at the Rate of one Shilling for each private Man, with the Addition of six Pence to each Corporal, for every Day in which such private Man or Corporal shall be respectively employed in the Militia.

for half a Year's Salary to the Clerk of the Battalion;

IV. And also half a Year's Salary for the Clerk of each Battalion of Militia belonging to such County, Riding, or Place, at the Rate of fifty Pounds a Year.

and also Allowances to

And also to pay the respective Allowances to the Clerk of the General Meetings, and Clerks of the several Subdivision Meetings, at the Rates following; that is to say,

V. To

V. To the Clerk of the General Meetings, at the Rate of five Pounds five Shillings for each Meeting; the Clerk of the General Meetings;

VI. And, to the several Clerks of the Subdivision Meetings, at the Rate of one Pound one Shilling for each Meeting. to the Clerks of the Subdivision Meetings.

All which said Sums of Money, except such as shall be due to the several Clerks of the Meetings aforesaid, shall be paid by the said Receiver or Receivers General into the Hands of the Clerk or Clerks of the Battalion or Battalions of Militia belonging to such County, Riding, or Place, upon his or their producing his or their Warrant of Appointment to such Office, under the Hand and Seal of his Majesty's Lieutenant for such County, Riding, or Place, according to the Number of Persons hereby intitled to receive Pay, of which such Battalion or Battalions shall have been appointed to consist; and also within fourteen Days after the Expiration of the third Month from the Time of the said first Payment, to make a second Payment for four Months, in Advance, for the Pay of the Militia, and Clerks of Battalions aforesaid, in the Proportions before mentioned; and the Receipts of such Clerk or Clerks shall be a sufficient Discharge to such Receiver or Receivers General, for the several Sums of Money so by him or them paid. The Money to be paid to the Clerk of the Battalion. A Second Payment of 4 Months in Advance to be made within 3 Months after. Clerk's Receipt to be a Discharge for the Sums so paid.

VII. And be it enacted, That the Clerk of each Battalion of Militia, shall forthwith, after the Receipt of such Sums of Money as aforesaid, pay or cause to be paid to the Captain or Commanding Officer of each Company belonging to such Battalion, two Months Pay in Advance for his respective Company, and so from time to time, so long as any Money on that Account shall remain in his Hands; which Pay the said Captain or Commanding Officer is hereby required to distribute to each Person belonging to his Company, by this Act intitled to receive the same, as it shall become due; and shall give in to the Clerk of the Battalion to which such Company shall belong, an Account of the several Payments he shall have made in pursuance of this Act; and shall pay back to the said Clerk the Surplus, if any, of the Monies by him from time to time received, and then remaining in his Hands. Clerk to pay from time to time, 2 Months Pay in Advance to the Captains, who are to distribute the same to their Companies; and render an Account thereof to the Clerk, and pay back the Surplus Monies.

VIII. And be it further enacted, That the said Clerk may and shall retain to his own Use out of the Money so by him received, such Sums as are herein before allowed for his Salary, and shall also pay and discharge such Sums of Money as shall be due and owing for or on account of the Cloathing of the said Militia, not exceeding the Rates herein before mentioned, to such Person or Persons as shall produce an Order from his Majesty's Lieutenant, or from the Commanding Officer of such Battalion, for that Purpose. Clerk to detain in his Hands Money for his own Salary; and to pay the Bills for Cloathing.

IX. And be it enacted, That the said Receiver or Receivers General shall pay to the Clerk of the General Meetings his Allowance at the Rate of five Pounds five Shillings for each Meeting, upon his producing an Order or Orders for that Purpose from his Majesty's Lieutenant, or three Deputy Lieutenants, assembled at some General Meeting or Meetings; and shall also pay to each and every the Clerks of the Subdivision Meetings their several Allowances, at the Rate of one Pound one Shilling for each Meeting, upon his or their producing an Order or Orders from one or more Deputy Lieutenant or Deputy Lieutenants, assembled in the several Subdivision Meetings; which said Orders shall be to the said Receiver or Receivers General a sufficient Discharge for the Payment of such Allowances, and be allowed in his or their Account. Allowance to be paid to the Clerk of the General Meetings, upon producing an Order from the Lieutenant, &c. to the Clerks of the Subdivision Meetings, upon producing a like Order from the Deputy Lieutenants.

Orders to be a Discharge to Receivers General.

X. Provided always, and be it enacted, That the Clerk of each Battalion of Militia shall give Security to the good Liking of his Majesty's Lieutenant of the County, Riding, or Place, to which such Battalion shall belong, for duly answering and paying such Sums as he shall from time to time have received, and for duly accounting for the same, and for Performance of the Trust hereby in him reposed; and shall, between the Feast Days of Saint *Michael* the Archangel and Saint *John* the Evangelist in the Year one thousand seven hundred and fifty-eight, deliver to the Receiver or Receivers General of the Land Tax for the County, Riding, or Place, to which such Battalion shall belong, a fair Account in Writing of all Monies by him received and disbursed in pursuance of this Act, with proper Vouchers for the same; and shall pay back to the said Receiver or Receivers General any Surplus that shall be then in his Hands; which said Accounts shall be signed by the said Clerk, and transmitted by the said Receiver or Receivers General of the Land Tax into the Office of the Auditor of the Receipt of his Majesty's Exchequer. Clerks of the Militia to give Security; and to deliver to the Receivers General, between Michaelmas and 27 December Account of their Receipts and Disbursements, and pay back the Surplus. Account to be transmitted into the Auditor's Office.

XI. And whereas in the Course of the Year one thousand seven hundred and fifty-seven, several Expences were incurred on account of the Militia; Be it enacted, That his Majesty's Lieutenant of any County, Riding, or Place, wherein any such Expences have been incurred, shall be and is hereby impowered and directed to satisfy such Demands on that Account, as to him shall appear reasonable; and to draw on the Receiver or Receivers General of the Land Tax for such County, Riding, or Place, for such Sum of Money, as shall have been paid, or shall be due on that Account; which said Draught shall be to the said Receiver or Receivers General a sufficient Discharge for the Payment of such Sum of Money, and be allowed in his or their Account. Lieutenants to pay the Expences incurred the last Year, on Account of the Militia; and to draw on the Receivers General for the Sums so paid, or due. Draughts to be a Discharge for the same.

XII. Provided also, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid for or upon account of any Warrant, or any Sum of Money which shall be issued in relation to, or in pursuance of, this Act. No Fee to be paid for issuing Warrants or Money.

CAP. XXXI.

An Act for granting to his Majeſty certain Sums of Money out of the Sinking Fund, for the Service of the Year one thouſand ſeven hundred and fifty-eight; and for empowering the proper Officers to make forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, in lieu of ſuch as ſhall be loſt, burnt, or otherwiſe deſtroyed; and for obliging the Retailers of Wines, commonly called *Sweets*, or *Made Wines*, to take out a Wine Licence.

Moſt gracious Sovereign,

Preamble.

WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, being deſirous to raiſe the Reſidue of the neceſſary Supplies which we have chearfully granted to your Majeſty in this Seſſion of Parliament, by Ways and Means the leaſt burthenſome to your Majeſty's Subjects, have reſolved to give and grant to your Majeſty the Sums herein after mentioned; and do therefore moſt humbly beſeech your Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as have ariſen, or ſhall or may ariſe, and be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund, commonly called *The Sinking Fund*, (after paying or reſerving ſufficient to pay all ſuch Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame) there ſhall and may be iſſued and applied a Sum not exceeding three hundred thouſand Pounds, for and towards the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and fifty-eight; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer or any three or more of the Commiſſioners of the Treaſury for the Time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

300,000 l. granted out of the Surpluſſes of the Sinking Fund for the Service of the Year 1758, and to be iſſued by the Treaſury accordingly.

II. And be it further enacted by the Authority aforeſaid, That the Sum of ninety-three thouſand three hundred and ſeventy-one Pounds eleven Shillings and ſeven Pence three Farthings, remaining in the Receipt of the Exchequer, diſpoſable by Parliament for the publick Service, of the Income of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues, compoſing the ſaid Fund, commonly called *The Sinking Fund*, for the Quarter ended the tenth Day of *October* one thouſand ſeven hundred and fifty-ſeven, ſhall and may be, in like Manner, iſſued and applied at the ſaid Receipt, for and towards the ſaid Supply.

93,371 l. 11 s. 7 d. 3 q. Surplus Monies remaining in the Exchequer of the ſaid Fund for the Quarter ending 10 October.

III. And be it further enacted by the Authority aforeſaid, That the Sum of four hundred ninety-two thouſand and four hundred Pounds eight Shillings and three Pence, remaining in the Receipt of the Exchequer, diſpoſable by Parliament for the publick Service, of the Income of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the ſaid Fund, commonly called *The Sinking Fund*, for the Quarter ended the fifth Day of *April* one thouſand ſeven hundred and fifty-eight, ſhall and may be in like Manner iſſued and applied at the ſaid Receipt, for and towards the ſaid Supply.

492,400 l. like Surplus remaining in the Exchequer, for the Quarter ending 5 April 1758,

to be iſſued towards the ſaid Supply.

IV. And be it further enacted by the Authority aforeſaid, That by or out of ſuch Monies as ſhall thereafter, from time to time, be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues, compoſing the ſaid Fund, commonly called *The Sinking Fund*, after paying or reſerving ſufficient to pay all ſuch Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, there ſhall and may in like Manner be iſſued and applied, a further Sum not exceeding one million ſix hundred and ſix thouſand and ſeventy-ſix Pounds five Shillings and one Penny Farthing, for and towards the ſaid Supply.

1,606,076 l. 5 s. 1 d. 1 q. to be iſſued, in like Manner, out of the growing Produce of the Sinking Fund, towards the ſaid Supply.

V. And whereas it may happen, that there may be a want of Money for carrying on the current Service of the Year one thouſand ſeven hundred and fifty-eight, before Monies ſufficient may have ariſen into the Exchequer, from the ſaid Surpluſſes, Exceſſes, or Overplus Monies, commonly called *The Sinking Fund*, to ſatisfy and pay the ſaid Sum of one million ſix hundred and ſix thouſand and ſeventy-ſix Pounds five Shillings and one Penny Farthing, by this Act granted; in ſuch Caſe it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, by Warrant or Warrants under his or their Hands, to permit and ſuffer any Perſon or Perſons, or Body or Bodies, Politick or Corporate, to advance and lend unto his Majeſty, at the Receipt of his Exchequer, ſo much Money as, together with the Monies then remaining in the ſaid Exchequer of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, ſhall be wanting to compleat the ſaid Sum of one million ſix hundred and ſix thouſand and ſeventy-ſix Pounds five Shillings and one Penny Farthing, upon Credit of the growing Produce of the ſaid Surpluſſes, Exceſſes, or Overplus Monies, and to be repaid out of the ſame, as they ſhall quarterly afterwards ariſe, together with Intereſt for the Forbearance thereof in the mean Time; any thing herein before contained to the contrary notwithſtanding.

In caſe of Want, Treaſury may occaſionally borrow Money on the Credit of the Sinking Fund;

and repay the ſame quarterly, with Intereſt.

VI. And

VI. And whereas several Bills commonly called *Exchequer Bills*, several Tickets commonly called *Lottery Tickets*, several Orders and Certificates made forth in lieu of the said Lottery Tickets, and likewise for Annuities of divers Kinds, payable at or near the Receipt of his Majesty's Exchequer (as also several Receipts of the Cashiers of the Governor and Company of the Bank of *England*, or some of them, for Money contributed there for the Purchase of Annuities transferrable in the Books of the said Governor and Company, have by Casualty or Mischance been lost, burnt, or otherwise destroyed, which Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders, of the respective Denominations aforesaid, were made forth by and in pursuance of several Acts of Parliament in that Behalf; Be it therefore enacted by the Authority aforesaid, That in all Cases where it shall appear by Affidavit to be made, before any of the Barons of the *Exchequer* for the Time being (who shall interrogate the Deponent thereupon) to the Satisfaction of such Baron or Barons, that any such Exchequer Bills, or any such Tickets, Certificates, Receipts, Annuity Orders, or other Orders, as aforesaid, before the first Day of *August* one thousand seven hundred and fifty-eight, have been, or are lost, burnt, or otherwise destroyed, or that there be good reason to believe the same have been burnt, lost, or otherwise destroyed; it shall and may be lawful for the respective Officers and Persons appointed to issue or make forth such Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, or other Orders, or to pay or discharge the same, or to issue any Monies due or payable thereupon, upon producing a Certificate from any of the said Barons of such Affidavit made before him (which Affidavit the said Barons, or any of them, is and are hereby authorized to take, and which Certificate he or they are hereby required to make and Grant without Fee or Reward); and on Security given to the said respective Officers and Persons to their good Liking, to indemnify them respectively against all other Persons whatsoever, for or concerning the Monies specified in, or due upon, such respective Bill or Bills, Ticket or Tickets, Certificate or Certificates, Receipt or Receipts, Order or Orders, they the said Persons respectively, shall, and are hereby required, to make forth Duplicates of the said Bills, Tickets, Certificates, Receipts, and Orders, at the Request of the respective Owners, and to pay and discharge the same, and all such Interest as is or shall be due on any of them carrying Interest, or to make forth Stock or transferrable Annuities in lieu of such Receipts as he or they should have paid or discharged, or made forth on the said original Bills, Tickets, Certificates, Receipts, Annuity Orders, or other Orders, if the same had been produced, and shall be allowed all such Payments, Sum or Sums of Money, in their respective Accounts; and in all Cases where the signing of the Comissioners of his Majesty's Treasury, or the Lord High Treasurer of *Great Britain* for the Time being, is necessary for making the said Duplicates, or any of them, effectual for the Purposes aforesaid; It is hereby further enacted, That it shall and may be lawful to and for the said Commissioners of his Majesty's Treasury, or any three or more of them, or the Lord High Treasurer for the Time being, to sign such Duplicates accordingly.

Proper Officers to make forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, in lieu of such as shall appear, upon Affidavit before the Barons of the Exchequer, to have been lost, burnt, or destroyed; and to pay the Monies due thereon; the Persons intitled thereto, giving proper Security of Indemnification,

Commissioners of the Treasury impowered to sign such Duplicates.

VII. And whereas by an Act passed in the last Session of Parliament, intituled, *An Act for granting to his Majesty several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon News Papers, Advertisements, and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying, from a certain Time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of three millions, by Annuities, to be charged on the said Rates, Duties, and Sums of Money; and for making perpetual an Act made in the second Year of the Reign of his present Majesty, intituled*, An Act for the better Regulation of Attornies and Solicitors; *and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*; It was among other Things enacted, That from and after the fifth Day of *July* one thousand seven hundred and fifty-seven, no Person whatsoever, unless authorized and enabled by taking out such Licence as is therein prescribed, subject to the Payment of such Duties as are therein respectively charged thereupon, should sell or utter by retail (that is) by the Pint, Quart, Pottle, or Gallon, or by any other greater or lesser retail Measure, or in Bottles, in any less Quantity than should be equal to the Measure of the Cask or Vessel in which the same should have been, or might lawfully be imported, any Kind of Wine or Wines, or any Liquor called or reputed Wine, upon Pain to forfeit for every such Offence the Sum of one hundred Pounds: And whereas great Frauds might easily be practised in case the Retailers of certain Liquors made in this Kingdom, commonly called Sweets, or *Made Wines*, should not be equally with the Retailers of other Kinds of Wine, obliged to take out such Licences as aforesaid, for retailing Wine; Be it therefore enacted by the Authority aforesaid, That from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, no Person whatsoever, unless he be authorized and enabled by having taken out such Licence as by the said Act is prescribed, subject to the Payment of such Duties as are therein respectively charged upon such Licences to sell Wine by Retail, shall sell or utter by any retail Measure, or in Bottles in any Quantity less than twenty-five Gallons, any Kind of Liquor made in *Great Brieain*, by Infusion, Fermentation, or otherwise, from Foreign Fruit or Sugar, or from *British* Fruit or Sugar, or from Fruit or Sugar mixed with any other Ingredients, commonly called *Sweets*, or *Made Wines*; or any Kind of Liquor made in *Great Britain*, and known by the Name of *Sweets*, or *Made Wines*, of whatsoever Materials, or in whatsoever Manner, the same may be made, upon Pain to forfeit for every such Offence one hundred Pounds; to be recovered and applied in such Manner as the Penalties for selling Wine by Retail, without Licence, are by the said Act to be recovered and applied.

Recital of Clauses in Act 30 Geo. 2.

Retailers of Wines called Sweets, or Made Wines, to take out a Licence.

10 & 11 W. 3. c. 23. 6 Geo. 1. c. 21. 10 Geo. 2. c. 17.

100 l. Penalty on retailing such Wines without a Licence.

CAP. XXXII.

An Act for repealing the Duty granted by an Act made in the sixth Year of the Reign of his late Majesty, on Silver Plate, made, wrought, touched, assayed, or marked, in *Great Britain*; and for granting a Duty on Licences, to be taken out by all Persons dealing in Gold or Silver Plate; and for discontinuing all Drawbacks upon Silver Plate exported; and for more effectually preventing Frauds and Abuses in the Marking or Stamping of Gold or Silver Plate.

Preamble, reciting Clauses in Act 6 Geo. 1. c. 11. amended by 32 Geo. 2. c. 24. Refer to 28 Ed. 1. St. 3. c. 20. 2 H. 6. c. 14. 4 H. 7. c. 2. 18 El. c. 15. 8 & 9 W. 3. c. 8.

'WHEREAS by an Act of Parliament made in the sixth Year of the Reign of his late Majesty,' intituled, *An Act for laying a Duty upon Wrought Plate; and for applying Money arising for the clear Produce (by Sale of the forfeited Estates) towards answering his Majesty's Supply; and for taking off the Drawbacks upon Hops exported for* Ireland; *and for Payment of Annuities to be purchased after the Rate of four Pounds* per Centum per Annum, *at the Exchequer, redeemable by Parliament; and for appropriating Supplies granted in this Session of Parliament; and to prevent counterfeiting Receipts and Warrants of the Officers of the* South Sea *Company; and for explaining a late Act concerning Foreign Salt, cellared and locked up, before the four and twentieth Day of* June *one thousand seven hundred and nineteen; and to give a further Time for paying Duties on certain Apprentices Indentures; and for Relief of* Thomas Vernon *Esquire, in relation to a Parcel of Senna imported in the Year one thousand seven hundred and sixteen*, It was amongst other Things enacted, That there should be raised, levied, collected, answered, and paid unto, and for the Use of his Majesty, his Heirs and Successors, for ever (subject nevertheless to such Redemption as in and by the said Act was afterwards provided in that Behalf) for and upon all Silver Plate which should be made or wrought in *Great Britain*, or at any Time or Times from and after the first Day of *June* one thousand seven hundred and twenty, should or ought to be touched, assayed or marked, in *Great Britain*, as is before in the said Act mentioned, a Duty after the Rate of six Pence for every Ounce Troy, and proportionally for any greater or lesser Quantity, to be paid by the Makers or Workers thereof respectively; and divers Provisions and Directions are contained in the said Act for and in Relation to the managing, securing, ascertaining collecting, recovering, levying, and paying, the said Duty for the Uses and Purposes therein mentioned: And whereas the Methods prescribed for ascertaining and collecting the said Duty, and for preventing Frauds therein, have been found ineffectual to secure the Payment thereof, and the said Duty hath by Reason of various Frauds and Evasions for some Years past greatly decreased, and is now insufficient to answer the Purposes for which the same was granted; We, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, think it will be for the Advantage of the Publick to repeal the said Duty, and in lieu thereof, to grant unto your Majesty the Duty upon Licences herein after mentioned: And therefore do most humbly beseech your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* one thousand seven hundred and fifty-eight, the said Duty granted by the said Act made in the sixth Year of his late Majesty's Reign, of six Pence *per* Ounce Troy, for and upon all Silver Plate made or wrought in *Great Britain*, or which ought to be touched, assayed, or marked, in *Great Britain*, shall cease, determine, and be no longer paid or payable; and, that then and from thenceforth all the Powers and Authorities given and granted, and the Rules and Regulations established and prescribed by the said recited Act, or by any other Act or Acts of Parliament, for or in Relation to the managing, securing, ascertaining, collecting, recovering, levying, and paying the said Duty, and all Penalties and Forfeitures in respect thereof, shall also cease, determine, and be no longer put in Execution, save only and except in all Cases relating to the recovering any Arrears which may at that Time remain unpaid of the said Duty, or to any Penalty or Forfeiture which shall have been incurred upon or at any Time before the said first Day of *June* one thousand seven hundred and fifty-eight, any thing herein before contained to the contrary notwithstanding.

Former Duty on Plate repealed;

and all Powers, &c. relating thereto;

except with respect to the Recovery of Arrears, and Penalties incurred before 1 June 1758.

Duty on Licences granted in Lieu thereof.

II. And be it further enacted by the Authority aforesaid, That in lieu of the said Duty by this Act repealed, there shall, from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, be paid unto his Majesty, his Heirs and Successors, a Duty of forty Shillings for every Licence to be taken out in Manner herein after mentioned, by each Person trading in, selling, or vending Gold or Silver Plate.

Traders in, and Venders of Plate to take out such Licences,

III. And be it further enacted by the Authority aforesaid, That from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, no Person or Persons whatsoever, who now, or at any Time or Times hereafter, doth or shall trade in, vend or sell, any Gold or Silver Plate, shall presume by him, her or themselves, or by any other Person or Persons whatsoever, employed by him, her or them, for his, her or their Benefit, either publickly or privately to trade in, vend or sell, any Gold or Silver Plate, without first taking out a Licence for that Purpose, in Manner hereafter mentioned, before he, she or they, shall trade in, vend or sell, any such Gold or Silver Plate, for which he, she or they shall immediately, upon taking out thereof, pay down for such Licence, the Sum of forty Shillings,

Shillings, in Manner following; that is to say, If such Licences be taken out in *London*, *Westminster*, or in any other Parts within the Limits or Jurisdiction of the Chief Office of Excise in *London*, then such Licences shall be granted under the Hands and Seals of two or more of his Majesty's Commissioners for the Duty of Excise for the Time being; and the Duty for the same shall be paid at the Chief Office of Excise in *London*, or at any other Place, and to such Person or Persons as the said Commissioners for the Time being shall appoint to deliver out such Licences, and to receive the said Duty; but if such Licences shall be taken out without the Limits aforesaid, then such Licences shall be granted under the Hands and Seals of the several Collectors and Supervisors of Excise within their respective Collections and Districts, and the Duty for the same shall be paid by all and every the Persons so taking out such Licences at the Office of Excise next adjoining to the Place where they respectively reside or inhabit, or at any other Place, and to such Persons as his Majesty's Commissioners of Excise for the Time being shall appoint to deliver out such Licences, and to receive the said Duty; and in case such Licences be taken out within the Limits of the City of *Edinburgh*, such Licences shall be granted under the Hands and Seals of two or more of his Majesty's Commissioners of Excise in *Scotland* for the Time being; and the Duties for the same shall be paid at the Chief Office of Excise in *Edinburgh*, in the same Manner as is herein before directed in Regard to the Licences to be taken out in *London*, *Westminster*, or in any other Parts within the Limits or Jurisdiction of the Chief Office of Excise in *London*; but if such Licences shall be taken out in any other Part of *Scotland*, without the Limits aforesaid, then such Licences shall be granted under the Hands and Seals of the several Collectors and Supervisors of Excise in *Scotland*, within their respective Collections and Districts; and the Duties for the same shall be paid in like Manner as is herein before directed with regard to the Licences to be taken out in *England*, without the Limits or Jurisdiction of the Chief Office of Excise in *London*; and such respective Commissioners of Excise, and the Persons appointed by them respectively, and also all such Collectors and Supervisors, are hereby respectively authorized and required to grant and deliver such Licences to all Persons applying for the same, upon their Payment of forty Shillings for each Licence.

Licences within the Limits of the Chief Office of Excise in London, to be granted by two of the Commissioners, and the Duty to be paid there, &c.

in other Places, to be granted by the Collectors and Supervisors of Excise for the District, and the Duty to be paid at the next Office.

Licences within the Limits of the City of Edinburgh, to be granted by two Commissioners of Excise in Scotland, and the Duty to be paid at the Chief Office of Excise there;

in other Places in Scotland, to be granted by the Collectors and Supervisors of Excise for the District, and the Duty to be paid at the next Office.

Licences to be granted to all Persons applying, upon paying the Duty of 40s.

IV. And be it further enacted by the Authority aforesaid, That every Person or Persons who shall take out any such Licence as aforesaid, is and are hereby required to take out a fresh Licence ten Days at least before the Expiration of twelve Calendar Months after the taking out the first Licence, before he, she or they do presume to trade in, vend or sell any Gold or Silver Plate, and in the same Manner to renew every such Licence from Year to Year, paying down the like Sum of forty Shillings for each and every new or renewed Licence, at the Places and at the Times before mentioned; and if any Person or Persons shall, after the said fifth Day of *July* one thousand seven hundred and fifty-eight, presume or offer to trade in, vend or sell any Gold, or Silver Plate, without first taking out such Licence, and renewing the same yearly, in Manner aforesaid, he, she or they shall respectively forfeit and lose the Sum of twenty Pounds for each Offence.

Fresh Licence to be taken out and renewed every Year;

on Penalty of forfeiting 20l.

V. Provided always, and be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and fifty-eight, no Duty shall be paid for, or in respect of, any Quantity of Silver Plate which hath been, or shall be, entered upon the Books of the Excise Officers, and which shall not be finished and fit for Use before the said first Day of *June*; but that the Persons in whose Names such Entries are or shall be made, shall be exonerated from all Duty upon such Plate, or so much thereof, as they shall produce to the Officers of Excise, after the said Day, unfinished and not fit for Use.

Duty remitted on Plate unfinished and not fit for Use before 1 June 1758.

VI. And be it further enacted by the Authority aforesaid, That all Persons using the Trade of selling or vending Gold or Silver Plate, or any Goods or Wares composed of Gold or Silver, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; and also all Persons employed to sell any Gold or Silver Plate, or any such Goods or Wares aforesaid, at any Auction or Publick Sale, or by Commission, shall respectively be deemed Traders in, Sellers or Venders of Gold or Silver Plate, within the Intent and Meaning of this Act, and shall take out a Licence for the same.

Persons deemed Traders in, and Venders of Plate, within the Act, and liable to take out Licences.

VII. Provided always, That Persons in Partnership, and carrying on their Trade or Business in one House, Shop or Tenement only, shall not be obliged to take out more than one Licence in any one Year, for the carrying on such Trade or Business; and that no Licence for trading in, selling or vending Gold or Silver Plate, shall authorize and impower any Person or Persons to whom the same may be granted, and who shall sell such Gold or Silver Plate in Shops, to trade in, sell or vend such Gold or Silver Plate, in any other Shop or Place, except in such Houses or Places thereunto belonging, wherein he, she or they shall inhabit and dwell, at the Time of granting such Licence, or in Booths or Stalls at Fairs or Markets.

In Copartnerships, where Trade is carried on in one House only, one Licence is sufficient.

Licence to serve for the House, &c. only for which it was granted.

VIII. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July* one thousand seven hundred and fifty-eight, all the Money arising by the said Duty on Licences (the necessary Charges of raising and accounting for the same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, separate and apart from all other Branches of the publick Revenues; and are hereby appropriated, and shall be applied to the same Uses and Purposes, and in such Manner, as the said Duty hereby repealed is, by the said Act made in the fifth Year of his late Majesty's Reign, appropriated unto and directed to be applied, subject to such Redemption as is mentioned in the said Act with respect to the said Duty;

Duties to be paid over into the Exchequer, separate from all other Branches of the publick Revenues, and to be applied to the same Uses as the Duty on Plate.

Surplus Monies to be reserved for the future Disposition of Parliament.

Duty; and if any Surplus shall remain of the Produce of the said Duty hereby granted, after such Uses and Purposes are answered and satisfied, or Money sufficient shall be reserved for that Purpose, such Surplus shall be reserved for the future Disposition of Parliament.

No Drawback to be allowed on Exportation of Plate.

IX. And be it further enacted by the Authority aforesaid, That no Drawback whatsoever shall be allowed or paid, upon, for or in respect of the Exportation of any Silver Plate which shall have been, or shall be, imported into or made, wrought or manufactured in this Kingdom, either before, on or after the said first Day of *June* one thousand seven hundred and fifty-eight, and which shall be entered for Exportation after the said first Day of *June* one thousand seven hundred and fifty-eight; any former Act or Acts of Parliament to the contrary notwithstanding.

Traders, &c. in Gold or Silver Lace, Silver Wire, Thread or Fringe, not obliged to take out Licences.

X. Provided always, and be it further enacted by the Authority aforesaid, That this Act shall not extend to subject any Person or Persons to any Penalty or Forfeiture, for or in respect of, his, her or their trading in, selling or vending Gold or Silver Lace, or Gold or Silver Wire, Thread or Fringe, without taking out such Licence as aforesaid; nor to repeal or alter any Drawbacks or Allowances now payable upon the Exportation of any such Lace, Wire, Thread or Fringe; any Thing herein before contained to the contrary notwithstanding.

Prosecutions for Recovery of Penalties,

if incurred within the Limits of the Chief Office of Excise in London, to be heard and determined by three of the Commissioners;

and in Cases of Appeals, by the Commissioners for Appeals.

Prosecutions within other Counties and Places, to be heard and determined by two Justices;

and in Cases of Appeal, by the Justices at their Quarter-Session.

Commissioners and Justices impowered to summon Offenders;

and upon their Appearance, or Contempt, to proceed to the Examination of the Matter of Fact, and give Judgment,

and award Execution thereupon;

and for want of Distress, to commit the Party.

XI. And be it further enacted by the Authority aforesaid, That all Prosecutions for the Recovery of Penalties and Forfeitures, incurred for Offences committed against this Act, shall and may be heard, adjudged and determined, either by Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*, if such Penalty or Forfeiture shall be incurred there, or in such Manner and Form as hereafter is directed; that is to say, All Prosecutions for Recovery of Penalties and Forfeitures, incurred for Offences committed against this Act, within the Limits or Jurisdiction of the Chief Office of Excise in *London*, shall and may be heard, adjudged and determined, by any three or more of the Commissioners of Excise in *England* for the Time being; and in case of Appeal from the Judgment of the said Commissioners (and not otherwise) shall be heard, adjudged and determined, by the Commissioners for Appeals for the Time being, or the major Part of them, whose Judgment therein shall be final; and all Prosecutions for Recovery of Penalties and Forfeitures, incurred for Offences committed within all or any other the Counties, Shires, Stewartries, Cities, Towns or Places, within the Kingdom of *Great Britain*, shall and may be heard, adjudged and determined, by any two or more of the Justices of the Peace residing near to the Place where such Offence shall be committed; and if either the Informers or Defendants shall think themselves aggrieved by the Judgment given by such Justices, it shall and may be lawful for every such Informer or Defendant, to appeal to the Justices of the Peace at the next Quarter-Session to be holden in and for the County, Shire, Stewartry, City, Town or Place, where the Penalty or Forfeiture shall be incurred, who are hereby authorized and impowered to hear, adjudge and determine the same, and whose Judgment therein shall be final; and the said Commissioners for Excise, and Commissioners for Appeals (in case of Appeal) and all Justices of the Peace aforesaid, respectively, are hereby authorized and required, upon Complaint or Information, upon Oath, exhibited and brought before them respectively as aforesaid, of the Commission of any Offence against this Act (which Oath the said Commissioners, and Justices of the Peace respectively, are hereby authorized to administer) to summon the Party or Parties accused; and upon the Appearance or Contempt of any Person or Persons so summoned, to proceed to the Examination of the Matter of Fact; and upon due Proof made thereof, either by the voluntary Confession of the Person or Persons so summoned, or by the Oath of one or more credible Witness or Witnesses (which Oath they the said Commissioners and Justices respectively have hereby Power to administer) to give Judgment or Sentence thereupon, and to award and issue out Warrants under their Hands respectively, for the levying of such Penalties or Forfeitures upon the Goods and Chattels of such Person or Persons, and to cause Sale to be made of such Goods and Chattels, if they shall not be redeemed within fourteen Days; rendering to such Person or Persons the Overplus (if any be) and for want of sufficient Distress, to imprison the Party or Parties offending, till Satisfaction be made.

Application of the Penalties and Forfeitures.

XII. And it is hereby further enacted, That all Penalties and Forfeitures which shall be recovered, for any Offences committed against this Act (all necessary Charges for the Recovery thereof being first deducted) shall be distributed, one Moiety thereof for the Use of his Majesty, his Heirs and Successors, and the other Moiety thereof to him, her or them, who shall inform or sue for the same.

Limitation of Actions.

XIII. And be it further enacted by the Authority aforesaid, That if any Action of Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, in that Part of *Great Britain* called *England*, the Defendant or Defendants in any such Action or Suit, may

General Issue.

plead the General Issue, and give the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law; and if such Action or Suit shall be commenced or prosecuted in that Part of *Great Britain* called *Scotland*, the Court before whom such Action or Suit shall be brought, shall allow the Defendant to plead this Act on his Defence; and if the Pursuer shall not insist on his Action; or if Judgment shall be given against such Pursuer, the

Treble Costs.

Defendants Plea in Action brought in Scotland.

Defendant recovering, allowed his Expences.

Defender

Defender shall and may recover the full and real Expences he may have been put to by any such Action or Suit.

Recital of Clause in Act 12 Geo. 2. c. 26.

XIV. And whereas by a Clause in an Act of Parliament made in the twelfth Year of his present Majesty's Reign, intituled, *An Act for the better preventing Frauds and Abuses in Gold and Silver Wares*; every Person who should cast, forge or counterfeit, any of the Marks or Stamps of the Goldsmiths Company in *London*, or any of the Marks or Stamps appointed to be used for marking Wrought Plate at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, or *Newcastle upon Tyne*, or any Mark, Stamp or Impression, to resemble any Mark, Stamp or Impression, to be made with any Mark or Stamp to be used by the said Company in *London*, or by the Wardens or Assayers at any of the other Places aforesaid, in pursuance of the said Act, or any other Acts of Parliament then in Force; or Mark or Stamp with any such counterfeit Mark or Stamp, any Wrought Plate of Gold or Silver, or any Wares of Brass, or other base Metal, silvered or gilt over, and resembling Plate of Gold or Silver; or transpose or remove from one Piece of wrought Plate to another, or to any Vessel of such base Metal, any of the Marks, Stamps or Impressions, made or to be made, with any of the Marks or Stamps of the said Company, or of the said Wardens or Assayers, used, or to be used, in pursuance of the said or any other Act then in Force; or cause or procure any of the said Offences to be committed, or sell, exchange, or expose to Sale any Manufacture of Gold or Silver, or export the same with any such forged, counterfeit, or transposed Mark, Stamp or Impression, knowing the same to be forged, counterfeited or transposed, was made liable for every Offence, to the Forfeiture of one hundred Pounds; and for Default of Payment, to Imprisonment, in Manner therein mentioned: And whereas notwithstanding the Penalty or Punishment inflicted by the said Clause, great Quantities of Gold and Silver Plate of a base and inferior Standard, with such forged, counterfeit or tranposed Marks, Stamps and Impressions, are now frequently vended in this Kingdom, and also exported to foreign Parts; and it is necessary that all Persons guilty of such Practices for the future, should be subjected to exemplary Punishment, in order to deter, as far as may be, the Commission of Offences, manifestly tending to the Detriment of the fair Trader, and the Diminution of the Wealth, the Credit, and the Commerce of this Kingdom; Be it therefore enacted by the Authority aforesaid, That the said Clause shall, from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, be, and is hereby repealed.

The recited Clause repealed.

Penalty of forging or counterfeiting the Stamp used for marking Plate, in pursuance of the recited Act of 12 Geo. 2. c. 26. &c. by the Goldsmiths Company, &c.

XV. And be it further enacted by the Authority aforesaid, That if any Person whatsoever, from and after the said fifth Day of *July* one thousand seven hundred and fifty-eight, shall cast, forge or counterfeit, or cause or procure to be cast, forged or counterfeited, any Mark or Stamp used, or to be used, for making Gold or Silver Plate in pursuance of the said Act, or of any other Act or Acts of Parliament now in Force, by the Company of Goldsmiths in *London*, or by the Wardens, or Assayer or Assayers, at *York*, *Exeter*, *Bristol*, *Chester*, *Norwich*, or *Newcastle upon Tyne*, or by any Maker or Worker of Gold or Silver Plate, or any or either of them; or shall cast, forge or counterfeit, or cause or procure to be cast, forged or counterfeited any Mark, Stamp or Impression, in Imitation of, or to resemble any Mark, Stamp or Impression, made or to be made, with any Mark or Stamp, used or to be used as aforesaid, by the said Company of Goldsmiths in *London*, or by the said Wardens, or Assayer or Assayers, or by any Maker or Worker of Gold or Silver Plate, or any or either of them;

or of marking Plate, &c. with a forged or counterfeited Stamp;

or shall mark or stamp, or cause or procure to be marked or stamped, any Wrought Plate of Gold or Silver, or any Wares of Brass, or other base Metal, silvered or gilt over, and resembling Plate of Gold or Silver, with any Mark or Stamp which hath been or shall be forged or counterfeited, at any Time either before, on, or after the said fifth Day of *July*, in Imitation of, or to resemble any Mark or Stamp used, or to be used as aforesaid, by the said Company of Goldsmiths in *London*, or by the said Wardens, or Assayer or Assayers, or by any Maker or Worker of Gold or Silver Plate, or any or either of them;

or of transposing the Mark impressed from one Vessel to another;

or shall transpose or remove, or cause or procure to be transposed or removed from one Piece of Wrought Plate to another, or to any Vessel of such base Metal as aforesaid, any Mark, Stamp or Impression, made or to be made, by or with any Mark or Stamp used, or to be used as aforesaid, by the said Company of Goldsmiths in *London*, or by the said Wardens, or Assayer or Assayers, or by any Maker or Worker of Gold or Silver Plate, or any or either of them;

or of selling or exporting Plate with a forged, counterfeit, or transposed Mark;

or shall sell, exchange, or expose to Sale, or export out of this Kingdom, any Wrought Plate of Gold or Silver, or any Vessel of such base Metal as aforesaid, with any such forged or counterfeit Mark, Stamp or Impression thereon, or any Mark, Stamp or Impression, which hath been or shall be transposed or removed from any other Piece of Plate, at any Time either before, on or after the said fifth Day of *July*, knowing such Mark Stamp, or Impression, to be forged, counterfeited or transposed, or removed as aforesaid;

or of having any such Stamp in Possession;

or shall wilfully and knowingly have, or be possessed of, any Mark or Stamp which hath been or shall be forged or counterfeited, at any Time, either before, on or after the said fifth Day of *July*, in Imitation of, or to resemble any Mark or Stamp used, or to be used as aforesaid, by the said Company of Goldsmiths in *London*, or by the said Wardens, or Assayer or Assayers, or by any Maker or Worker of Gold or Silver Plate, or any or either of them;

is Felony, without Benefit of Clergy.

Amended by 32 *Geo.* 2. c. 24.

every such Person offending in any, each, or either of the Cases aforesaid, being thereof lawfully convicted, shall be adjudged guilty of Felony, and shall suffer Death as a Felon, without Benefit of Clergy.

CAP. XXXIII.

An Act for enabling his Majesty to raise the Sum of eight hundred thousand Pounds, for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.

Most Gracious Sovereign,

Preamble.

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, having taken into our serious Consideration your Majesty's most gracious Message, signifying your Majesty's Desire, to be enabled by your faithful Commons, to defray any extraordinary Expences of the War, incurred or to be incurred, for the Service of the Year one thousand seven hundred and fifty-eight, and to take all such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of your Majesty's Enemies, and as the Exigency of Affairs may require, have resolved to give and grant to your Majesty the Sum of eight hundred thousand Pounds for that Purpose; and do therefore most humbly beseech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorise and impower the Commissioners of his Majesty's Treasury now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and fifty-nine, to cause or direct any Loans to be taken or received at his Majesty's Exchequer, from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the Whole, the said Sum of eight hundred thousand Pounds; in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-eight*; are enacted and prescribed, concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

800,000 l. granted to his Majesty.

His Majesty, by Warrant under his Royal Sign Manual, may, at any Time before 5 Jan. 1759, authorise the Commissioners of the Treasury to raise the said Sum, either by Loans, or Exchequer Bills;

in the same Manner as is prescribed, concerning Loans or Exchequer Bills, by the Malt Act of this Session.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities, contained in the said last mentioned Act, relating to the Loans or Exchequer Bills authorised to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorised by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

All Clauses, Provisoes, and Powers, &c. in the said Act, relating to Loans and Exchequer Bills, extended to this Act.

Exception.

The Money so raised, to be repaid out of the First Supplies; and if none be granted before 5 July 1759. then to be paid out of the Sinking Fund;

III. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate and Charges incident to, or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose, shall not be granted before the fifth Day of *July* one thousand seven hundred and fifty-nine, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges incident to, or attending the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times at or after the said fifth Day of *July* one thousand seven hundred and fifty-nine, shall be or remain in the Receipt of the Exchequer of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any Act or Acts of Parliament, in that Behalf) and such Monies of the said Sinking Fund, shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the Whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

and the Monies to be issued thereout accordingly.

Monies issued out of the Sinking Fund, to be replaced out of the first Supplies.

IV. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Excesses, Overplus Monies, or other Revenues composing the Sinking Fund, shall from time to time, be replaced by and out of the first Supplies to be then after granted in Parliament; any Thing herein contained to the contrary notwithstanding.

Monies arising into the Exchequer by the Malt Act.
31 Geo. 2. c. 2.

V. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty, certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-eight*; and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium,

Rate

Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and fifty-eight; and for enforcing the Payment of the Rates to be assessed upon* Somerset House *in the Strand*; and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Tax shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer by Contributions for Annuities and a Lottery, granted by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty several Rates and Duties upon Offices and Pensions, and upon Houses, and upon Windows or Lights; and for raising the Sum of five Millions by Annuities and a Lottery, to be charged on the said Rates and Duties*; and also the Sum of three hundred thousand Pounds, out of such Monies as shall or may arise of the Surplusses Excesses or Overplus Monies, and other Funds, composing the Fund commonly called *The Sinking Fund*, directed to be issued and applied by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund, for the Service of the Year one thousand seven hundred and fifty-eight; and for empowering the proper Officers to make forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, in lieu of such as shall be lost, burnt, or otherwise destroyed; and for obliging the Retailers of Wines, commonly called* Sweets *or* Made Wines, *to take out a Wine Licence*; and also the Sum of ninety-three thousand three hundred seventy-one Pounds eleven Shillings and seven Pence three Farthings, remaining in the Receipt of his Majesty's Exchequer, disposeable by Parliament, of the Produce of the Sinking Fund, for the Quarter ended the tenth Day of *October* one thousand seven hundred and fifty-seven, by the said Act directed to be issued and applied; and also the Sum of four hundred ninety-two thousand four hundred Pounds eight Shillings and three Pence, remaining in the Receipt of his Majesty's Exchequer, disposeable by Parliament, of the Produce of the Sinking Fund, on the fifth Day of *April* one thousand seven hundred and fifty-eight, by the said Act directed to be issued and applied; and also the Sum of one million six hundred and six thousand seventy-six Pounds five Shillings and one Penny Farthing, by the said Act directed to be issued and applied, out of such Monies as shall or may arise of the Surplusses, Excesses or Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and the further Sum of eight hundred thousand Pounds by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say, It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three millions five hundred forty-four thousand four hundred twenty-one Pounds five Shillings and eight Pence, for or towards the Naval Services herein after particularly expressed; that is to say, For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards defraying the Ordinary of his Majesty's Navy; and for Half-pay to Sea Officers; and for or towards maintaining fourteen thousand eight hundred and forty-five Marines; and for or towards the Buildings, Re-buildings and Repairs of his Majesty's Ships for the said Year.

Land Tax, 31 Geo. 2. c. 4.

Annuity and Lottery Act; 31 Geo. 2. c. 22. and also the Sum of 300,000 l. granted out of the Sinking Fund, by an Act of this Session, 31 Geo. 2. c. 31.

and 93,371 l. 11 s. 7 d. 3 q. Surplus remaining in the Exchequer of the Produce of the Sinking Fund, for the Quarter ended 10 October 1757; and 492,400 l. 8 s. 3 d. Surplus of the Produce of the said Fund, on 5 April 1758; and 1,606,076 l. 5 s. 1 d. 1 q. directed to be issued out of the Surplusses of the said Fund; and 800,000 l. by this Act granted are appropriated in general, viz. out of all or any the said Supplies, any Sum not exceeding 3,544,421 l. 5 s. 8 d. for Naval Services herein expressed;

VI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three hundred thousand Pounds towards paying off and discharging the Debt of the Navy.

300,000 l. towards paying off the Debt of the Navy;

VII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, towards carrying on the Works of the Hospital for Sick and Wounded Seamen, building at *Haslaer* near *Gosport*, for the Year one thousand seven hundred and fifty-eight.

10,000 l. towards building the Hospital for Sick and Wounded near Gosport,

VIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, towards carrying on the Works of the Hospital for Sick and Wounded Seamen building near *Plymouth*, for the Year one thousand seven hundred and fifty-eight.

10,000 l. towards building the Hospital for Sick and Wounded near Plymouth,

IX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital, worn out and become decrepit in the Service of their Country.

10,000 l. upon Account, towards the Support of Greenwich Hospital;

X. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three hundred ninety-one thousand eight hundred seven Pounds seven Shillings and three Pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thousand seven hundred and fifty-eight, and for defraying the extraordinary Expence of the Office of Ordnance for Land Service, not provided for by Parliament.

391,807 l. 7 s. 3 d. for Charge of the Office of Ordnance for Land Service;

4,032,772 l. 3s. 9d. 1q. for Land Forces, &c. in general; viz. 1,253,368 l. 18s. 6d. thereof, for Charge of Guards, Garrisons, and Land Forces in Great Britain, Guernsey, and Jersey; 37,452 l. 3s. 4d. for Pay of the General, and General Staff Officers, &c.

623,704 l. 0s. 2d. for the Forces and Garrisons in the Plantations and Gibraltar; and Provisions for the Garrisons in Nova Scotia, Newfoundland, Gibraltar, and Providence; 43,968 l. 4s. 2d. for the four Regiments of Foot on the Irish Establishment serving in North America and the East Indies; 35,602 l. to the reduced Officers of the Land Forces and Marines; 3,098 l. 17s. 11d. Allowance to the Officers and Private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and superannuated Gentlemen of the four Troops of Horse Guards; 2,226 l. for Pay of Widows Pensions; 26,000 l. upon Account, for Out-Pensioners of Chelsea Hospital; 145,454 l. 15s. 1q. for extraordinary Expences of the Land Forces, and other Services incurred in 1757, not provided for; 38,360 l. 19s. 10d. 3q. for Troops of the Landgrave of Hesse Cassel, in the Pay of Great Britain, from 25 Dec. 1757, to 22 Feb. 1758; together with the Subsidy for the said Time, pursuant to Treaty; 38,360 l. 19s. 10d. 3q. for defraying the Charge of the said Troops, and Payment of like Subsidy, from 23 Feb. 1758, to 23 April following. 165,175 l. 4s. 10d. 2q. for defraying the remaining Charge of the said Troops and Subsidy, from 25 Dec. 1757, to 24 Dec. 1758, inclusive; 100,000 l. upon Account, towards subsisting and keeping together the Armies formed last Year in his Majesty's Electoral Dominions, employed in concert with the King of Prussia; 462,084 l. 6s. 10d. for the Troops of Hanover, Wolfenbuttle, Saxe Gotha, and Count of Buckkeburgh, employed in concert with the King of Prussia; from 28 Nov. 1757,

XI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding four millions thirty-two thousand seven hundred seventy-two Pounds three Shillings and nine Pence Farthing, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money not exceeding one million two hundred fifty-three thousand three hundred and sixty-eight Pounds eighteen Shillings and six Pence, for defraying the Charge of fifty-three thousand seven hundred and seventy-seven effective Men, including Commission and Non-commission Officers, and also four thousand and eight Invalids for Guards and Garrisons, and other his Majesty's Land Forces, in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding thirty-seven thousand four hundred fifty-two Pounds three Shillings and four Pence, for the Pay of the General and General Staff Officers of the Hospitals for his Majesty's Land Forces, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding six hundred twenty-three thousand seven hundred four Pounds and two Pence, for maintaining his Majesty's Forces and Garrisons in the Plantations, and *Gibraltar*, and for Provisions for the Garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar* and *Providence*, for the Year one thousand seven hundred and fifty-eight; and any Sums or Sums of Money not exceeding forty-three thousand nine hundred sixty-eight Pounds four shillings and two Pence, for defraying the Charge of four Regiments of Foot on the *Irish* Establishment, serving in *North America* and the *East Indies*, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding thirty-five thousand six hundred and two Pounds, upon Account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding three thousand ninety-eight Pounds seventeen Shillings and eleven Pence, for defraying the Charge for Allowances to the several Officers and Private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced; and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding two thousand two hundred and twenty-six Pounds, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding twenty-six thousand Pounds, upon Account, for Out-Pensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding one hundred forty-five thousand four hundred fifty-four Pounds fifteen Shillings and one Farthing, for defraying the extraordinary Expences of his Majesty's Land Forces, and other Services, incurred in the Year one thousand seven hundred and fifty-seven, and not provided for by Parliament; and any Sum or Sums of Money not exceeding thirty-eight thousand three hundred sixty Pounds nineteen Shillings and ten Pence three Farthings, for defraying the Charge of two thousand one hundred and twenty Horse, and nine thousand and nine hundred Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain* for sixty Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, to the twenty-second Day of *February* one thousand seven hundred and fifty-eight, both inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding thirty-eight thousand three hundred sixty Pounds nineteen Shillings and ten Pence three Farthings, for defraying the Charge of two thousand one hundred and twenty Horse, and nine thousand and nine hundred Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel* in the Pay of *Great Britain* for sixty Days, from the twenty-third Day of *February* one thousand seven hundred and fifty-eight, to the twenty-third Day of *April* following, both inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding one hundred sixty-five thousand one hundred and seventy-five Pounds four Shillings and ten Pence Halfpenny, for defraying the Charge of what remains to be paid for two thousand one hundred and twenty Horse, and nine thousand and nine hundred Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel* in the Pay of *Great Britain* for three hundred and sixty-five Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, to the twenty-fourth Day of *December* one thousand seven hundred and fifty-eight, both Days inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding one hundred thousand Pounds, upon Account, as a present Supply in this critical Exigency, towards enabling his Majesty to subsist and keep together the Army formed last Year in his Electoral Dominions, and now again put into Motion, and actually employed against the Common Enemy, in concert with the King of *Prussia*; and any Sum or Sums of Money not exceeding four hundred sixty-three thousand eighty-four Pounds six Shillings and ten Pence, for defraying the Charge of thirty-eight thousand Men of the Troops of *Hanover*, *Wolfenbuttle*, *Saxe Gotha*, and Count of *Buckkeburgh*, together with that of General and Staff Officers, actually employed against the Common Enemy, in concert with the King of *Prussia*, from the twenty-eighth of *November* one thousand seven hundred and fifty-seven,

to

to the twenty-fourth of *December* one thousand seven hundred and fifty-eight, inclusive; to be issued in Advance every two Months, in like Manner as the Pay of the *Hessian* Forces, now in the Service of *Great Britain*; the said Body of Troops to be mustered by an *English* Commissary, and the effective State thereof to be also ascertained by the Signature of the Commander in Chief of the said Forces; and any Sum or Sums of Money not exceeding three hundred eighty-six thousand nine hundred and fifteen Pounds thirteen Shillings and two Pence, in full Satisfaction for defraying the Charges of Forage, Bread Waggons, Train of Artillery, and Train of Provisions, Wood, Straw, *et cetera*, and all other extraordinary Expences, Contingences, and Losses whatsoever, incurred and to be incurred, on account of his Majesty's Army, consisting of thirty-eight thousand Men, actually employed against the Common Enemy, in concert with the King of *Prussia*, from the twenty-eighth Day of *November* last, to the twenty-fourth Day of *December* next, inclusive; the said Sum to be issued, from time to time, in like Proportions as the Pay of the said Troops; and any Sum or Sums of Money not exceeding six hundred and seventy thousand Pounds, to enable his Majesty to make good his Engagements with the King of *Prussia*, pursuant to a Convention between his Majesty and the King of *Prussia*, concluded *April* the eleventh one thousand seven hundred and fifty-eight.

to 24 Dec. 1758, inclusive; to be issued in Advance every two Months; and the Troops to be mustered by an English Commissary, &c.

386,915 l. 13 s. 2 d. in full for defraying all extraordinary Charges and Contingencies of his Majesty's Army employed in concert with the King of Prussia, from 28 Nov. 1757, to 24 Dec. 1758, inclusive; the said Sum to be issued as the Pay of the said Troops; 670,000 l. to the King of Prussia, pursuant to Treaty.

XII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding eight hundred thousand Pounds, to enable his Majesty to discharge the like Sum raised in pursuance of an Act made in the last Session of Parliament, and charged upon the first Aids or Supplies to be granted in this Session of Parliament.

800,000 l. to discharge the like Sum raised in pursuance of an Act of the last Session, and charged upon the first Aids;

XIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money not exceeding eight hundred thousand Pounds, upon Account, to enable his Majesty to defray any extraordinary Expences of the War, incurred, or to be incurred, for the Service of the Year one thousand seven hundred and fifty-eight, and to take all such Measures, as may be necessary to disappoint or defeat any Enterprizes or Designs of his Enemies, and as the Exigency of Affairs may require.

800,000 l. upon Account, to his Majesty, to defray extraordinary Expences of the War, &c.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money not exceeding nine thousand nine hundred two Pounds and five Shillings, upon Account, for supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia* for the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding six thousand six hundred twenty-six Pounds nine Shillings and nine Pence Halfpenny, upon Account, for defraying the Charges incurred by supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia* in the Year one thousand seven hundred and fifty-six, and not provided for by Parliament; and any Sum or Sums of Money not exceeding three thousand five hundred fifty-seven Pounds and ten Shillings, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven to the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight.

9,902 l. 5 s. upon Account, for supporting the Colony of Nova Scotia; 6,626 l. 9 s. 9 d. 2 q. upon Account, for defraying the Charges incurred by supporting the said Colony in 1756, not provided for; 3,557 l. 10 s. for defraying the Charges of the Civil Establishment, &c. of the Colony of Georgia, from 24 June 1757, to 24 June 1758;

XV. And it is hereby also further enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied, any Sum or Sums of Money not exceeding thirty-one thousand Pounds, to make good to his Majesty the like Sum which has been issued by his Majesty's Orders, in pursuance of the Addresses of his House; and any Sum or Sums of Money not exceeding forty thousand Pounds, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to receive all such Children, under a certain Age to be by them limited, as shall be brought to the said Hospital before the first Day of *January* one thousand seven hundred and fifty-nine; and also towards enabling them to maintain and educate such Children as are now under their Care, and to continue to carry into Execution the good Purposes for which they were incorporated; and that the said Sum be issued and paid for the Use of the said Hospital, without Fee or Reward, or any Deduction whatsoever; and any Sum or Sums of Money not exceeding two hundred eighty-four thousand eight hundred and two Pounds one Shilling and three Farthings, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding fifteen thousand Pounds, to be applied towards the rebuilding of *London Bridge*; and any Sum or Sums of Money not exceeding one hundred thousand Pounds, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia for the Year one thousand seven hundred and fifty-eight, and for defraying such Expences as were actually incurred, upon the Account of the Militia in the Year one thousand seven hundred and fifty-seven; and any Sum or Sums of Money not exceeding ten thousand Pounds, towards carrying on the Works for fortifying and securing the Harbour of *Milford*; and any Sum or Sums of Money not exceeding twenty-seven thousand three hundred and eighty Pounds nineteen Shillings and eleven Pence Halfpenny, for reimbursing to the Province of *Massachusets Bay*, their Expences in furnishing Provisions and Stores to the Troops raised by them for his Majesty's Service, for the Campaign in the Year one thousand

31,000 l. to make good the like Sum issued by his Majesty's Orders, pursuant to the Address of the House;

40,000 l. to the Foundling Hospital;

to be paid without any Fee or Deduction;

284,802 l. 1 s. 3 q. to make good the Deficiency of the Grants for the Year 1757;

15,000 l. towards rebuilding London Bridge;

100,000 l. upon Account, for Pay and Cloathing for the Militia for 1758, and Expences incurred in 1757;

10,000 l. towards fortifying the Harbour of Milford;

27,380 l. 19 s. 11 d. 2 q. for reimbursing to the Province of Massachusets Bay, the Expences in furnishing Provisions and Stores to the Troops raised there in 1756;

13,736l. 17s. 7d. for reimbursing to the Colony of Connecticut, their Expences in furnishing Provisions and Stores to the Troops raised there in 1756; 20,000l upon Account, to the East India Company, towards defraying the Expence of a Military Force there; 4,000l. for repairing the Church of St. Margaret, Westminster; 10,000l. for supporting the British Forts on the Coast of Africa.

thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding thirteen thousand seven hundred thirty-six Pounds seventeen Shillings and seven Pence, for reimbursing to the Colony of *Connecticut*, their Expences in furnishing Provisions and Stores to the Troops raised by them for his Majesty's Service, for the Campaign in the Year one thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding twenty thousand Pounds, upon Account, to be paid to the United Company of Merchants of *England* trading to the *East Indies*, towards enabling them to defray the Expence of a Military Force in their Settlements, to be maintained by them in lieu of the Battalion of his Majesty's Forces, withdrawn from those Settlements; and the Sum of four thousand Pounds for repairing the Parish Church of Saint *Margaret Westminster*; and any Sum or Sums of Money not exceeding ten thousand Pounds, to be employed in maintaining and supporting the *British* Forts and Settlements upon the Coast of *Africa*.

The said Supplies to be applied as herein directed, and not otherwise.

XVI. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies, or other Payments, directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

Regulations to be observed in the Application of the Half-pay.

XVII. And, as to the said Sum of thirty-five thousand six hundred and two Pounds by this Act appropriated on Account of Half-pay as aforesaid; It is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed, shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop, or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Person who did actual Service in some Regiment, Troop, or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same, as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot lately disbanded in *Ireland*, except to such as were lately taken of the Establishment of Half-pay in *Great Britain*.

Act 30 Geo. 2. c. 26.

XVIII. And whereas by an Act of Parliament made and passed in the thirtieth Year of his Majesty's Reign, intituled, *An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund; and applying certain Monies remaining in the Exchequer, and the Savings out of the Monies granted in this Session of Parliament for the Pay of the Troops of* Hanover *for the Service of the Year one thousand seven hundred and fifty-seven; and for further appropriating the Supplies granted in this Session of Parliament; and for Relief of* Claud Johnson, *with respect to a Bond entered into by him, for securing the Duties on Tobacco imported by* George Buchanan *and* William Hamilton; the several Supplies which had been granted to his Majesty, as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed; amongst which, any Sum or Sums of Money not exceeding thirty-three thousand Pounds was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines, subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf; Now it is hereby provided,

Surplus of the Half-pay arising from the last Year's Grants, to be disposed of to such Officers Widows, or Children, as is Majesty shall judge to be proper Objects of Charity.

enacted, and declared, by the Authority aforesaid, That so much of the said Sum of thirty-three thousand Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed, or have lost their Limbs in the late Wars, or such others, as by reason of their long Service, or otherwise, his Majesty shall judge to be proper Objects of Charity; or to the Widows or Children of such Officers, according to such Warrant or Warrants, under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act, or the said former Act, to the contrary notwithstanding.

CAP. XXXIV.

An Act for enlarging the Times for the first Meetings of Commissioners or Trustees, for putting in Execution certain Acts of this Session of Parliament; and for other Purposes therein mentioned.

Preamble.

'WHEREAS by several Acts of this present Session of Parliament, the first Meeting of the Commissioners or Trustees for putting such Acts, or any Part or Parts thereof, in Execution, hath been or may be appointed or directed to be held before or upon the Day of passing of such Acts respectively, whereby several Doubts and Difficulties may arise with Respect to the due Execution of the said Acts;' Be it therefore enacted by the King's most Excellent Majesty, by and

with the Advice and Consent of the Lords Spiritual and Tempora', and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Act of Parliament hath passed, or doth or shall pass, at any Time whatsoever, during this present Session of Parliament, upon or after the Day specified in any such Act, for the first Meeting of the Commissioners or Trustees appointed to put the same, or any Part thereof, in Execution, in each and every such Case, such Commissioners or Trustees respectively, or the same Number of such respective Commissioners or Trustees, as is or shall be authorized to hold such first Meeting, or any greater Number of them, shall and may hold their first Meeting upon the fourteenth Day after the passing of this Act, at such Places as were respectively appointed in such Acts for holding the first Meetings on the Days therein specified; and all such Commissioners or Trustees, or any Number of them as aforesaid, being so assembled respectively on the said fourteenth Day after the passing of this Act, shall and may proceed to the Execution of such Acts respectively; and then, and from time to time afterwards, adjourn, and do and perform all such Matters and Things, and execute all the Powers and Authorities granted to them in the said Acts respectively, in the same Manner, and as fully and effectually to all Intents and Purposes, as if such Commissioners or Trustees had been assembled in Pursuance of, and on the respective Days specified or appointed in such Acts, for holding the first Meeting of such Commissioners or Trustees; any thing therein contained to the contrary notwithstanding.

Where the first Meeting of Commissioners or Trustees shall have been appointed on or before the Day the Acts appointing the same shall have passed,

such Meeting is to be held on the 14th Day after the passing of this Act, &c.

'II. And whereas several Acts of Parliament have been made for amending and keeping in Repair 'divers Roads in *Great Britain*: And whereas it may have happened that a sufficient Number of the 'Trustees or Commissioners for putting such respective Acts in Execution, have neglected to meet 'at such Times and Places, as were appointed or directed in pursuance of the said several Acts, 'and that Adjournments may not have been made to meet at any future Time: And whereas the 'Clerks or other Officers to the said Trustees or Commissioners, when proper Adjournments have 'not been made, may have neglected, or omitted to give such proper Notices, as the said respective 'Acts have required to be made or given, of the next Meeting of the said Trustees or Commission-'ers, notwithstanding which Neglects or Omissions, the said Trustees or Commissioners, have met 'and proceeded to put in Execution the said several Acts aforesaid: And whereas Doubts have arisen, 'or may arise, with regard to the Validity of the Proceedings of the said Trustees or Commissioners, 'who have met and acted in the Execution of the said several Acts, notwithstanding such Omissions 'or Neglects had happened:' For obviating whereof; Be it further enacted by the Authority aforesaid, That where ever it has happened that any such Trustees or Commissioners as aforesaid, at any Time before the passing of this Act, have neglected to meet and adjourn, according to the Direction of the said respective Acts, or their Clerks or Officers shall have neglected to give such Notice of any future Meeting, as by the said respective Acts is directed; such Omission or Neglect of the said Trustees and Commissioners, or of their Clerks or other Officers, shall not in any Manner defeat, invalidate, or make void, any Act, Matter, or Thing, already done by any of the said Trustees or Commissioners, in pursuance of the said Acts of Parliament, or any of them, but that every such Act, Matter, or Thing, shall be good, valid, and effectual in the Law, to all Intents and Purposes, and shall be so adjudged and taken, notwithstanding any such Want of Adjournment, or proper Notice as aforesaid; any Law or Usage to the contrary thereof in any wise notwithstanding: And when it shall hereafter happen that a sufficient Number of Trustees or Commissioners, do not meet to put the said several Acts in Execution, that then the Clerk or other Officer of the said Trustees or Commissioners, may and shall, at any Time within the Space of ten Days after such Omission or Neglect of the said Trustees to meet as aforesaid, appoint such Trustees or Commissioners, to meet at the House or Place were the then last Meeting was appointed to be held, on the Day three Weeks after the Date of such Notice; and in Case such Clerk or other Officer shall refuse or neglect to give such Notice, for the Space of ten Days, that then it shall and may be lawful for any three or more of the said Trustees or Commissioners, appointed by the said respective Acts, at any Time within the Space of ten Days after such Neglect or Refusal of the Clerk or other Officer to appoint such Trustees or Commissioners, to meet at the House or Place where the then last Meeting was appointed to be held, on the Day three Weeks after the Date of such Notice; which said respective Notices in Writing shall be affixed on such Places as the said several Acts respectively direct, and the same shall be deemed and taken to be sufficient Notice; any Law or Usage to the contrary notwithstanding.

Where Trustees for repairing particular Roads shall have neglected to meet and adjourn, or their Clerks to give Notice of any future Meeting, as the respective Acts direct;

the Validity of the Proceedings of the said Trustees, is not to be defeated thereby.

When a sufficient Number of Trustees, &c. shall not meet to act, Clerk, within 10 Days after, to appoint a certain Time and Place for their next Meeting;

and on the Clerks Neglect or Refusal to give such Notice, 3 Trustees may appoint such Meeting;

Notices to be fixed on such Places as the respective Acts direct.

CAP. XXXV.

CAP. XXXV.

An Act to continue ſeveral Laws therein mentioned, for granting a Liberty to carry Sugars of the Growth, Produce, or Manufacture, of any of his Majeſty's Sugar Colonies in *America*, from the ſaid Colonies directly into Foreign Parts, in Ships built in *Great Britain*, and navigated according to Law; for the preventing the committing of Frauds by Bankrupts; for giving further Encouragement for the Importation of Naval Stores from the *Britiſh* Colonies in *America*; and for preventing Frauds and Abuſes in the Admeaſurement of Coals in the City and Liberty of *Weſtminſter*; and for preventing the Stealing or Deſtroying of Madder Roots.

Preamble.

'WHEREAS the Laws herein after mentioned, which have by Experience been found uſeful and beneficial, are near expiring;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; And be it enacted by the Kings moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for granting a Liberty to carry Sugars of the Growth, Produce, or Manufacture of any of his Majeſty's Sugar Colonies in* America, *from the ſaid Colonies directly to Foreign Parts, in Ships built in* Great Britain, *and navigated according to Law*; which was to continue in Force for five Years, from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, and from thence to the End of the then next Seſſion of Parliament; and which by ſeveral ſubſequent Acts made in the ſeventeenth and twenty-fourth Years of the Reign of his preſent Majeſty, was further continued until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty-four, and from thence to the End of the then next Seſſion of Parliament.

Act 12 Geo. 2. ch 30. which was continued by ſeveral ſubſequent Acts,

17 *Geo.* 2. *c.* 40.
24 *Geo.* 2. *c.* 57.

further continued to 29 Sept. 1764.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the fifth Year of the Reign of his preſent Majeſty, intituled, *An Act to prevent the committing of Frauds by Bankrupts*; which was to continue in Force for three Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-two, and from thence to the End of the then next Seſſion of Parliament; and which by ſeveral ſubſequent Acts made in the ninth and ſixteenth Years of the Reign of his preſent Majeſty, was further continued until the twenty-ninth Day of *September* one thouſand ſeven hundred and fifty; and which by another Act made in the twenty-fourth Year of the Reign of his preſent Majeſty, was amended and further continued to the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall be and the ſame is hereby further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty-four, and from thence to the End of the then next Seſſion of Parliament.

Act 5 Geo. 2. *c.* 30. which was continued and amended by ſeveral ſubſequent Acts,

9 *Geo.* 2. *c.* 18.
16 *Geo.* 2. *c.* 27.
24 *Geo.* 2. *c.* 57.

further continued to 29 Sept. 1764.

III. And be it further enacted by the Authority aforeſaid, That ſo much of an Act made in the eighth Year of the Reign of his late Majeſty King GEORGE the Firſt, intituled, *An Act for giving further Encouragement for the Importation of Naval Stores; and for other Purpoſes therein mentioned*; as relates to the Importation of Wood and Timber, and of the Goods commonly called *Lumber*, therein particularly enumerated, from any of his Majeſty's *Britiſh* Plantations or Colonies in *America*, free from all Cuſtoms and Impoſitions whatſoever, which was to be in Force for twenty-one Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-two; and which by ſeveral ſubſequent Acts made in the ſixteenth and twenty-fourth Years of the Reign of his preſent Majeſty, was further continued until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty-four, and from thence to the End of the then next Seſſion of Parliament.

Part of the Act of 8 Geo. 1. *c.* 12. relating to the Importation of Wood, Timber, and Lumber, from America,

16 *Geo.* 2. *c.* 26.
24 *Geo.* 2. *c.* 57.
further continued to 29 Sept. 1764.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the nineteenth Year of the Reign of his preſent Majeſty, intituled, *An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of* Weſtminſter, *and ſeveral Pariſhes near thereunto*; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and forty-ſix, for the Term of three Years, and from thence to the End of the then next Seſſion of Parliament; and which by two ſubſequent Acts, one of the twenty-third, and the other of the twenty-fourth Year of the Reign of his preſent Majeſty, was further continued until the firſt Day of *September* one thouſand ſeven hundred and fifty-ſeven, and from thence to the End of the then next Seſſion of Parliament; ſhall, and the ſame is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-nine.

Act 19 Geo. 2. *c.* 35. which was continued by ſeveral ſubſequent Acts,

23 *Geo.* 2. *c.* 26.
24 *Geo.* 2. *c.* 57.
further continued to 24 June 1759.
and again by 32 *Geo.* 2. *c.* 27. *with Explanations and Amendments.*

V. And

V. And whereas the Growth and Cultivation of Madder is of great Consequence to the Trade and Manufactures of this Kingdom: Therefore, for preventing the stealing or destroying of Madder Roots; be it enacted by the Authority aforesaid, That if any Person or Persons shall steal and take away, or wilfully and maliciously pull up, or destroy any Madder Roots growing or being in any Lands or Gounds belonging to any Person or Persons, and shall be thereof convicted before any Justice or Justices of the Peace of the County, Town or Place, where the Offence shall be committed, either by Confession of the Party offending, or by the Oath of any credible Witness or Witnesses (which Oath such Justice or Justices is and are hereby authorized and impowered to administer) every Person so offending, and being convicted of such Offence in Manner herein before mentioned, shall, for the first Offence, give and pay to the Owner or Owners of the Madder Roots so stolen, pulled up or destroyed, such Satisfaction for his or their Damage thereby sustained, and within such Time, as the said Justice or Justices shall appoint; and shall over and above pay down upon such Conviction unto the Oversees of the Poor of the Parish where the Offence or Offences was or were committed, for the Use of the said Poor, such Sum of Money not exceeding ten Shillings, as to the said Justice or Justices shall seem meet; and if any such Offender or Offenders shall not make such Recompence or Satisfaction to the said Owner or Owners, and also pay such Sum to the Use of the Poor, in Manner and Form aforesaid; then the said Justice or Justices shall and may commit such Offender or Offenders to the House of Correction, for any Space not exceeding one Month; or shall and may order such Offender or Offenders to be whipped by the Constable, or other Officer, as to the said Justice or Justices shall seem meet; and if any such Person or Persons shall again commit the like Offence, and be thereof convicted, as aforesaid, then, he, she or they so offending the second Time, and being thereof convicted as aforesaid, shall be committed to the House of Correction for three Months.

Persons convicted of stealing or destroying Madder Roots,

are, for the first Offence, to make Satisfaction for the Damage;

and pay to the Overseers of the Poor of the Parish, a Fine not exceeding 10 s.

or be committed to the House of Correction for one Month;

and on Conviction of a like Offence, the second Time are to be committed for three Months.

VI. Provided always, That no Person or Persons shall be prosecuted for any such Offence of stealing, pulling up, or destroying of Madder Roots, unless such Prosecution be begun within thirty Days after the Offence committed.

Prosecution to be within thirty Days after the Offence.

CAP. XXXVI.

An Act for continuing certain Laws therein mentioned relating to *British* Sail Cloth, and to the Duties payable on foreign Sail Cloth; and to the Allowance upon the Exportation of *British* made Gunpowder; and to the Encouragement of the Trade of the Sugar Colonies in *America*; and to the Landing of Rum or Spirits of the *British* Sugar Plantations, before the Duties of Excise are paid thereon; and for regulating the Payment of the Duties on foreign exciseable Liquors; and for the Relief of *Thomas Watson*, with regard to the Drawback on certain *East India* Callicoes; and for rendering more commodious the new Passage leading from *Charing Cross*.

Preamble.

'WHEREAS certain Laws herein after mentioned, are found to be very useful and beneficial to the Publick, and are near expiring, and it is fit they should be continued;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the ninth Year of the Reign of his present Majesty, intituled, *An Act for further encouraging and regulating the Manufacture of* British *Sail Cloth*; *and for the more effectual securing the Duties now payable on foreign Sail Cloth imported into this Kingdom*; which was to continue in Force from the twenty-fourth Day of *June* one thousand seven hundred and thirty-six, for the Term of five Years, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts made in the thirteenth and twenty-fourth Years of the Reign of his present Majesty, was further continued until the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

Act 9 Geo. 2. c. 37. which was continued by several subsequent Acts,

13 *Geo.* 2. c. 28.

24 *Geo.* 2. c. 52.

further continued to 29 Sept. 1764.

II. And be it further enacted by the Authority aforesaid, That an Act made in the fourth Year of the Reign of his present Majesty, intituled, *An Act for granting an Allowance upon the Exportation of* British *made Gunpowder*; which was to continue in Force for five Years, from the twenty-fourth Day of *June* one thousand seven hundred and thirty-one, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts made in the tenth, sixteenth and twenty-fourth Years of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof until the twenty-ninth Day of *September* one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

Act 4 Geo. 2. c. 29. which was continued by several subsequent Acts,

10 *Geo.* 2. c. 27.

16 *Geo.* 2. c. 26.

24 *Geo.* 2. c. 52.

further continued to 29 Sept. 1764.

III. And be it further enacted by the Authority aforesaid, That an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in* America; which was to continue in Force for five Years, to be com-

Act 6 Geo. 2. c. 13. which was continued by several subsequent Acts,

puted from the twenty-fourth Day of *June* one thousand seven hundred and thirty-three, and to the End of the then next Session of Parliament; and which by several subsequent Acts made in the eleventh, nineteenth, twenty-sixth and twenty-ninth Years of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty-one.

further continued to 29 Sept. 1761. *and farther by* 1 *Geo.* 3. *c.* 9

IV. And be it further enacted by the Authority aforesaid, That so much of an Act made in the fifteenth and sixteenth Years of his present Majesty's Reign, intituled, *An Act to impower the Importers or Proprietors of Rum or Spirits of the* British *Sugar Plantations, to land the same before Payment of the Duties of Excise charged thereon, and to lodge the same in Warehouses at their own Expence; and for the Relief of* Ralph Barrow, *in respect to the Duty on some Rock Salt lost by the Overflowing of the Rivers* Weaver *and* Dame, as relates to the landing of Rum, or Spirits of the *British* Sugar Plantations, before Payment of the Duties of Excise, and to the Lodging of the same in Warehouses at the Expence of the Importers or Proprietors thereof; which was to continue in Force until the twenty-ninth Day of *September* one thousand seven hundred and forty-nine, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the twenty-third Year of the Reign of his present Majesty, was further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued from the Expiration thereof until the twenty-ninth Day of *September* one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

Part of Act 15 & 16 Geo. 2. c. 25. relating to the Landing of Rum, &c. before Duty paid, which was continued by several subsequent Acts,

23 *Geo.* 2. *c.* 26.

further continued to 29 Sept. 1764.

V. And whereas no certain Time is appointed for the Proprietor or Proprietors, Importer or Importers, of all or any Kind of foreign Liquors liable to the Duties of Excise on the Importation thereof, to make due Entry thereof with the Officer of Collector appointed for the Excise in the Port or Place where the same shall be imported, and to pay the Duties for the same; and several Persons have refused or neglected, for a long Time after the Importation of such foreign exciseable Liquors, to make due Entry thereof, and have insisted to keep the same on board, and even in some Cases, when the Ships have been put into the Docks to be repaired; by which Means the Payment of the Duties due for the same, have been unfairly postponed and kept back, and the Revenue unnecessarily put to a very considerable Expence by keeping Tydesmen on board; and great Opportunities are also obtained for imbezilling or running on Shore all or Part of the said foreign or exciseable Liquors, without Payment of any Duties for the same, notwithstanding the utmost Care and Vigilance of the Officer to prevent the same: For Remedy whereof, be it enacted by the Authority aforesaid, That from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, the Proprietor or Proprietors, Importer or Importers, of any Kind of foreign Liquors, liable to the Duties of Excise, within thirty Days next after the Master or Purser for that Voyage of the Ship or Vessel wherein the said foreign exciseable Liquors, or any of them, shall be imported or brought into the Kingdom of *Great Britain*, shall have or ought to have made a just and true Entry or Report upon Oath, of the Burthen, Contents and Loading, of such Ship or Vessel, in pursuance of the Directions of the Statute made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for preventing Frauds, and regulating Abuses in his Majesty's Customs*; shall make due Entry with the Officer or Collector appointed for the Excise, in the Port or Place where such foreign exciseable Liquors shall be imported, of all such foreign exciseable Liquors on board of such Ship or Vessel belonging to such Proprietor or Proprietors, Importer or Importers; and shall then, or before, satisfy and pay the Duties of Excise due and payable for and in respect of the said foreign exciseable Liquors, and land the same; on Pain to forfeit for every Neglect or Refusal to make due Entry or Payment, or to land the same, according to the Directions of this Act, all such foreign exciseable Liquors, with the Casks and Package wherein the same shall be contained on board such Ship or Vessel belonging to such Proprietor or Proprietors, Importer or Importers of the same, so neglecting or refusing, which shall and may be seized by any Officer or Officers of the Excise.

Foreign Liquors liable to the Duties of Excise, are to be entered within 30 Days after the Report is made of the Contents and Loading of the Ship;

pursuant to the Act of 13 & 14 Car. 2. c. 11.

and the Duties to be paid then, or before, and the Liquors landed,

on Forfeiture of the Liquors, with the Package.

VI. Provided always, and it is hereby declared and enacted by the Authority aforesaid, That so long as the said Act of the fifteenth and sixteenth Years of his Majesty's Reign shall be continued and in Force, nothing in the Clause last before mentioned shall extend, or be construed to extend, in any wise to prevent or hinder the Proprietor or Proprietors, Importer or Importers, of any Rum or Spirits of the Growth, Produce or Manufacture of the *British* Sugar Plantations, as shall be imported into the Kingdom of *Great Britain*, directly from the said Sugar Plantations, or any of them (an Entry of such Rum or Spirits being first made within the said thirty Days, as directed by the said Clause last before mentioned) from forthwith landing such Rum or Spirits, and putting the same into such Warehouse or Warehouses, and from giving such Security for the due Payment of the Duties of Excise, in pursuance of the Directions of the said Act of the fifteenth and sixteenth Years of his Majesty's Reign, if he, she or they, shall chuse so do do, within the said Term of thirty Days.

During the Continuance of the recited Act of 15 & 16 Geo. 2. c. 25. the last mentioned Clause is not to extend to Rum or Spirits of the British Sugar Plantations;

but the same may be landed, and Security given for the Duties as the recited Act directs,

VII. And it is hereby further enacted by the Authority aforesaid, That in all Entries or Reports of any foreign Liquors, liable to the Duties of Excise, to be made by the Master or Purser of any Ship or Vessel, in pursuance of the said Act of the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, the Number of Casks or other Package, with the particular Numbers and Marks

In Entries of Foreign Liquors, pursuant to Act 13 & 14 Car. 2.

Marks of each of them, and the particular Kind of Liquors contained in each Cask or other Package, on board of each respective Ship or Vessel, shall be inserted in such Entries or Reports, on Pain for every Neglect or Refusal thereof, to forfeit such Liquor, with the Cask or other Package wherein the same shall be contained, which shall and may be seized by any Officer of the Excise; any Law, Custom or Usage to the contrary thereof in any wise notwithstanding: And that all Seizures to be made in pursuance of any of the Powers given by this Act, shall (all necessary Charges for the Recovery thereof being first deducted) be employed, one Moiety thereof to and for the Use of his Majesty, his Heirs and Successors, and the other Moiety to the Seizer or Prosecutor.

the Number of Casks, or other Package, with the Numbers and Marks thereon, and the Contents, are to be inserted, on Forfeiture of the Liquor and Package; one Moiety to go to the King, the other to the Seizer.

VIII. And, in order to enable the Gaugers or Officers of the Excise, the better to ascertain the Proof of all foreign imported Liquors, liable to the Duties of Excise; it is hereby further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Gaugers or Officers of the Excise, at any Time or Times, to take a Sample or Samples (not exceeding one Quart in the whole) out of each of the Casks or other Package, containing such foreign Spirituous Liquors, paying for such Sample or Samples of Liquors, after the Rate of sixteen Shillings *per* Gallon.

Gauger may take a Sample of the Liquors, in order to ascertain the Proof, paying for the same. *Concerning Spirituous Liquors see farther* 32 *Geo.* 2. *c.* 29. 33 *Geo.* 2. *c.* 9 & 28.

IX. And whereas by a sudden Fire which broke out in the Work-shop of *Thomas Watson* of *Morris's Causeway* in the Parish of *Lambeth* in the County of *Surry*, Callicoe Printer, on the eighth Day of *September* one thousand seven hundred and fifty-five, two thousand two hundred and one Pieces of printed *East India* Callicoes, of the Value of two thousand two hundred and forty-nine Pounds fifteen Shillings and eleven Pence, were burnt and destroyed: And whereas sundry Duties were paid at the Custom-house, *London*, upon the Importation of the said Callicoes, and the same were intended to have been exported to foreign Parts, being by Law prohibited to be worn in these Kingdoms, and upon the Exportation thereof, a Drawback to the amount of seven hundred and thirty-six Pounds and four Shillings, would have become payable to the Exporter thereof: For the Relief therefore of the said *Thomas Watson*; Be it enacted by the Authority aforesaid, That the Collector or other proper Officer of Officers of the Customs, at the Port of *London*, shall, and he and they are hereby impowered and required, to make out and grant a proper Debenture or Debentures, for the said two thousand two hundred and one Pieces of Callicoes, whereby the said *Thomas Watson* may be intitled to draw back such Part of the Duties paid on the Importation of the said Callicoes, as would have been drawn back upon the Exportation thereof, in the same Manner as if the said Callicoes had been exported to Parts beyond the Seas.

Debenture to be made out to Thomas Watson, for 2201 Pieces of Callicoes burnt, to intitle him to a Drawback of the Duties paid on the Importation.

X. And whereas the Passage called *The New Passage* leading from *Charing Cross* into Saint *James's Park*, is very narrow, inconvenient and dangerous, and it would be of publick Convenience to widen and render the same commodious; Be it therefore enacted by the Authority aforesaid, That the said Passage shall from henceforth be deemed and taken to be one of the Ways, Streets, Avenues or Passages within the Description of an Act passed in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act to enable the Commissioners for building a Bridge cross the River of* Thames, *from the City of* Westminster *to the opposite Shore in the County of* Surry, *to purchase Houses and Grounds, and to widen the Ways, and to make more safe and commodious the Streets, Avenues and Passages, leading from* Charing Cross, *to the two Houses of Parliament*, Westminster Hall, *and the Courts of Justice there; and* Westminster Bridge; *and to enable a less Number of Commissioners to execute the several Acts relating to the said Bridge, than at present are required by Law; and for Relief of* George *and* James King, *with Regard to a Lease taken by their late Father from the said Commissioners*, according to the true Intent and Meaning of the said Act; and all and every the Powers and Authorities, Clauses, Rules, Forms, Directions, Matters and Things, prescribed, mentioned, expressed and contained in the said Act, shall extend, and be deemed and construed to extend, to impower the said Commissioners, or any five or more of them, to widen and render safe and commodious for Carriages and Passengers on Foot, the said new Passage, as fully and effectually to all Intents and Purposes whatsoever, and in such Manner, and by such Ways and Means, as they the said Commissioners, or any five or more of them, are authorized and impowed to open and widen any Ways, Streets, Avenues or Passages, leading from *Charing Cross* to the two Houses of Parliament, *Westminster Hall*, and the Courts of Justice there, and *Westminster Bridge*, by virtue of the said recited Act, or by any of the Powers or Authorities thereby to them given.

The New Passage from Charing Cross into St. James's Park, is to be deemed one of the Ways intended to be widened, pursuant to the Act of 29 Geo. 2.

and the Commissioners are impowered to widen the same accordingly;

XI. And be it further enacted by the Authority aforesaid, That when the said Commissioners shall have caused to be opened and widened all such Ways, Streets, Avenues and Passages, from *Charing Cross* aforesaid, to the two Houses of Parliament, *Westminster Hall*, and the Courts of Justice there, and *Westminster Bridge*, according to the Directions of the said recited Act, if any Monies granted by Parliament, for the Purposes of the said Act, and the incidental Expences thereof, shall then remain in their Hands, they the said Commissioners, or any five or more of them, shall and they are hereby authorized, directed and required, to apply all such Monies, or so much thereof as shall be sufficient for that Purpose, in opening, widening and rendering safe and commodious for Carriages and Passengers on Foot, the said Passage now called *The New Passage*, leading from *Charing Cross* aforesaid into Saint *James's Park*, and in defraying the incidental Expences thereof, in such Manner as they, or any five or more of them, shall order, direct and appoint, according to the true Intent and Meaning of this Act.

and to apply such of the Surplus Monies remaining in their Hands after opening, &c. of the other Ways and Streets,

as shall be sufficient to render the said New Passage safe and commodious.

CAP. XXXVII.

An Act to permit the Exportation of certain Quantities of Malt now lying in his Majesty's Storehouses; and to allow the Bounty upon such Corn and Malt as was shipped and cleared for *Ireland*, on or before a limited Time; and to authorize the Transportation of Flour, Meal, Bread and Biscuit, to the Islands of *Guernsey* and *Jersey*, for the Use of the Inhabitants there, in lieu of the Wheat, Malt or Barley, which may now, by Law, be transported to those Islands.

Preamble, reciting certain Clauses and Provisoes in Act 30 Geo. 2. c. 1.

'WHEREAS by an Act of Parliament made in the last Session of Parliament, intituled, 'An Act to prohibit, for a Time to be limited, the Exportation of Corn, Malt, Meal, Flour, 'Bread, Biscuit and Starch,' It was enacted, That no Person or Persons whatsoever, at any Time or Times before the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, should directly or indirectly export, transport, carry or convey, or cause or procure to be exported, transported, carried or conveyed, out of or from *Great Britain* or *Ireland*, or load or lay on board, or cause or procure to be laden or laid on board, in any Ship or other Vessel or Boat, in order to be exported or carried out of the said Kingdoms of *Great Britain* or *Ireland*, any Sort of Corn, Meal, Malt, Flour, Bread, Biscuit or Starch, under the Penalties therein mentioned; and wherein is contained a Proviso, That the said Act or any Thing therein contained, should not extend to any of the said Commodities which should be exported, or shipped to be exported, out of or from *Great Britain* to *Ireland*, or from *Ireland* to *Great Britain*, or from *Great Britain* or *Ireland* to *Gibraltar*, or unto any of his Majesty's Islands or Colonies in *America*, that have usually been supplied with any of the said Commodities from *Great Britain* or *Ireland*, for the Sustentation of the Inhabitants of the said Islands, Colonies or Dominions, or for the Benefit of the *British* Fishery in those Parts only, under such Restrictions, and subject to such Forfeitures and Penalties, as are therein mentioned; and also another Proviso, That the said Act or any Thing therein contained, should not extend to any Wheat, Malt or Barley, to be transported out of or from the Port of *Southampton* only, unto the Islands of *Jersey* and *Guernsey*, or either of them, for the only Use of the Inhabitants of those Islands, so as the Exporter complied with the Requisites therein mentioned, and so as the Quantity of Wheat, Malt and Barley, which at any Time or Times after the passing of the said Act, and before the twenty-fifth Day of *December* one thousand seven hundred and fifty-seven, should be shipped at the said Port for *Jersey* and *Guernsey*, or either of them as aforesaid, did not exceed in the whole five thousand Quarters; and also another Proviso, That nothing in the said Act contained, should extend to any Malt declared or made for Exportation on or before the fourth Day of *December* one thousand seven hundred and fifty-six, which should be exported, provided the Requisites therein mentioned, were complied with by the Proprietor or Proprietors thereof: And whereas the said Act was, by an Act of Parliament made in this present Session of Parliament, further continued from the Expiration thereof, until the twenty-fourth Day of *December* one thousand seven hundred and fifty-eight; and in which said last-mentioned Act is contained a Proviso, That during the Continuance of such Act, the Bounty or Bounties granted by any Law upon the Exportation of any of the Commodities therein before-mentioned, should not be allowed or paid to any Person upon the Exportation thereof out of this Kingdom, to any Place whatsoever, or by whatsoever Authority the same may be exported: And whereas certain Quantities of Barley were making into Malt and declared for Exportation, by or on the Behalf of the Merchants of *Norwich* and *Yarmouth*, before or about the Time of the passing of the said first-mentioned Act; and such Malt was actually made before the End of *January* one thousand seven hundred and fifty-seven; and the same Malt is now lying in his Majesty's Storehouses under the Care of the proper Officers of Excise: And whereas the the said Malt is not fit for Home Consumption, but was manufactured for the *Holland* Market; and the said Merchants have not been able, by reason of the Act passed in this Session for continuing the said former Act, to export the said Malt within the Time limited by an Act for granting a Duty upon Malt; Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall be lawful for the Merchants of the City of *Norwich*, and Borough of *Yarmouth*, in the County of *Norfolk*, to export, and ship to export, out of this Kingdom, on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-eight, to any of the Ports in *Holland*, two hundred lasts of Malt, commonly called *Long Malt*, or any Part thereof, now lying in his Majesty's Storehouses, under the Care of the proper Officers of Excise, and which was entered and declared for Exportation, on or before the thirty-first Day of *January* one thousand seven hundred and fifty-seven, in the same Manner, as if no Act or Acts had ever passed to the contrary; so as the Exporter, before the Lading of such Malt, or laying the same on board any such Ship or Vessel, do become bound with other sufficient Security, in the treble Value thereof, to the Commissioners or other Chief Officer or Officers of his Majesty's Customs, belonging to the Port or Place where the same shall be shipped or put on board (who is hereby impowered to take such Security in his Majesty's Name, and to his Majesty's Use, and for which Security no Fee or Reward shall be given or taken) that such Malt shall be landed in *Holland* (the Danger of the Seas and the Enemy only excepted) and that such Malt shall not be landed or sold in any

Merchants of Norwich and Yarmouth permitted to export to Holland, within a limited Time, 200 Lasts of Long Malt, lying in the King's Storehouses, which were enter'd for Exportation on or before 31 Jan. 1757; they giving Security for the due landing, &c. thereof in Holland.

any other Place whatsoever; any thing contained in any former Act or Acts of Parliament to the contrary notwithstanding.

Proprietors discharged from all Penalties in respect of not clearing the said Malt out of their Storehouses within the Time limited by Law.

II. And be it further enacted by the Authority aforesaid, That each and every of the Proprietors of the aforesaid two hundred Lasts of Malt is and are hereby acquitted, freed and discharged of and from all Penalties whatsoever, by any former Act of Parliament laid or inflicted on him or them respectively, or which he or they respectively may be subject or liable to, for not removing or clearing the said two hundred Lasts of Malt, or any Part thereof, out of the Storehouse or Storehouses, or other Place or Places, within fifteen Months after the same was carried therein respectively; any Thing contained in any former Act or Acts of Parliament to the contrary in any wise notwithstanding.

Proprietors not intitled to any Bounty on the Exportation.

III. Provided always, That nothing herein contained shall intitle the Proprietor or Proprietors of the said two hundred Lasts of Malt, or of any Part thereof, to any Bounty or Bounties on such Exportation; any thing herein contained to contrary notwithstanding.

Inhabitants of Lynn and Wells, permitted to export to Holland, under like Regulations, 350 Lasts of Long Malt, lying in the King's Storehouses; which were entered for Exportation on or before 30 Jan. 1757; and they are likewise discharged from all Penalties in relation thereto.

IV. And whereas certain Quantities of Barley were making into Malt, and declared for Exportation, by or on the Behalf of several Persons inhabiting within the Districts of *Lynn* and *Wells*, in the Limits of the *Lynn* Collection of Excise in the County of *Norfolk*, on or before the thirtieth Day of *January* one thousand seven hundred and fifty-seven, and the said Malt is now lying in his Majesty's Storehouses, and is not fit for Home Consumption; Be it therefore further enacted by the Authority aforesaid, That it shall be lawful for the Inhabitants of the said Districts of *Lynn* and *Wells*, to export, and ship to export, out of this Kingdom, on or before the said twenty-ninth Day of *September* one thousand seven hundred and fifty-eight, to any of the Ports in *Holland*, three hundred and fifty Lasts of Malt, commonly called *Long Malt*, or any Part thereof, now lying in his Majesty's Storehouses, under the Care of the proper Officers of Excise, and which was entered and declared for Exportation, on or before the thirtieth Day of *January* one thousand seven hundred and fifty-seven, in such and the same Manner, and under the like Regulations as are herein before authorised and appointed with relation to the Exportation of Malt, by the Merchants of *Norwich* and *Yarmouth*; and the Inhabitants of the said Districts, shall be, and are hereby also in like Manner, freed and discharged from all Penalties incurred or to be incurred for not removing or clearing of the said three hundred and fifty Lasts of Malt, out of the Storehouses or other Place or Places, within the Time limited by any former Law for that Purpose; but nothing herein contained shall intitle any Proprietor Proprietors of the said three hundred and fifty Lasts of Malt, to any Bounty or Bounties on such Exportation; any Thing contained in any former Act or Acts of Parliament to the contrary notwithstanding.

Bounties granted by former Acts, on Exportation of Corn and Malt, to be allowed to Exporters of such Corn and Malt as was shipped for Ireland, on or before 24 Dec. 1757.

V. And whereas divers Persons within this Kingdom did actually ship, or cause to be shipped for Exportation to *Ireland*, divers Quantities of Corn and Malt, on or before the twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, and the Ships wherein the same were so shipped, were, on or before the said twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, actually cleared; Be it therefore further enacted by the Authority aforesaid, That the Bounty or Bounties granted on the Exportation of Corn and Malt by each and every of the Acts of Parliament now in Being, shall be allowed and paid to each and every of the Exporter and Exporters of Corn or Malt which was shipped and cleared for Exportation to *Ireland*, on or before the twenty-fourth Day of *December* one thousand seven hundred and fifty-seven, in the same Manner as if the said Act made in this present Session of Parliament had never been made; any Thing therein contained to the contrary notwithstanding.

Liberty granted of exporting from the Port of Southampton, within a limited Time, and in limited Quantities, Meal, Flour, Bread, or Biscuit, for the Use of the Inhabitants of Jersey and Guernsey; the same to be transported under certain Regulations.

VI. And whereas it would be of great Relief and Advantage to the Inhabitants of the Islands of *Jersey* and *Guernsey*, if a sufficient Quantity of Meal, Flour, Bread and Biscuit, was allowed to be transported to the said Islands, for the only Use of the Inhabitants there, instead of the like Quantity of Wheat, Malt or Barley, now allowed by Law to be transported to those Islands; Be it therefore further enacted by the Authority aforesaid, That it shall be lawful at any Time or Times before the twenty-fourth Day of *December* one thousand seven hundred and fifty-eight, to transport from the Port of *Southampton* only, unto the said Islands of *Jersey* and *Guernsey*, for the only Use of the Inhabitants there, any Quantity or Quantities of Meal, Flour, Bread or Biscuit, in lieu of the like Quantity or Quantities of Wheat, Malt, or Barley, now allowed by Law to be transported to the said Islands; so that the whole Quantity of Wheat, Malt, Barley, Meal, Flour, Bread and Biscuit, transported to the said Islands before the said twenty-fourth Day of *December* one thousand seven hundred and fifty-eight, doth not exceed the Quantity of Wheat, Malt, or Barley, now limited by Law to be transported to the said Islands; and such Transportation hereby authorised and allowed, shall be made under such and the like Regulations, Penalties and Forfeitures, as the Transportation of Wheat, Malt and Barley, to the said Islands is now subject; any Thing in any former Act or Acts contained to the contrary notwithstanding.

70 lb. Averdupoise Wt. deemed equal to a Bushel.

VII. And be it further enacted by the Authority aforesaid, That in order to ascertain the Amount of the said Transportation, every seventy Pounds Averdupoise Weight of Bread or Biscuit, shall be deemed respectively, for the Purposes of this Act, equal to one Bushel of Wheat, Malt, or Barley.

Account to be laid before Parliament of the Quantities so exported.

VIII. And be it further enacted by the Authority aforesaid, That the Commissioners of the Customs for the Time being shall, and they are hereby required to give a full and true Account in Writing to both Houses of Parliament, at the Beginning of the next Session thereof, of all Flour, Meal,

Meal, Bread and Biscuit, that shall have been exported to each of the said Islands of *Jersey* and *Guernsey*, by virtue or in pursuance of this Act.

General Issue.

IX. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance, and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer, against the Plaintiff, the Defendant or Defendants shall and may recover treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law.

Treble Costs.

CAP. XXXVIII.

An Act for applying a Sum of Money granted in this Session of Parliament towards carrying on the Works for fortifying and securing the Harbour of *Milford* in the County of *Pembroke*.

Preamble.

Enforced and amended by 32 *Geo.* 2. *c.* 26.

'WHEREAS the Harbour of *Milford* in the County of *Pembroke* is more conveniently 'situated for the fitting out of Fleets, and stationing of Cruizers, than any other Harbour 'in this Kingdom; and from the many great local Advantages attending it, would, if properly 'fortified and secured, greatly tend to facilitate the Naval Operations of this Kingdom, hitherto 'too frequently retarded, and sometimes intirely frustrated, from the Want of such a Port of 'Equipment:' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of all or any the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-eight, there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sum of ten thousand Pounds, towards carrying on the Works for fortifying and securing the Harbour of *Milford*, in the County of *Pembroke*.

10,000*l.* to be issued out of the Monies granted for the Service of the current Year, towards carrying on the Works for fortifying the Harbour of Milford.

Commissioners appointed for carrying the Purposes of this Act into Execution.

'II. And whereas it will be necessary to purchase Lands, Tenements and Hereditaments, in order 'for the constructing and carrying on the said Works;' Be it therefore enacted by the Authority aforesaid, That the Principal Officers of his Majesty's Ordnance, and the Justices of the Peace for the County of *Pembroke* for the Time being, shall be, and they are hereby appointed Commissioners for surveying and setting out all such Lands, Tenements and Hereditaments, and for executing the other Purposes of this Act, in Manner herein after-mentioned.

Commissioners may survey and set out the Lands proper to be purchased for carrying on the said Works;

and determine in a summary Way, all Claims and Controversies, &c. relating thereto.

III. And be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any five or more of them, or such Persons as they, or any five or more of them shall appoint, to enter upon, make Surveys of, and set out and describe by Lines, Stakes, or other Marks, such Lands, Tenements and Hereditaments, as they the said Commissioners, or any five or more of them shall think proper to be purchased, in order for the constructing and carrying on the Works for fortifying and securing the said Harbour; and the said Commissioners, or any five or more of them, are hereby impowered to hear and determine, in a summary Way, all Titles and Claims to, and Controversies concerning such Lands, Tenements and Hereditaments, and to make such Orders and Decrees relating thereto as they shall think proper.

Lands described within the Boundaries of such Survey, are vested in Trustees, for the Benefit of the Parties interested,

till the Purchase-monies are paid; or Certificates be made forth for the Payment.

IV. And be it further enacted by the Authority aforesaid, That from and immediately after the making of every such Survey respectively, all the Lands, Tenements and Hereditaments, lying within the Boundaries of such Descriptions respectively as aforesaid, shall be and are hereby vested, and declared to be in the actual and real Possession and Seisin of the Right Honourable *Arthur Onslow*, Speaker of the House of Commons; the Right Honourable *John Manners*, commonly called Marquis of *Granby*; the Right Honourable *Henry Bilson Legge*, Chancellor of his Majesty's Exchequer; the Honourable *George Townshend*, the Right Honourable *Charles Townshend*, the Honourable *Wilmot Vaughan*, and *Pryse Campbell* Esquire, their Heirs and Assigns, in Trust nevertheless, for such Person and Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, as at the Time of making such Survey respectively, are or shall be interested therein, according to their several Estates and Interests, in Possession, Reversion, Remainder, or otherwise, until the Purchase-monies for the same shall be paid, or Certificates for the Payment thereof, shall be made forth and deposited in such Manner as is herein after directed.

Commissioners impowered to treat for the absolute Purchase of such Lands; Conveyances thereof deemed valid.

Where Persons shall refuse to treat or agree,

V. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, may, and they are hereby impowered to treat and agree with the Owners of, and Persons interested in such Lands, Tenements and Hereditaments as aforesaid, for the absolute Purchase thereof; and all Conveyances of such Lands, Tenements and Hereditaments, by such Owners and Persons interested to the Trustees herein before appointed, shall be valid and effectual to all Intents and Purposes whatsoever; and in case any Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, shall refuse or neglect to treat or agree as aforesaid, for the Space of thirty Days after Notice in Writing given to such Person or Persons, or to the Principal Officer or

Officers of such Bodies Politick, Corporate, Ecclesiastical or Civil, or left at his, her or their respective Place or Places of Abode, or delivered to the Tenant or Tenants of the Premisses; or if through any Disability by Nonage, Coverture, or Special Limitations in any Settlement or Settlements, or by reason of any other Impeditament, such Owners or Persons cannot dispose of their respective Properties or Interests; in every such Case the said Commissioners, or any five or more of them, may, and are hereby authorised and required to issue forth their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of *Pembroke*, thereby commanding him to impanel, summon and return, before the said Commissioners, or any five or more of them, at such Time and Place, or Times and Places, as shall be appointed in such Warrant or Warrants, twenty-four Inhabitants of the said County, qualified to serve upon Juries, who upon their Oaths (which Oaths the said Commissioners, or any two or more of them, are hereby impowered to administer) shall inquire into, and by their Verdict, ascertain and assess the true and real Value of such Lands, Tenements and Hereditaments, and of the respective Estates and Interests therein; and the said Sheriff is hereby required to impanel, summon and return such Number of Inhabitants as aforesaid, and at the Return of such Warrant or Warrants, to attend the said Commissioners with his Bailiffs or Officers, to prove, if necessary, upon Oath (which Oath the said Commissioners, or any five or more of them are hereby impowered to administer) the Summons of the Jurors so impanelled and returned respectively; and in case the said Sheriff shall neglect or refuse (being duly served with such Warrant or Warrants fourteen Days or more before the Return thereof) to impanel, summon and return such Jury, or shall not attend the said Commissioners with his Bailiffs and Officers who shall have executed such Warrant or Warrants, then and in either of the said Cases the said Commissioners, or any five or more of them, are hereby authorised and required to impose a Fine upon such Sheriff, not exceeding twenty Pounds, nor less than ten Pounds, for any one Offence; and if any Person so to be impanelled, summoned and returned, shall not appear at the Return of such Warrant or Warrants, or appearing, shall refuse to be sworn for the Purposes aforesaid, or being sworn, shall depart without the Licence of the said Commissioners, or any five or more of them, before the Verdict is given, or shall not give his Verdict, or in any other Manner neglect his Duty in the Premisses; in every such Case, the major Part of the Commissioners then assembled may and are hereby impowered to set a Fine upon each Person so offending, and not having lawful Excuse (to be allowed by such Commissioners) not exceeding the Sum of ten Pounds upon any one Person for any one Offence; all which Fines, the said Commissioners, or any five or more of them, are hereby authorised and required to estreat into his Majesty's Court of *Exchequer*, to be levied to the Use of his Majesty.

or shall be disabled from treating, &c.

Warrant is to be issued to the Sheriff for summoning a Jury to assess the Damage and Recompence:

Sheriff to return and summon a Jury accordingly, and attend with his Officers, to prove the Service of such Summons;

on Penalty of forfeiting not exceeding 20*l.* nor less than 10*l.*

Juror neglecting his Duty without lawful Excuse,

liable to be fined not exceeding 10*l.*

Fines to be estreated into the Exchequer.

VI. And be it enacted by the Authority aforesaid, That in case a sufficient Jury shall not appear upon the Return of the said Warrant or Warrants, to take the Inquest, it shall be lawful for the said Commissioners, or any five or more of them, from time to time, to adjourn the Inquest to any future Day, not exceeding fourteen Days, nor less than four Days, from the Adjournment thereof; and to issue out their Warrant or Warrants for impanelling, summoning and returning a Number of Jurors equal to the Number of Jurors making Default, to attend such Commissioners at such adjourned Meeting, together with the Jurors before returned by the said Sheriff, or at any future Meeting or Meetings to be held by Adjournment or Adjournments, which the said Commissioners are hereby authorised to make from time to time.

A sufficient Jury not attending, the Inquest to be adjourned;

and a new Warrant issued for returning a sufficient Number of Jurors.

VII. Provided always, That twelve good and lawful Men shall be sufficient to take the Inquest aforesaid; and that in case twelve or more (not exceeding twenty-three in the Whole) shall appear and be sworn to take such Inquest, then and in such Case, the said Commissioners shall continue and sit from Day to Day, until the said Inquest shall be taken; and the Judgments and Decrees shall be made thereon by the said Commissioners, or any five or more of them.

Twelve to make a Jury; and, upon their being sworn, Commissioners to sit till the Inquest be taken, and Judgment given thereon.

VIII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, may and are hereby impowered to summon, by Writing under their Hands, any Person or Persons to attend any Meeting or Meetings of the said Commissioners, which shall be appointed for hearing and determining any such Titles, Claims and Controversies, or to attend any Jury to be summoned by virtue of this Act, and to examine such Person or Persons upon Oath, in relation to the Matters in Question; and to oblige any such Person or Persons to produce upon Oath all Deeds and Writings in his, her or their Custody, relating to the Premisses; (all which Oaths the said Commissioners, or any two or more of them are hereby impowered to administer.)

Commissioners may summon and examine Witnesses upon Oath,

and cause the Evidences and Writings of the Premisses to be produced.

IX. And be it further enacted by the Authority aforesaid, That five or more of the said Commissioners shall cause Notice to be given in Writing of the holding every Meeting for hearing and determining such Titles, Claims and Controversies as aforesaid, thirty Days at the least before every such Meeting is held; and also the like Notice of the Days appointed for the Meetings of such Juries as aforesaid; which Notices shall be affixed upon the respective Town Halls of *Pembroke* and *Haverford West*, and published in the *London Gazette*: And if any Person or Persons so summoned to attend the said Commissioners or Jury, shall not appear, or appearing, shall refuse to shew his, her or their Deeds or Writings relating to the Premisses; that then the said Commissioners, and also the said Jury, shall proceed and determine upon the best Information they can then procure or obtain; and if any Person summoned to attend such Commissioners or Jury as a Witness, shall not appear, or appearing, refuse to be sworn, or to give Evidence, the major Part of the Commissioners then assembled, may impose a Fine upon every Person so offending, and not having lawful Excuse (to be allowed by such Commissioners) not exceeding five Pounds upon any one Person for any one Offence;

30 Days Notice to be given of the Meetings of Commissioners for determining Claims; and of the Meetings of the Juries.

Persons summoned, refusing to appear, or to produce the Evidences of their Estates,

liable to be fined not exceeding 5*l.*

Offence; all which Fines shall be estreated and levied in such Manner as the Fines herein before mentioned are directed to be estreated and levied.

Decrees of Commissioners relating to Claims,

X. And be it further enacted by the Authority aforesaid, That the Orders and Decrees which shall be made by the said Commissioners, or any five or more of them, for ascertaining and determining any Titles or Claims to, or Controversies concerning such Lands, Tenements or Hereditaments; and also all Agreements which shall be made between the said Commissioners, or any five or more of them, and such Owners and Persons interested as aforesaid; and all Conveyances in Consequence thereof, and also all the Verdicts of the said Juries, and the Judgments and Decrees of the Commissioners, or any five or more of them, thereupon shall be final, and shall be binding and conclusive to all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil, their Heirs, Successors, Executors, Administrators and Assigns, and all other Persons whatsoever, claiming, or to claim, in Remainder, Reversion, or in any other Manner howsoever, notwithstanding any Disability or Incapacity; any Law, Statute or Custom, or other Matter or Thing whatsoever, to the contrary notwithstanding.

Agreements, Conveyances, Verdicts, and Judgments thereupon, to be final and conclusive.

Where Persons interested shall express their Desire to have their Claims ascertained by a Jury,

XI. Provided always, and be it further enacted by the Authority aforesaid, that if any Person or Persons interested, or claiming an Interest, in any such Lands, Tenements or Hereditaments, shall, by Writing under his, her or their Hand or Hands, to be delivered to the said Commissioners, or any five or more of them, either before such Commissioners shall proceed to determine the Titles and Claims to, and Controversies concerning such Lands, Tenements or Hereditaments, or within the Space of thirty Days after any such Determination shall be made, express his, her or their Desire that such Titles, Claims, and Controversies, may be ascertained by a Jury; then in every such Case, the said Commissioners, or any five or more of them, shall Cause the same to be ascertained and determined by a Jury to be impanelled, summoned and returned, in such Manner, and under such Fines, as is and are herein before mentioned, and authorized to be imposed with respect to the assessing the Values of any such Lands, Tenements, or Hereditaments; and the Verdict of every such Jury in relation to such Titles, Claims and Controversies, and the Judgments and Decrees of the Commissioners thereupon, shall be final, binding and conclusive, to all Intents and Purposes, in Manner before mentioned.

the Commissioners are to cause a Jury to be impanelled and returned for that Purpose.

Verdict of the Jury, and Judgment of the Commissioners thereon, to be final and conclusive.

Entry to be made of all Orders, Judgments Decrees, Agreements, and Verdicts;

specifying the Houses, Number of Acres, or Parcels of Land, their Abuttals and Boundaries, and Parties interested;

and the Sums to be paid for the same.

Duplicates thereof to be ingrossed on Parchment, and certified to the Clerk of the Crown, and Remembrancer of the Exchequer.

XII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall cause all their Orders, Judgments, and Decrees, and also all such Agreements and Verdicts, to be entered in a Book or Books; and in such Orders, Judgments, Decrees and Agreements respectively, shall be expressly mentioned and specified, the respective House or Houses, Number of Acres, or Parcels of Land, with their several Abuttals and Boundaries, and the Name or Names of every Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, who shall be adjudged to be interested therein; and also the respective Sum or Sums of Money which shall be agreed for between the said Commissioners and Parties interested, or which shall be assessed by such Jury to be paid for the same respectively; and all such Orders, Judgments, Decrees, Agreements and Verdicts, shall be also fairly ingrossed on Parchment, and certified under the Hands and Seals of five or more of the said Commissioners to the Clerk of the Crown in Chancery, and to the King's Remembrancer in his Majesty's Court of Exchequer.

Certificates to be granted to the Parties interested;

XIII. And be it further enacted by the Authority aforesaid, That the said Commissioners, or any five or more of them, shall be and are hereby required, without Fee or Reward, to give their Certificate or Certificates in Writing, under their Hands, to every Proprietor, and other Person interested in the Premisses, expressing the respective House or Houses, Number of Acres or Parcels of Land, and their several Abuttals and Boundaries, with the Name or Names of the Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil; and the Sum or Sums he, she or they is or are to receive for the same; and such Certificates respectively shall authorize the Surveyor General of the Ordnance for the Time being, to make out and allow a Bill or Bills to the Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, mentioned in such Certificates respectively; and in which Bill or Bills shall likewise be expressed the respective House or Houses, Number of Acres or Parcels of Land, and their several Abuttals and Boundaries, together with the Name or Names of the Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil as aforesaid, and the respective Sum or Sums to be paid; and thereupon one or more Debenture or Debentures shall be prepared for the several and respective Sums as aforesaid, by the Clerk of the Ordnance for the Time being, and signed by three or more of the principal Officers of the Ordnance for the Time being; and such Debentures are hereby required to be paid out of the Sum of Money hereby appropriated by the Treasurer of the Ordnance for the Time being, who shall take Acquitances from the Parties indorsed thereon; and that immediately from and after the Delivery of such Certificates to the Persons interested as aforesaid, the Trustees before mentioned shall be deemed and adjudged to stand seised of the Premisses mentioned in such Certificates respectively, to and for the Use of his Majesty, his Heirs, and Successors for ever; and if any Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, shall wilfully refuse to accept of or receive any such Certificate, that then, and in such Case, it shall be lawful for the said Commissioners, or any five or more of them, to leave and deposit such Certificates with the Clerk of the Peace of the said County of *Pembroke*, and shall make an Entry in their Books of the same, which shall be taken and deemed to be valid;

Surveyor General of the Ordnance to make out Bills thereupon,

with Debentures for the Sums certified,

to be paid by the Treasurer.

Trustees thereupon, to stand seised of the Premisses.

Certificates on refusal to be accepted,

may be deposited with the Clerk of the Peace.

valid; and such Lands, Tenements and Hereditaments respectively, shall from thenceforth be vested to the Use of his Majesty, his Heirs and Successors, as if such Certificate had been received by the Parties intitled thereto.

Where Parties interested shall be incapable of taking and disposing of the Purchase Monies,

XIV. And be it further enacted by the Authority aforesaid, that if any such Lands, Tenements or Hereditaments, or any Interest therein, shall belong to any Corporation, or Body Politick, Ecclesiastical or Civil, or to any other Person or Persons whatsoever, who by reason of any Disability, are not able or capable, by Law, to take and dispose of the several Sums which shall be due and payable for and in respect of their several Interests; in every such Case, it shall be lawful for the said Commissioners, or any five or more of them, to direct, order and decree, into whose Hands such Sums of Money shall be paid for the Use of such Corporation, or Bodies Politick, Ecclesiastical or Civil, and the respective Persons interested therein; which several Sums of Money, shall, with all convenient Speed, be laid out according to such Directions as the said Commissioners, or any five or more of them, shall from time to time give, for the purchasing other Lands, Tenements or Hereditaments, in Places most convenient for the Parties interested, their Heirs and Successors; and as soon as proper Purchases can be found, the Estates so purchased shall be conveyed and settled to the same Uses, Intents and Purposes, as the former Estates were settled at the Time they shall become vested in the Trustees appointed by this Act; and until such Settlements can be made, it shall be lawful for the said Commissioners, or any five or more of them, to place such Monies out at Interest on Parliamentary Funds, or other good Securities; which Interest shall, from time to time, as the same shall grow due, be paid to the several and respective Parties interested in such Principal Sums.

the Commissioners are to decree into whose Hands the same shall be paid for their Use;

and the Money to be laid out in other Purchases, to be settled to like Trusts and Uses;

and till it shall be so employed, may be placed out at Interest.

Commissioner not to act where he is interested.

XV. Provided always, and be it further enacted by the Authority aforesaid, That no Commissioner shall act for any of the Purposes aforesaid, in any Case where he is particularly concerned in Interest.

Account of the Application of the Monies for carrying on the Works, to be laid every Year before Parliament.

XVI. And be it further enacted by the Authority aforesaid, That an Account of the Application of the Monies hereby appropriated towards carrying on the Works for fortifying and securing the said Harbour, shall be laid before both Houses of Parliament, within twenty Days after the opening of every Session of Parliament.

Charges of this Act to be first paid.

XVII. And be it further enacted by the Authority aforesaid, That all such Costs and Charges as shall be incurred in obtaining this Act, shall be, in the first Place, paid out of the Monies hereby granted.

Limitation of Actions.

XVIII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any thing done in pursuance of this Act, every such Action and Suit shall be commenced within the Space of twelve Calendar Months next after the Cause of such Action or Suit shall have arisen, and not afterwards; and the Defendant or Defendants in all such Actions and Suits may plead the General Issue, and give the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance of this Act; and if the same shall appear to have been so done; or if any such Action or Suit shall not be commenced within the Time before limited; then, and in either of such Cases, the Jury shall find for the Defendant or Defendants; and if a Verdict shall be found for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance after the Defendant or Defendants shall have appeared; or if upon any Demurrer, Judgment shall be given for the Defendant or Defendants; in each of the Cases aforesaid, the Defendant or Defendants shall have treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have for recovering Costs in other Cases by Law.

General Issue.

Treble Costs.

CAP. XXXIX.

An Act for vesting certain Messuages, Lands, Tenements and Hereditaments, for the better securing his Majesty's Docks, Ships, and Stores, at *Portsmouth*, *Chatham*, and *Plymouth*, and for the better fortifying the Town of *Portsmouth*, and Citadel of *Plymouth*, in Trustees, for certain Uses; and for other Purposes therein mentioned.

Preamble.

See 32 Geo. 2. c. 39. for making Compensations to the Proprietors.

'WHEREAS by the unjust and hostile Invasion lately made on his Majesty's Dominions in *America*, and the *Mediterranean*, and by great Preparations made in *France*, for invading these Realms, it became absolutely necessary for the Security of his Majesty's Docks, Ships of War, and Stores, to erect and raise Fortifications and Intrenchments near the Docks of *Portsmouth*, *Chatham*, and *Plymouth*: And whereas certain Lands herein after particularly mentioned, lying near the said Docks of *Portsmouth*, *Chatham*, and *Plymouth*, have been made use of in making Intrenchments, and raising Lines and Fortifications, for the Defence and Security of the said Docks: And whereas some Part of the said Lands made Use of for that Purpose, lies open, and in common, to many Owners and Proprietors of Lands near adjoining, for which they claim a Right of Common on the said Lands; and other Parts of the said Lands so made use of, are so limited by Settlement, that the Owners thereof cannot make a clear Title and Conveyance, without the Authority of Parliament; and other Parts of the said Lands may be the Property of Ecclesiastical Persons, or Persons not capable of making a legal Conveyance thereof; and all the said Lands may be subject and liable to Quit Rents, Tythes, and other small Outgoings, from which

'the Owners thereof may not, without the Authority of Parliament, be able to diſcharge the ſaid 'Lands: And whereas many of the Owners and Proprietors of the ſaid Lands ſo made uſe of (to 'make an unreaſonable Gain to themſelves) may inſiſt on large and extravagant Demands, for the 'Damage and Injury they may pretend to have ſuſtained by Means or Reaſon of erecting the ſaid 'Fortifications: And whereas many Perſons may pretend or claim to have Title to the ſame Lands, 'ſo that it may be doubtful to whom a Compenſation ought to be made, which cannot be determin-'ed without the Aid of Parliament: To the End therefore that the true and real Value of the ſaid 'Lands may be aſcertained, and the actual and real Owners and Proprietors may have a juſt and 'reaſonable Satisfaction for the ſaid Lands, or for any Claim or Right thereto;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That all thoſe ſeveral Pieces or Parcels of Land on which the Line ranging North from the Gun Wharf Wall at *Plymouth Dock*, in the Pariſh of *Stoke Damerell*, in the County of *Devon*, to the Wharf of *Joſeph Hooper* Ship-Wright, on the South; and all thoſe ſeveral Fields and Pieces or Parcels of Land lying on the North and Eaſt Sides of the ſaid Line; and all thoſe ſeveral Fields and Pieces or Parcels of Land lying within the Line, as the ſaid Land is bounded and marked out for compleating the Fortifications, or intended for the Security of his Majeſty's Dock Yards, Ships, and Stores, at *Plymouth* aforeſaid; all which ſaid ſeveral Pieces and Parcels of Land are ſituate, lying and being in the ſaid Pariſh of *Stoke Damerell*, and contain together one hundred ninety-five Acres, one Rood, and nine Rod, by Statute Meaſure, together with all Houſes, Outhouſes, Mills, Edifices, and Buildings thereon, or on any Part thereof, erected and built, and all Ways, Waters, Watercourſes, Paths, Paſſages, Eaſements, and Appurtenances, thereunto belonging; and alſo all that Meſſuage or Tenement with the Outhouſes, Yards, Gardens, and Appurtenances, ſituate, lying and being in or near the Town of *Plymouth*, in the ſaid County of *Devon*, and adjoining or very near to the North Side of the Citadel of *Plymouth* aforeſaid; and alſo all that Piece or Parcel of Marſh Ground containing in Statute Meaſure ſixteen Acres, three Rood, and twenty-five Rod, near *Portſea Lake*, being Part of a Marſh called the *Great Marſh*, belonging to *William Pike* of *Portſmouth*, in the County of *Southampton* Eſquire; and alſo all that Piece or Parcel of Meadow or Paſture Ground containing, in Statute Meaſure, two Acres, two Rood, and twenty-eight Perch, adjoining to the ſaid Piece of Marſh Ground laſt-mentioned, being Part of a Meadow or Piece of Paſture Ground belonging to the ſaid *William Pike*; and alſo all that Cottage and Garden ſituate near the ſaid Meadow or Paſture Ground laſt-mentioned; and alſo all that Piece or Parcel of Waſte Ground containing in Statute Meaſure ninety-five Acres, one Rood, and eight Rod, being Part of a large Piece of Marſhy Waſte Ground commonly called *Hilſey Green*, otherwiſe *Hilſey Common*; all which ſaid Cottage, Garden, Meadow, Marſh, and Waſte Ground, are ſituate and being in the Pariſh of *Wimering*, in the ſaid County of *Southampton*; and alſo all that the common Field of *Hilſey*, commonly called or known by the Name of *Breach*, ſituate and being in the ſaid Pariſh of *Wimering*, containing together, in Statute Meaſure, ſixteen Acres, two Roods, and twenty-three Rods and an Half; and all that Piece or Parcel of Garden Ground, now taken into the ſaid Field on the Eaſt Side thereof, from a Tenement called *Griffin's Tenement*; and all that Piece or Parcel of Paſture Land adjoining to, and at the North End of the ſaid Field, containing, in Statute Meaſure, one Acre and nineteen Rods; and all that Barn and Yard adjoining to the Weſt Side of the Field, now or late in the Occupation of *William Watmore*; all which ſaid Premiſſes laſt mentioned are ſituate in the ſaid Pariſh of *Wimering*; and alſo all that Piece or Parcel of Land, containing, in Statute Meaſure, two Acres, three Rood, and thirty-one Rod, Part of a Cloſe of Land called *Moor Cloſe*, otherwiſe *Morrice Cloſe*; and all that Piece or Parcel of Paſture Land, containing, in Statute Meaſure, two Acres, three Rood, and one Rod, Part of a cloſe of Land called *Hambrooke*; and all that Piece or Parcel of Paſture Land, containing, in Statute Meaſure, one Acre, three Rood, and twenty-Rod, Part of a Cloſe of Land called *Haven's Croft*; all which ſaid three Pieces or Parcels of Land are ſituate in the Pariſh of *Portſea*, in the ſaid County of *Southampton*, near the Fortifications of the Town of *Portſmouth* aforeſaid; and alſo thoſe three Pieces or Parcels of Furze Land, containing together, by Statute Meaſure, twenty-five Acres, three Rood, and ſixteen Perches; and alſo two Pieces or Parcels of Arable Land, containing together, by Statute Meaſure, fourteen Acres, two Rood, and two Perch; all which five ſeveral Pieces or Parcels of Furze and Arable Land, are ſituate on the North Side of *Forton Lake*, near *Goſport*, in the Pariſh of *Alverſtoke*, in the ſaid County of *Southampton*; and alſo all that Piece or Parcel of Land, ſituate near *Brompton*, containing two Acres, two Rood, and twenty Rod, be the ſame more or leſs; and all that Piece or Parcel of Land adjoining to the ſaid laſt mentioned Piece of Land, containing ſix Acres three Rood, and thirteen Rod, be the ſame more or leſs; which ſaid two Pieces of Land were formerly Part of two Fields called *Brick Kiln Field*, and *Great Binſteads*; and alſo all that Piece or Parcel of Land lying at the South Eaſt Corner of his Majeſty's Lines at *Chatham*, containing four Acres and one Rood, be the ſame more or leſs, now in the Tenure or Occupation of *Thomas Field*, Inholder, his Undertenants or Aſſigns; all which ſaid three Pieces or Parcels of Land are ſituate and being in or near *Chatham* aforeſaid, in the County of Kent; ſhall be, and are hereby veſted and ſettled and declared and taken to be in the actual and real Poſſeſſion and Seiſin of the Right Honourable *Arthur Orſlow* Eſquire, the Right Honourable *Charles Powlett* Eſquire, commonly called Marquis of *Wincheſter*; *Alexander Thiſlethwayte* Eſquire; Sir *William Courtenay* Baronet; Sir *Richard Warwick Bampfylde* Baronet; the Honourable *Lewis Watſon* Eſquire; the Honourable *Robert Fairfax* Eſquire; Sir *John Moleſworth* Baronet; *James Buller* Eſquire; their Heirs and Aſſigns,

Specification of Land to be taken into the intended Works and Fortifications at Plymouth, Portſmouth, and Chatham and to veſt in certain Truſtees, till the Purchaſe money for the ſame be aſcertained and paid;

Truſtees Names.

Assigns for ever, in Trust nevertheless for such Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, as at or immediately before the Time of making this Act, were the several and respective Owners and Proprietors thereof, according to their several Estates and Interests therein at the same Time, in Possession, Reversion, Remainder or otherwise, until such Estates and Interests shall be respectively adjudged and determined, and the several Sum or Sums of Money, and Interest for the same, after the Rate of four Pounds *per Centum* for one Year, for the gross Sum that shall be assessed for the true and real Value thereof, in Manner and Form as is herein after mentioned and expressed, shall be paid.

4 l. per Cent. Interest allowed for 1 Year, on the gross Sum assessed for the Value of the Premisses.

II. And be it further enacted by the Authority aforesaid, That reasonable and just Compensation and Satisfaction shall be made out of the next Aids to be granted in Parliament, for and in respect of the said Lands herein before mentioned, to all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil.

Purchase-money to be paid out of the next Aids granted in Parliament.

III. And be it further enacted, That for the better ascertaining the several Owners and Proprietors of the said Lands, and their respective Titles and Claims thereto, it shall and may be lawful to and for his Majesty, by one or more Commission or Commissions, by Letters Patent under the Great Seal of *Great Britain*, to authorize and appoint any Number of Persons to be Commissioners to hear and determine all Titles and Claims that shall or may be made to the said Lands, Tenements and Hereditaments, or to any Part or Parcel thereof; which Commissioners so to be appointed, or any five or more of them, are hereby authorized and required, and shall and may, in a summary Manner, proceed, act and determine, by and upon the Testimony of Witnesses, upon Oath (which Oath they, or any five or more of them, are hereby impowered to administer) Inspection and Examination of Deeds, Writings and Records, or by Inquest of twelve good and lawful Men to be impanelled and sworn in Manner herein after mentioned and directed, or by all or any of the said Ways, or otherwise according to their Direction, all and all Manner of Rights, Estates and Interests, and all Controversies, Debates and Questions, which shall happen and arise between any Person or Persons whatsoever, or any other Matter or Thing relating to any of the Premisses, or any Part thereof; and shall have Power to send for any Person or Persons, and oblige them to produce their Deeds or Writings, upon Oath, relating to any of the same Premisses; and also shall and may, by Agreement with the respective Person or Persons that shall be determined to be the Owners and Proprietors of the said Lands, or by the said Inquest of the said twelve good and lawful Men to be impanelled and sworn, inquire, proceed, act and determine, touching and concerning the true and real Value the said Premisses, or any Part or Parcel thereof, were or was of at the Time the same were first made use of for the Purposes aforesaid; and the said Commissioners, or any five or more of them, are hereby required to cause all their Judgments and Decrees to be entered fairly in Books; which Judgments and Decrees shall expressly mention and specify the respective House or Houses, Number of Acres or Parcels of Lands, with their several Abuttals and Boundaries, together with the Name or Names of every Person or Persons interested respectively in the same, and the respective Sum or Sums that shall be so agreed for, or assessed by the said Jury to be paid for the same respectively; which Judgments and Decrees shall likewise be fairly ingrossed on Parchment, and certified to the Clerk of the Crown in Chancery, and to the King's Remembrancer in his Majesty's Court of *Exchequer*; and such Judgments and Decrees made as aforesaid shall be final, and shall conclude all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil, their Heirs, Successors, Executors, Administrators and Assigns respectively, notwithstanding any Disability or Incapacity whatsoever; any Law, Statute or Custom, or other Matter or Thing whatsoever, to the contrary notwithstanding; Copies of which said Judgments and Decrees shall be laid forthwith before both Houses of Parliament, that a just and reasonable Compensation and Satisfaction may be made to the several Owners and Proprietors of the said Lands, Tenements and Hereditaments.

Commissioners of Claims to be appointed by his Majesty;

who are to proceed in a summary Way in their Determinations, by Examination of Witnesses, and Inspection of Evidences, or by a Jury of Inquest;

with Power to send for Persons and Papers;

and to agree for, or determine the Value of the Premisses, by any of those Ways and Means;

their Judgments and Decrees to be entered in proper Books, specifying the Particulars of the Lands, the Proprietors, and Purchase money;

and a Duplicate thereof, ingrossed on Parchment, to be certified to the Clerk of the Crown in Chancery, and to the Remembrancer in the Exchequer; the same to be final and conclusive;

and Copies thereof to be laid before Parliament, in order to the granting a Compensation to the Proprietors.

IV. And be it further enacted by the Authority aforesaid, That for the better carrying the said Commission or Commissions into Execution, the said Commissioners to be appointed in and by the said Commission or Commissions, or any five or more of them, shall, and lawfully may, and are hereby authorized and required, to issue forth their Warrant or Warrants, under their Hands and Seals, to be directed to the respective Sheriffs of the respective Counties wherein such Messuages, Lands, Tenements or Hereditaments shall lie, thereby commanding them respectively to impanel, summon and return, before the said Commissioners, at such Times and Places as shall be appointed in such Warrant or Warrants, a good and sufficient Jury of substantial Gentleman and Freeholders, who, upon their Oaths (which the said Commissioners, or any five or more of them, shall have Power to administer) shall enquire into the true and real Value of the said Messuages, Lands, Tenements and Hereditaments, and every Part or Parcel thereof, and who respectively are the Owners and Proprietors thereof, and their respective Estates and Interests therein; and the Sheriffs of the said Counties respectively, upon Receipt of such Warrant or Warrants from the said Commissioners as aforesaid, are hereby required to impanel, summon and return twenty-four good and lawful Men, substantial Gentlemen and Freeholders of the respective Counties; and at the Return of such Warrant or Warrants to attend the said Commissioners, with his Bailiffs or Officers, to prove, if necessary, the Summons of the Jurors so to be impanelled and returned respectively, upon Oath; which Oath the said Commissioners, or any five or more of them, shall have Power to administer to the said Sheriff,

Commissioners may issue Warrants to the respective Sheriffs for impanelling and summoning Juries;

Sheriff to obey the said Warrants, and summon and return a Jury accordingly;

and to attend on the Return, with his Officers to prove the Service of such Summons, if necessary,

Sheriff neglecting his Duty in any of the Premisses,

to be proceeded against in a summary Way, upon Complaint to the Court of Chancery, &c. till he shall have made Satisfaction,

and complied with such Warrant.

Juror neglecting his Duty, without lawful Excuse, may be fined in a Sum not exceeding 20*l.*

Fines to be estreated into the Exchequer.

Inquest to be adjourned for want of a sufficient Jury;

and Warrants to be issued for returning a proper Number of Jurors.

Twelve to be a Jury; and upon the Jurors being sworn, Commissioners to continue sitting, till the Inquest be taken, and Judgment be given thereon.

30 Days previous Notice to be given of Commissioners Meeting for the Purposes aforesaid;

and where Persons refuse to appear, or produce the Evidences of their Claims,

Inquest, &c. to be made upon the best Information can be had.

Upon Payment of the Sums awarded to the Proprietors,

the Trustees are to stand seised of the Premisses, divested of all Right and Claim.

No private Buildings to be erected on the said Lands;

and the Profits arising therefrom, to be applied in Reparation of the Fortifications.

Sheriff, and his Baalliffs and Officers, or any or either of them; and in case the said Sheriff or Sheriffs of the said Counties, or any or either of them, shall neglect or refuse, being duly served with such Warrant or Warrants of the said Commissioners fourteen Days before the Return thereof, to impanel, summon and return such Jury of good and lawful Men as aforesaid, or shall not attend the said Commissioners with his Bailiffs and Officers, who shall summon the said Jurors at the Return of such Warrant or Warrants as aforesaid; then, and in either of the said Cases, upon Complaint made upon Oath, in his Majesty's High Court of Chancery, it shall and may be lawful to and for the said Lord High Chancellor, Lord Keeper of the Great Seal of *Great Britain*, or Lords Commissioners for executing the Office of Keeper of the Great Seal of *Great Britain*, or for the Master of the Rolls for the time being, to proceed in a summary Way, by Motion made in the said Court against the said Sheriff, as for a Contempt of that Court, until the said Sheriff or Sheriffs shall have made Satisfaction to his Majesty, and all other Person and Persons that shall receive any Injury by such Neglect or Refusal of the said Sheriff or Sheriffs respectively to comply with such Warrant or Warrants as aforesaid; and in case the said Jurors so to be impanelled, summoned and returned, or any or either of them, shall neglect or refuse to appear at the Return of such Warrant or Warrants, and to be sworn for the Purposes aforesaid; then, and in such Case, it shall and may be lawful to and for the said Commissioners then assembled and met, to set a Fine upon each and every of the Jurors so impanelled, summoned and returned, and without lawful Excuse (to be allowed of by the said Commissioners then sitting, or the major Part of them) making Default, or refusing to be sworn, not exceeding the Sum of twenty Pounds of lawful Money of *Great Britain*; which Fine and Fines so to be set, the said Commissioners are hereby authorized and required to estreat into his Majesty's Court of Exchequer, to be levied to the Use of his Majesty.

V. And be it enacted by the Authority aforesaid, That in case a sufficient Jury shall not appear upon the Return of the said Warrant or Warrants to take the Inquest, it shall and may be lawful to and for the said Commissioners, or any five or more of them, to adjourn the said Inquest to any future Day, not exceeding fourteen Days, nor less than four Days from the Adjournment thereof; and to issue out their Warrant or Warrants for impanelling, summoning and returning an equal Number of Jurors with the said Jurors so making Default, who, together with the Jurors before returned by the Sheriffs of the respective Counties, upon such second Warrant or Warrants, afterwards to be issued, or upon any future Warrant or Warrants, Adjournment or Adjournments, which the said Commissioners are hereby authorized to issue and make, from Time to Time, until a sufficient Jury can be had, shall inquire as aforesaid.

VI. Provided always, That twelve good and lawful Men shall be sufficient to take the Inquest aforesaid, and that in case twelve or more (not exceeding twenty-three in the whole) shall appear and be sworn to take such Inquest, then and in such Case, the said Commissioners shall continue and sit, from Day to Day, until the said Inquest shall be taken, and the Judgments and Decrees thereon made.

VII. And, to the Intent that no Person or Persons may have any Excuse or Pretence for not appearing to make out their Claim or Title to the said Messuages, Lands, Tenements or Hereditaments, or any Part or Parcel thereof; Be it further enacted by the Authority aforesaid, That five or more of the said Commissioners, shall give Notice in Writing thirty Days at least before their Meeting at each Place; which Writing shall be affixed at the Gates of the respective Docks of *Portsmouth*, *Chatham*, and *Plymouth*; and on the Door of the respective Town Halls of *Portsmouth*, *Rochester* and *Plymouth*; and shall likewise cause it to be published in the *London Gazette:* And if any Person or Persons shall neglect or refuse to appear; or when he or they shall appear, shall wilfully refuse to shew his or their Deeds or Writings relating to the Premisses, that then the said Commissioners, or any five or more of them, and the Jurors to be impanelled and sworn upon such Inquest, shall proceed, upon the best Information they can get or have, to make such Inquest, Judgments and Decrees, as before directed; and all such Judgments and Decrees being entered and certified as aforesaid, shall be final and conclusive.

VIII. And be it further enacted by the Authority aforesaid, That from and after the Time that Payment shall be made of the Sum and Sums of Money so to be agreed for or assessed by the said Jury, and decreed and adjudged by the said Commissioners, or any five or more of them, to the said Owners and Proprietors of the said Lands, Tenements and Hereditaments, herein before mentioned, or to any or either of them, the said Trustees, herein before mentioned, shall be deemed and adjudged to stand seized of such Part or Parcel of the said Premisses as shall be so paid for, to and for the Use of his Majesty, his Heirs and Successors for ever, freed and discharged of and from all and all Manner of Right, Title, Claim and Demand whatsoever, that can or may be made by any Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil.

IX. And be it further enacted by the Authority aforesaid, That no private Building or Buildings, shall be made or erected upon any of the Lands vested in his Majesty as aforesaid; and that the whole Profits arising, or that shall hereafter arise from the said Lands, be, and are hereby appropriated and applied for and towards the Erection and Reparation of the respective Fortifications of each Place, and to no other Use or Purpose whatsoever; and all and singular the Premisses, shall be, and are hereby enacted and declared to be, unalienable from the Crown, neither shall any Part of the Premisses be demised or demiseable, otherwise than during Pleasure only.

X. And

X. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon the Complaint of any Owner or Owners of any Messuages, Lands or Hereditaments, adjoining to any Part of the Lands by this Act vested in the said Trustees, that he, she or they, have received any Damage, by making and raising the said Intrenchments, Lines or Fortifications, to inquire, hear and make an Estimate of the Damage that shall be sustained by any such Owner or Owners of the neighbouring Lands so complaining, by Means or Reason of making and erecting the said new Works, and shall return such Estimate, with and in the Manner they return their Decrees and Judgments touching the Lands actually made use of in the said Works; and may also consider and report their Opinions and Sentiments, what Roads may be properly laid out for the Conveniency of the Owners of adjacent Lands, without Prejudice to the said Fortifications.

Commissioners, upon Complaint made to them are to enquire into, and make an Estimate of, the Damage done to private Grounds, by making the New Works;

and to report their Opinions as to what Roads may properly be laid out for the Conveniency of the adjacent Lands.

XI. Provided also, and be it further enacted, That it shall and may be lawful to and for the Lord and Lords of the Manor of *Stoke Damerell* for the time being, and their Tenants, Servants and Agents, from Time to Time, and at all Times hereafter, within such Distance from the High Water Mark, as shall be allotted by the said Commissioners, or any five or more of them, so as no Prejudice be done thereby to his Majesty's Soil, Lines or Fortifications, to dig and get out of the Cliffs and Sea Banks, lying between *Mutton Cove* and the said *Joseph Hooper's* Yard aforesaid, and between the said Yard and the House called the *Passage House*, near the Ferry at *Stonehouse* aforesaid, Lime Stones and other Stones to be employed in and for the building and repairing Houses, and paving Streets, in the Manor and Parish of *Stoke Damerell* aforesaid; and to make and build Kilns in or under the said Cliffs, for the burning and manufacturing the said Lime, so as no Stones be dug, nor any Kiln be made or erected within the Distance of one hundred and fifty Yards on either Side of the said Yard; and also to have, use and enjoy, the Foot-way and Passage now used from *Stonehouse Ferry* aforesaid, to *Dock Town* aforesaid, and the Way or Passage now used, or some other convenient Way or Passage to be laid out and appointed by the principal Officers of his Majesty's Ordnance, or whom they shall appoint, leading from *Mutton Cove* aforesaid, to *Dock Town* aforesaid; and also some convenient Way or Passage to be laid out and appointed as aforesaid, from the Lime Kiln now erected between *Hooper's Yard* aforesaid, and the *Passage House* aforesaid, to the *Dock Town* aforesaid, for conveying and carrying such Stones and Lime, and all Materials proper for getting, burning, and manufacturing the same, with Horses, Cattle, Carts and Carriages, at all convenient Garrison Hours and Times, from the said Cliffs and Sea Banks, to the *Dock Town* aforesaid, so as the laying out, making, using or occupying, the Fortifications or other Works intended to be made and erected on the said Premisses, for the Use of his Majesty, his Heirs and Successors, pursuant to this Act, shall not thereby be in any wise prejudiced, obstructed or hindered.

Lord of the Manor of Stoke Damerell, allowed to dig Lime Stones, and other Stones, proper for building, or paving the Streets of the Town, within a certain Distance of the Works,

and to build Lime Kilns;

and to enjoy a Foot-way and Passage from the Ferry to Dock Town, &c.

XII. Provided also, and be it further enacted, That it shall and may be lawful to and for the said Lord or Lords of the said Manor of *Stoke Damerell* for the Time being, to have, use and enjoy a proper and convenient Landing Place, in and on a certain Place called *Mutton Cove*, with sufficient Ground not exceeding one Acre in the whole, to build and erect proper Keys and Wharfs, for landing, laying, bestowing and keeping all such Goods, Wares and Merchandizes, as shall be brought thereto, and to load and unload the same, in, upon or from such Wharfs, Keys and Landing Places, to, from or on Board of any Ship, Boat, or other Vessel, so as there shall be no other Buildings, Storehouses or Sheds erected on the said Acre of Land, than what are now erected there; and also the Way, Road and Passage, or some other convenient Way, Road or Passage, to be laid out and appointed as aforesaid, from *Mutton Cove* aforesaid, to *Dock Town* aforesaid, for all Sorts of Horses, Cattle and Carriages, to and from such Wharfs and Keys, to the *Dock Town* in the said Parish of *Stoke Damerell* aforesaid.

and also to enjoy a proper Landing Place on Mutton Cove, and Ground to erect Keys and Wharfs thereon, and a Carriage-way to the same;

XIII. Provided also, and be it further enacted, That it shall and may be lawful to and for the Lord or Lords of the Manor of *Stoke Damerell* for the Time being, to have, use and enjoy, the several Landing Places now used for Boats passing over the Creek or River, to and from *Dock Town* aforesaid, and to and from *Mutton Cove* aforesaid, and the House at *Stonehouse Passage*, called the *Passage House*, with the Appurtenances, together with the said Roads, Ways and Passages, herein before mentioned, to and from the said Places respectively.

with the several Landing Places, &c. now used over the Creek and River.

XIV. Provided also, and it is hereby further enacted and declared, That no Ferry or Ferry Boat shall be made, set up, or used for the Passage over the said Creek, to and from *Dock Town* aforesaid, or to and from *Mutton Cove*, on any of the Lands hereby vested in the said Trustees, other than for carrying and transporting Soldiers, Sailors and Marines, and Ordnance, Naval and Victualling Stores, or for any other Use or Service of his Majesty, his Heirs and Successors, without the Licence and Consent of the Lord or Lords of the Manor of *Stoke Damerell* aforesaid for the Time being.

No Ferry Boat to be made use of for Passage over the Creek, except in the King's Service, without Licence of the Lord of the Manor.

XV. Provided always, That no Commissioners who shall be employed in the Execution of this Act, shall be liable, for or by reason of such Execution, to any of the Penalties mentioned in an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from* Popish *Recusants*; or in one other Act made in the first Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; or in one other Act made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for the better Security of his Majesty's Person, and the Succession of the Crown in the Protestant*

Commissioners exempted from the Penalties of the Act of 25 Car. 2. c. 2.

1 W. & M. c. 8.

13 & 14 W. 3. c. 6.

Protestant Line, and for extinguishing the Hopes of the pretended Prince of Wales, *and all other Pretenders, and their open and secret Abettors*; or in one other Act made in the Parliament begun and holden in the first Year of the Reign of the late King GEORGE, intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants, and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*.

and 1 Geo. 1. c. 13.

XVI. Provided also, and be it enacted, That such Commissioners as his Majesty shall nominate for the Purposes in this Act, or any of them, shall not by reason thereof in any sort be disabled or disqualified from sitting in the House of Commons, or their Election thereby become void; any Law or Statute to the contrary thereof in any wise notwithstanding.

nor is their Seat in Parliament vacated thereby.

CAP. XL.

An Act to ascertain the Weight of Trusses of Straw, and to punish Deceits in the Sale of Hay and Straw in Trusses in *London*, and within the Weekly Bills of Mortality, and within the Distance of thirty Miles thereof; and to prevent common Salesmen of Hay and Straw from buying the same on their own Account, to sell again; and also to restrain Salesmen, Brokers, or Factors in Cattle, from buying on their own Account, to sell again, any Live Cattle in *London*, or within the Weekly Bills of Mortality, or which are driving up thereto.

Preamble.

'WHEREAS great Abuses are committed by Persons selling Straw in Bundles or Trusses in the City of *London*, and within the Limits of the Weekly Bills of Mortality, and other Places about *London*, of less Weight than the same ought to be, and are pretended to be, between Buyer and Seller; and also by putting into Bundles or Trusses of Straw and Hay exposed for Sale, Straw and Hay different in Goodness or Quality from what the Straw or Hay, by the Outside of such Bundles or Trusses, appears to be, and also by putting other Things into or amongst such Bundles or Trusses of Straw and Hay, to make up or add thereto a false Weight:' For Remedy whereof, be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-ninth Day of *September* one thousand seven hundred and fifty-eight, all Straw which shall be sold or delivered in, or brought to or exposed for Sale in *London*, or any Place comprised with the Limits of the Weekly Bills of Mortality, shall be sold and delivered in Bundles or Trusses, each whereof shall be firmly bound or tied up; and that every such Bundle or Truss of Straw shall be the full Weight of thirty-six Pounds of good and sound Straw, exclusive of any other Thing which shall be put therein; and if any Person or Persons shall, after the said twenty-ninth Day of *September*, sell or deliver, or bring into, or expose for Sale, in *London*, or within the Limits of the said Weekly Bills of Mortality, or in any Place within the Distance of thirty Miles from the Extent of any Part of the Limits of the said Weekly Bills of Mortality, where Straw shall be sold in Bundles or Trusses, any Bundle or Truss of Straw which shall be of less Weight than thirty-six Pounds of good and sound Straw, or which shall be in the Inside of any such Bundle or Truss of different Goodness or Quality from what the same by the Outside of any such Bundle or Truss, shall appear to be, he, she or they, who shall so offend in the Premisses, on being convicted thereof, in Manner herein after mentioned, shall forfeit and pay every Time any such Straw shall be brought for Sale, or sold or delivered in *London*, or within the Limits of the Weekly Bills of Mortality, not in Bundles or Trusses, the Sum of twenty Shillings; and the Sum of one Shilling for every Bundle or Truss of Straw, which he, she or they shall sell, or bring into, or expose for Sale in *London*, or within the Limits of the said Weekly Bills of Mortality, or in any Place within the said Distance of thirty Miles from the Extent of the Limits of the said Weekly Bills of Mortality, where Straw shall be usually sold by the Bundle or Truss, which shall not be of the said full Weight of thirty-six Pounds of good and sound Straw, or which shall be proved to be, in the Inside of any such Bundle or Truss, of different Goodness or Quality from what the same, by the Outside of any such Bundle or Truss, shall appear to be.

Straw to be sold within the Weekly Bills, is to be made up into Trusses firmly bound, and to weigh 36lb. of sound Straw.

Where Straw is usually sold in Trusses, whether within the said Weekly Bills, or 30 Miles Distance, and shall be wanting of that Weight, or shall be in the Inside of a worse Quality than the Outside imports, the Offender forfeits, for all Straw not sold or delivered in Trusses, 20s. and for every Truss under Weight, or of a mixt Quality, 1s.

II. And be it further enacted by the Authority aforesaid, That every Truss of Hay which, after the said twenty-ninth Day of *September*, shall be sold in, or brought into, or exposed for Sale, in *London*, or any Place comprised within the Limits of the said Weekly Bills of Mortality, or which shall be sold in any Place within the said Distance of thirty Miles from the Extent of the Limits of the said Weekly Bills of Mortality, where Hay shall be sold in Bundles or Trusses, shall be made up with good and sound Hay only, and such as the same shall appear to be by the Outside of every such Bundle or Truss; and that such Hay only as shall be good and sound shall be deemed and taken to be the Hay which is to make up the Weight every Truss of Hay by Law ought to be.

Trusses of Hay to be made up in like Manner, of good and sound Hay only, and of equal Goodness throughout; and the sound Hay to be allowed in Weight only.

III. And be it further enacted by the Authority aforesaid, That the Pair of Bands with which any Truss of Hay shall be bound, shall not exceed the Weight of five Pounds; upon Pain that every Person who shall sell any Truss of Hay with Bands of a greater Weight than five Pounds, shall for every such Offence forfeit and pay the Sum of one Shilling.

Weight of the Bands of a Truss of Hay not to exceed 5lb. on Penalty of forfeiting 1s.

IV. And be it further enacted by the Authority aforesaid, That if any Person or Persons employed to bind Hay or Straw, shall not bind up and make the same into Bundles or Trusses of such Weight and Quality as is directed by this Act, every such Person so offending shall forfeit and pay the Sum of three Pence for every Bundle or Truss of Hay or Straw, not being of such Weight and Quality; provided the same be objected to by the Owner thereof within twenty-four Hours after the same shall be so bound or made up, and before the same shall be removed.

Persons employed to bind Hay or Straw, not conforming to the Rules of this Act, forfeit 3 d. per Truss, the Owner objecting within 24 Hours.

V. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, no Person shall act as a common Salesman in selling Hay or Straw for any other Person, for Gain or Reward, or by Commission, in *London*, or within the said Limits of the said Weekly Bills of Mortality, shall directly or indirectly buy any Hay or Straw on his own Account, other than what he shall purchase to spend for his own Use; and that if any such Person who shall so act as a Salesman of Hay or Straw shall, after the said twenty-ninth Day of *September*, buy any Hay or Straw on his own Account to sell again; or shall sell in *London*, or within the said Limits of the said Weekly Bills of Mortality, any Hay or Straw which shall have been bought by him on his Account, he, she or they, on being convicted thereof in Manner herein after mentioned, shall for every such Offence, forfeit and pay the Sum of one Shilling for every Truss of such Hay or Straw which shall be so sold by or for him.

Salesman buying, after 29 September, Hay or Straw on his own Account to sell again, or selling, after 29 September, in London, or within the Weekly Bills, Hay or Straw bought by him on his own Account, forfeits 1 s. per Truss.

VI. And in order to prevent any undue Practices between the Owners or Salesmen of Hay or Straw, and the Servants of the Buyers thereof; and to the End it may be known at what Price Hay or Straw sold within the Limits aforesaid, shall be actually sold; Be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, there shall be kept in the Hay Market in the City of *London*, and at every other Hay Market within the Limits of the said Weekly Bills of Mortality, where Hay or Straw is or shall be allowed to be sold, a Book or Register for entering and registering therein an Account of all Hay and Straw which shall be sold in any such Hay Market respectively; and that such Book or Register shall be kept in *London* by the Hay Weigher, who shall be appointed by the Mayor, Commonalty, and Citizens of the said City of *London*, to weigh the Hay brought for Sale into the said City, or his Deputy or Deputies; and out of the said City of *London*, within the Limits of the said Weekly Bills of Mortality, by the Clerk or Toll-gatherer of every Hay Market within the said Limits, or his or their Deputy or Deputies; and that every Person who shall sell any Hay or Straw in *London*, or within the Limits of the said Weekly Bills of Mortality, his Servant or Agent, shall within six Hours after any Hay or Straw shall, at any Time, be sold in any publick Hay Market in *London*, or within the said Limits of the Weekly Bills of Mortality and within seven Days after every Sale of Hay or Straw in *London*, or within the said Limits of the Weekly Bills of Mortality, shall be made, out of any such Hay Market in *London*, or in any Place within the Limits of the said Weekly Bills of Mortality, make an Entry in the Book or Register of the Hay Market, in which any such Hay or Straw shall be sold; or where the same shall not be sold in any such Hay Market, then in the Book or Register of the Hay Market which shall be most contiguous to the Place in *London*, or within the Limits of the said Weekly Bills of Mortality, in which any such Hay or Straw shall be sold; distinguishing therein the Names and Places of Abode of the Owners and Sellers of any such Hay or Straw, and the Names and Places of Abode of the respective Buyer or Buyers thereof, and also of the Person or Persons for whom or for whose Use any such Hay or Straw shall be so bought, and also the Day in which such Hay or Straw shall be so bought, and the true Price at which the same shall be really sold; and every Person who shall sell any such Hay or Straw, his Servant or Agent, shall sign his Name, or set his Mark, to every such Entry which he shall so make or cause to be made, and shall pay for the same to the Hay Weigher, Clerk, or Toll-gatherer of the Market, who shall keep such Book or Register as aforesaid, the Sum of one Penny; and every such Hay Weigher, Clerk, or Toll-gatherer of the Market, or his Deputy or Deputies, shall at all seasonable Times in the Day-time, and during the Market Hours herein after mentioned, permit any Person to have Recourse to, and inspect any such Book or Register which shall be so kept for any such Hay Market; the Person so desiring to inspect the same, paying for every such Inspection the Sum of one Halfpenny; and if the Seller of any such Hay or Straw in *London*, or within the Limits of the said Weekly Bills of Mortality, his Servant or Agent, shall not make such Entry as aforesaid in such Book or Register, within the said Space of six Hours after any Sale shall be made of any such Hay or Straw in any public Hay Market in *London*, or within the said Limits of the Weekly Bills of Mortality, and within the said Space of seven Days after every Sale of any Hay or Straw in *London*, or within the said Limits of the Weekly Bills of Mortality, out of any such Hay Market, or shall not sign his Name or put his Mark thereto, or shall refuse to pay for making any such Entry, or shall give in or cause to be entered in any such Book or Register, any false or untrue Account of the Quantity of Hay or Straw sold, or of the Price at which the same was really sold, or of the Name or Place of Abode of any Buyer of such Hay or Straw; every Owner or Seller of any such Hay or Straw, his Servant or Agent, who shall so offend, shall, on being convicted thereof in Manner herein after mentioned, for every such Offence forfeit and pay any Sum not exceeding twenty Shillings, nor less than ten Shillings; and if any Hay Weigher in *London*, or Clerk or Toll-gatherer of any Hay Market within the Limits aforesaid, or his or their Deputy or Deputies, shall omit or neglect to keep such Book or Register, or shall delay or refuse to let any Entry hereby directed to be made therein, or shall demand any greater Price than one Penny for making any such Entry, or one Half-penny for permitting such Book or Register to be at any Time perused or examined, or shall knowingly

A Register to be kept in the Hay Markets within London, and the Weekly Bills; in London, by the proper Hay Weigher; and in other Places by the Clerk or Toll-gatherer.

Vender, within a limited Time, to make an Entry therein of the Hay or Straw sold by him; distinguishing the Names and Places of Abode of the Owners, Sellers, and Buyers, and for whose Use the same was bought with the Date and Price; and to sign the said Entry, and pay 1 d. Fee to the Clerk, &c.

Register to be inspected by any Person on paying 2 d.

Vender neglecting to make such Entry, &c. or giving in a false or untrue Account, forfeits not exceeding 20 s. nor less than 10 s.

Hay Weigher or Clerk, &c. neglecting his Duty in the Premises, forfeits in like Manner.

knowingly suffer or permit any untrue Entry to be made in any such Book or Register, or shall refuse at any seasonable Time in the Day-time, in Market Hours, to permit any Person to inspect any Entry which shall be made in any such Book or Register; every such Person who shall so offend in the Premisses, shall for every such Offence, on being convicted thereof in Manner herein after mentioned, forfeit and pay any Sum not exceeding twenty Shillings, nor less than ten Shillings.

No Register to be made of Hay or Straw sold in a less Quantity than four Trusses, in a Day, to one Person; nor of any delivered on special Contract: but such only to be registered as is brought to Market for Sale, and which shall be there sold.

VII. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall oblige any Person to register any Hay or Straw which shall be sold within the Limits aforesaid, in any less Quantity than four Trusses in any Day, to any one Person.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall oblige any Person to register any Hay or Straw which he shall deliver in *London*, or within the Limits of the said Weekly Bills of Mortality, on Special Contract or Agreement; but such Hay and Straw only which shall be sent or brought into *London*, or some Place within the Limits of the said Weekly Bills of Mortality, to be sold, and which shall be accordingly there sold, shall be registered as before is directed; any Thing in this Act before contained to the contrary thereof notwithstanding.

Proper Scales and Weights, or Engines for weighing Hay and Straw, to be provided by the Hay Weighers and Clerks of the Markets.

Fees payable for the Use thereof.

IX. And be it further enacted by the Authority aforesaid, That there shall be provided by the Hay Weigher of the said City of *London*, and by every Clerk or Toll-gatherer of every Hay Market within the Limits of the said Weekly Bills of Mortality, and kept at every such Hay Market in *London*, and within the Limits of the said Weekly Bills of Mortality, proper Scales and Weights, or Engines, for the weighing all Hay and Straw which shall be there brought for Sale, or shall be required to be there weighed; and such Hay Weigher, Clerk, or Toll-gatherer of the Hay Market, or his or their Deputy, shall on Application to him or them for that Purpose made cause all Hay or Straw, which shall be there brought and required to be weighed, to be duly weighed, and with all convenient Speed, after any Request shall be made for weighing thereof; and such Hay Weigher, Clerk, or Toll-gatherer of the Market, or his Deputy, shall be paid by the Party requiring any such Hay or Straw to be so weighed, the Sum of one Shilling and no more, for weighing every Load of such Hay or Straw; and if less than a Load of Hay or Straw shall be there weighed, then the Sum of one Halfpenny for every Truss of such Hay or Straw which shall be there weighed; and if any Doubt shall at any Time arise, whether any Hay or Straw brought into *London*, or in any Market or Place within the Limits of the said Weekly Bills of Mortality, and which shall not have been weighed at any such Hay Market, is of the due Weight the same ought to be, then and in such Case it shall be lawful for the Buyer thereof, on the Delivery of such Hay or Straw at his or her Abode, Yard, Loft, or other Place, where the same shall be agreed by the Seller to be delivered, to cause the same to be weighed in the Presence of the Seller, or his Servant or Agent, who shall deliver the same; and if on the same being so weighed, the Buyer or Seller of any such Hay or Straw, his Servant or Agent, shall be dissatisfied with any such weighing thereof, it shall be lawful for any such Buyer or Seller, his Servant or Agent, with all convenient Speed then afterwards to apply to the Hay Weigher, Clerk, or Toll-gatherer of the Hay Market, his or their Deputy or Deputies, which shall be nearest to the Place where any such Hay or Straw shall be delivered, to see the same weighed over again; and on any such Application being made, the Hay Weigher, Clerk, or Toll-gatherer of the Market, who shall be so applied to, his Deputy or Deputies, shall with all convenient Speed after any such Application shall be so made, come to the Place where such Hay or Straw shall be, within the Limits aforesaid, and shall there see such Hay or Straw as shall be complained of as wanting in Weight, again weighed, and the Weight thereof which shall be ascertained by any such Hay Weigher, Clerk, or Toll-gatherer of the Market, or his Deputy or Deputies, shall be conclusive to all Parties; but the Person who shall require any such Hay Weigher, Clerk, or Toll-gatherer of the Market, or his or their Deputy or Deputies, to attend and weigh any such Hay or Straw out of any such Hay Market, shall pay to such Hay Weigher, Clerk, or Toll-gatherer of the Market as aforesaid, or his or their Deputy, to attend to see the same so weighed, the Sum of two Shillings, before any such Hay Weigher, Clerk, or Toll-gatherer of the Market, his Deputy or Deputies, shall be obliged to go to see any such Hay or Straw weighed out of any such Hay Market; and if any Hay or Straw which shall be weighed out of any such Hay Market, shall be found by the Hay Weigher, Clerk, or Toll-gatherer of the Market, or his or their Deputy, to be of the due Weight the same ought to be, then the two Shillings which shall have been paid to or for such Hay Weigher, Clerk, or Toll-gatherer of the Market, to attend to see such Hay or Straw weighed, shall be forthwith repaid by the Buyer of such Hay or Straw to the Seller thereof, in case the Seller paid such two Shillings; and if the Hay or Straw which shall be so weighed, shall be found not to be of the due Weight the same ought to be, then if the Buyer thereof paid the said two Shillings, the same shall be forthwith repaid to him by the Seller of such Hay or Straw; and if any Hay Weigher, Clerk, or Toll-gatherer of any such Hay Market, or his or their Deputy, shall omit to provide and keep proper Scales and due Weights or Engines for the weighing Hay or Straw at such Hay Market, or shall neglect or refuse to weigh any Hay or Straw, which shall be required to be there weighed by him or them, or to attend to see the same weighed out of such Hay Market at any Place within the Limits aforesaid, when thereunto required at any seasonable Time in the Day-time, and so as the said Sum of two Shillings shall have been paid or tendered to him so to attend; every such Hay Weigher, Clerk, or Toll-gatherer of the Market, his Deputy or Deputies, so offending in the Premisses, shall for every such Offence forfeit and pay any Sum not exceeding twenty Shillings, nor less than ten Shillings.

Where any Doubt shall arise about the due Weight of such Hay or Straw as shall not have been weighed in the Markets, the Buyer may weigh the same in the Presence of the Seller; and if either be dissatisfied therewith,

he may apply to the Hay Weigher or Clerk of the Market, who is to see the same weighed over again,

and ascertain the Weight; 2 s. to be paid him for his Trouble, by the Complainant;

to be repaid, if the Hay or Straw shall be of due Weight by the Buyer;

if wanting of its Weight, by the Seller;

Hay Weigher, &c. not providing proper Scales and Weights, or otherwise neglecting his Duty in the Premisses, forfeits not exceeding 20 s. nor less than 10 s.

X. Provided

X. Provided always, and be it enacted by the Authority aforesaid, That all Hay or Straw sold within the said Distance of thirty Miles from the Extent of the Limits of the weekly Bills of Mortality, and touching which there shall be any Doubt of Want of Weight, shall and may, on the Delivery thereof at the House, Yard, Loft, or any other Place whereat the same shall be agreed to be delivered, or shall be delivered by the Seller thereof, be there weighed; and that no Person shall incur any Penalty for selling, or exposing to Sale, any Hay or Straw of less Weight, or worse Quality than the same ought to be, unless such Hay or Straw shall be weighed either at or before the Delivery, with the Privity of the Buyer, his Servant or Agent, or complained of in respect of the Quality thereof, at the Time and Place at which the same shall be agreed to be delivered by the Seller, in the Presence of such Seller, his Servant or Agent; unless such Seller, his Servant or Agent, on Request made, or on Notice given to him or them to attend to see such Hay or Straw so weighed, shall refuse or neglect to attend to see the same so weighed; any thing in this Act, or any other Act to the contrary thereof in any wise notwithstanding.

Where there shall be a Doubt of Want of Weight, the Hay or Straw may be weiged at the Place of Delivery;

and the Seller is not liable to a Penalty either in respect of Weight or Quality, unless the Hay or Straw be weighed either at or before the Delivery, with the Privity of the Buyer, or complained of, as to its Quality, at the Time and Place of Delivery; and the Seller refuse to attend, &c.

'XI. And whereas Salesmen, Brokers, or Factors, employed by Feeders of Cattle or Farmers, to 'sell their Live Cattle within the City of *London*, or within the said Limits of the Weekly Bills of 'Mortality, may be guilty of many Abuses greatly to the Prejudice of their Employers, by indirectly 'selling such Cattle, and by that Means, stocking Lands, which they may hire for that Purpose, 'near the Markets within the said City of *London* or Weekly Bills of Mortality, where such Cattle 'may be brought to be sold again, whenever they shall find a proper Time or Opportunity of selling 'the same to Advantage;' Be it therefore further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, no Salesman, or other Broker or Factor, who shall be employed to buy or sell any Sort of Cattle for others, by Commission, or for Reward to be paid or taken, shall by himself, or any Servant or Agent, directly or indirectly, on or for his own Account, buy any Live Ox, Bull, Cow, Steer, Bullock, Heifer, Calf, Sheep, Lamb, or Swine, in *London*, or within the said Limits of the said Weekly Bills of Mortality, or at any Place whilst any such Cattle shall be on the Road, or be driving, bringing or coming up, to be sold or offered to or for Sale, in *London*, or at any other Place within the said Limits of the said Weekly Bills of Mortality (other than such Cattle which any such Salesman, Broker, or Factor, shall actually purchase for the necessary Use or Provision of his Family, and shall actually use accordingly); and that no such Salesman, Broker, or Factor, after the said twenty-ninth Day of *September*, shall sell or expose, or offer to or for Sale, on his own Account, in *London*, or at any Place within the said Limits of the said Weekly Bills of Mortality, either by himself or his Servant, or Agent, any Live Ox, Bull, Cow, Steer, Bullock, Heifer, Calf, Sheep Lamb, or Swine; upon Pain that every Person who shall so offend in the Premisses, shall every Time he shall be convicted of any such Offence in Manner herein after mentioned, forfeit and pay for every such Offence double the Value of any Live Cattle, which he shall so buy or sell, on his own Account, contrary to the Tenor of this Act.

For former Laws concerning Cattle refer to 3 & 4 *Ed.* 6. *c.* 19. 2 & 3 *P. & M. c.* 13. 7 *Jac.* 1. *c.* 8. 13 *Car.* 2. *c.* 2. 20 *Car.* 2. *c.* 7. 22 *Car.* 2. *c.* 13. 32 *Car.* 2. *c.* 2. 3 *W. & M. c.* 8. 5 *W. & M. c.* 2.

Salesman, &c. employed to buy or sell Cattle for others, are not to buy or sell on their own Account,

(Exception)

on Penalty of forfeiting double the Value.

XII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-ninth Day of *September*, no Person or Persons shall permit or suffer his, her or their Waggon, Cart, or Car, loaden with Hay or Straw for Sale, to stand or be in the Hay Market in *Smithfield* in *London*, or in any Hay Market within the Weekly Bills of Mortality, from *Lady Day* to *Michaelmas*, after four of the Clock in the Afternoon, and from *Michaelmas* to *Lady Day*, after three of the Clock in the Afternoon, upon Pain to forfeit and pay, for every such Offence respectively, five Shillings; but before any Forfeiture for the said last mentioned Offence shall be incurred, the Hay Weigher, Clerk, or Toll-gatherer of the Hay Market, or his or their Deputy, shall, on every Market Day (to wit) *Tuesday*, *Thursday*, and *Saturday*, in every Week, ring a large Hand Bell round the Hay Market of which he shall be Hay Weigher, Clerk, or Toll-gatherer, of the Market, either in *London*, or within the Limits of the weekly Bills of Mortality, one Hour before the Expiration of the Time above appointed for Persons bringing Hay or Straw for Sale into any such Hay Market, to leave the same; and on any Default of ringing such Bell, as aforesaid, being made, no Person using any such Hay Market, for the Purpose of Selling Hay or Straw, shall, the next immediate usual Market Day or Days after any such Default in ringing such Bell as aforesaid, shall be made, be liable to pay any Toll for any Waggon, Cart, or Carr, standing, or that shall stand, in any such Hay Market, to sell Hay or Straw; and every such Hay Market is hereby in that Case, and on the next Market Day in which any such Default as aforesaid of ringing such Bell shall be made, declared to be Toll-free.

Carts, &c. with Hay or Straw for Sale, to quit the Market by a certain Hour, on Penalty of 5 l.

Hay Weigher or Clerk, &c. to give an Hour's Notice, by ringing of a Bell;

and on Default of such Notice, no Toll is to be paid for standing the next Market Day.

XIII. Provided always, and be it further enacted by the Authority aforesaid, That no Person shall incur any Penalty for suffering his Waggon, Cart, or Carr, loaden with Hay or Straw for Sale, to be in any such Hay Market from *Lady Day* to *Michaelmas*, after three of the Clock in the Afternoon, and from *Michaelmas* to *Lady Day*, after two of the Clock in the Afternoon any other Law or Usage to the contrary thereof notwithstanding.

Carts standing in the Market during certain Hours only, not liable to forfeit.

XIV. Provided likewise, and it is hereby further enacted by the Authority aforesaid, that no Person shall be convicted for any of the before mentioned Offences, unless Prosecution for any such Offence shall be commenced within three Days after the Offence complained of shall have been committed.

Prosecution to be commenced within 3 Days after the Offence.

Recovery and Application of Forfeitures, viz.

XV. And, for the more speedy recovery of all and every the Money which shall be forfeited for Breach or Non-observance of any Part of this Act, and for the disposing thereof; Be it further enacted by the Authority aforesaid, That on Complaint being made, on Oath, to any Justice or Justices of the Peace of any Offence committed against this Act, within his or their respective Jurisdictions, such Justice or Justices is and are hereby required and authorized to issue his or their Summons to convene the Person or Persons charged with being an Offender or Offenders against this Act, and also any Witness or Witnesses for any of the Parties, at a certain Time and Place in such Summons to be specified; and if any one so summoned shall not appear on such Summons, or offer some reasonable Excuse for the Default, then any such Justice or Justices shall issue his or their Warrant or Warrants for apprehending the Party or Parties so making Default within the Jurisdiction of any such Justice or Justices; and upon the Party or Parties complained against appearing, or being brought before any such Justice or Justices on his or their Warrant or Warrants; or in case the Party or Parties complained against shall not appear on such Summons being served on him, or left for him or them at his or their usual Place of Abode, and Proof shall be made thereof, by Oath, before any such Justice or Justices; then every such Justice and Justices is and are hereby authorized and required to proceed to make Enquiry touching the Matters complained of, and to examine into the same by the Oath or Oaths of any credible Person or Persons as shall be requisite, and to hear and determine the Matter of every such Complaint; and, upon Confession of the Party, or Proof of one credible Witness, upon Oath, to convict or acquit the Party or Parties against whom Complaint shall be made; and if the Money forfeited shall not be paid down on every such Conviction, every such Justice or Justices shall issue his or their Warrant or Warrants under his Hand and Seal, or their Hands and Seals, for levying thereof within his or their Jurisdiction, by Distress on the Goods and Chattles of every such Offender or Offenders, and to cause Sale to be made of such Goods and Chattles, in case the Money forfeited, together with the Charges of such Distress and Sale, shall not be paid within five Days after the making any such Distress and Sale, rendering the Overplus, if any, to the Owner thereof, upon Demand, after deducting the reasonable Charges of every such Distress and Sale; and if any such Offender shall not have any Goods or Chattles within the Jurisdiction of such Justice or Justices, whereon the Money forfeited can be presently levied, any Justice or Justices within whose Jurisdiction any such Offender or Offenders shall be, shall and may issue a Warrant or Warrants under his Hand and Seal, or their Hands and Seals, on the Application, or on the Behalf, of any Informer or Informers, to apprehend every such Offender and Offenders, and to commit him or them to some publick Prison or House of Correction of the County, Division, City, Town, or Place, in which any such Offence shall have been committed, there to remain for any Time not exceeding one Calendar Month, nor less than ten Days, from the Time of every such Commitment, unless such Offender or Offenders shall sooner pay the Money forfeited; and if any Witness who shall appear or be brought by any Warrant before any such Justice or Justices, shall refuse to be examined, any such Person so refusing to be examined, may be committed by any such Justice or Justices to some Prison of the County, City, or Place, where such Witness shall so make Default, for any Time not exceeding ten Days from the Time of every such Commitment, as any such Justice or Justices shall think fit.

On Complaint made, on Oath, of the Offence, the Justice is to summon, &c. the Offender, and Witnesses.

and on the Parties appearing or not appearing thereupon, is to proceed to hear and determine the Matter of Complaint in a summary Way;

and on Non-payment of the Forfeiture, on Conviction, is to issue his Warrant for the levying thereof by Distress and Sale;

and for want of Distress to commit the Offender for any Time not exceeding 1 Month, nor less than 10 Days, unless Payment be sooner made,

Witness refusing to be examined, may be committed for any Time not exceeding 10 Days.

Seller aggrieved by the Judgment of a Justice, may appeal to the Quarter-Sessions;

XVI. Provided always, and be it further enacted, That if any Person or Persons convicted of any Offence punishable by this Act, or for selling any Truss or Trusses of Hay, of less Weight than the same ought to be, shall think him, her or themselves aggrieved by the Judgment or Determination of any Justice or Justices as aforesaid, such Person or Persons may appeal against the same to the Justices at the General or General Quarter-Sessions of the Peace of the County, City, or Place, in which any such Conviction shall have been made, which shall be held next after any such Conviction, unless such next General or General Quarter-Sessions of the Peace for any such County, City, or Place, shall be held within six Days next after any such Conviction; and if any such General or General Quarter-Sessions of the Peace, shall happen to be so held within the said Space of six Days next after any such Conviction, then it shall be lawful for any such Person or Persons to appeal against any such Judgment or Determination, to the Justices at the second General or General Quarter-Sessions of the Peace which shall be held for any such County, City, or Place, next after any such Conviction; but the Party or Parties who shall think fit so to appeal, shall, before any such Appeal shall be received, enter into a Recognizance with two sufficient Sureties, before such Justice or Justices as aforesaid, in double the Sum which such Person or Persons shall have been adjudged to pay or forfeit, to prosecute every such Appeal with Effect, and to be forthcoming to abide by and obey the Judgment and Determination of the Justices at any such General or General Quarter-Sessions of the Peace on every such Appeal, and shall also give three Days Notice, in Writing, of every such Appeal, to, or leave the same at the usual Place of Abode of the Person or Persons who shall have prosecuted to Conviction the Party or Parties so appealing; and the Justices of the Peace at such General or General Quarter-Sessions, are hereby authorized and required, on every such Appeal being made, finally to hear and determine the Matter of every such Appeal, and to make such Order, and to award such Costs therein, as they in their Discretion shall deem meet; and the Determination of such Court of General or General Quarter-Sessions, on every such Appeal, shall be final and conclusive to all Parties thereto, and no *Certiorari* shall be allowed to remove any such Proceedings or Determination.

entering into a Recognizance, and giving Security to prosecute the Appeal with Effect;

and giving due Notice thereof to the Prosecutor.

Justices to hear and determine the Matter of the Appeal accordingly, and award Costs;

their Determination to be final, &c.

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XVII. And

XVII. And be it further enacted by the Authority aforesaid, That one Moiety of all Money forfeited by this Act, shall, when recovered, go and be paid to the Person or Persons who shall prosecute to Conviction any Offender or Offenders against this Act, and that the other Moiety thereof shall go and be paid to or for the Use of the Poor of the Parish or Place where the Offence shall have been committed. Forfeitures to be applied: One Moiety to the Prosecutor, the other to the Poor of the Parish.

XVIII. Provided always, and it is hereby further enacted, That any Inhabitant of the Parish or Place in which any Offence shall be committed against this Act, shall notwithstanding such Inhabitancy, be a good and competent Witness. Inhabitants deemed competent Witnesses.

XIX. And be it further enacted by the Authority aforesaid, That if any Plaint, Action, or Suit, shall be commenced or prosecuted against any Person or Persons, for what he or they shall do or have done in pursuance or in Execution of this Act, the same shall be commenced within six Months after the Offence committed, and shall be laid in the County or City where the Offence shall have been committed; and such Person or Persons so sued, in any Court whatsoever, shall and may plead the General Issue, Not guilty, and may give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and if a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff shall become nonsuit, or discontinue his Action, after the Defendant shall have appeared; or if Judgment shall be given, upon a Demurrer, against the Plaintiff or Plaintiffs, the Defendant or Defendants, in every such Action, shall recover treble Costs, and have the like Remedy for the same as any Defendant or Defendants hath or have in other Cases for Recovery of his or their Costs. Limitation of Actions. General Issue. Treble Costs.

CAP. XLI.

An Act to amend and render more effectual an Act passed in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act for inclosing, by the mutual Consent of the Lords and Tenants, Part of any Common, for the Purpose of planting and preserving Trees fit for Timber or Underwood; and for more effectually preventing the unlawful Destruction of Trees.*

WHEREAS by an Act made in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act for inclosing, by the mutual Consent of the Lord and Tenants, Part of any Common, for the Purpose of planting and preserving Trees fit for Timber or Underwood; and for more effectually preventing the unlawful Destruction of Trees*; it is, among other Things, enacted, That it shall and may be lawful to and for his Majesty, his Heirs and Successors, and all other Owners of Wastes, Woods and Pastures, in that Part of *Great Britain* called *England*, wherein any Person or Persons, or Body or Bodies Politick or Corporate, hath or have a Right of Common of Pasture, by and with the Assent of the major Part in Number and Value of the Owners and Occupiers of Tenements, to which the said Right of Common of Pasture doth belong, and to and for the major Part in Number and Value of the Owners and Occupiers of such Tenements, by and with the Assent of the Owner or Owners of the said Wastes, Woods and Pastures, and to and for any other Person or Persons, or Body Politick or Corporate, by and with the Assent and Grant of the Owner or Owners of such Wastes, Woods and Pastures, and the Major Part in Number and Value of the Owners and Occupiers of such Tenements, to inclose and keep in Severalty, for the Growth and Preservation of Timber or Underwood, any Part of such Wastes, Woods and Pastures, for such Time, and in such Manner, and upon such Conditions, as shall be agreed by them respectively: And whereas it is by the said Act provided, That in case any Recompence shall be agreed to be given for such Inclosure, to or for the Benefit of the Owners and Occupiers of the Tenements to which the Right of Common in such Wastes, Woods and Pastures, doth belong, such Recompence shall be made either by a Grant of a Share of the Profit which shall arise from the Sale of the Timber or Underwood growing on the Ground or Soil so inclosed, or by a Grant of other Lands, Tenements or Hereditaments, or by some Annuity or Rent Charge issuing out of the said Ground or Soil so inclosed, or out of other Lands, Tenements or Hereditaments, or shall be paid in Money, to be placed out at Interest on publick Securities, or laid out in the Purchase of Lands, Tenements or Hereditaments, or of some Annuity or Rent Charge issuing out of Lands, Tenements or Hereditaments; and the Produce of such Lands, Tenements or Hereditaments, or such Annuity or Rent Charge, or the Interest of such Money, until the same shall be laid out in such Purchase as aforesaid, shall be paid from time to time to the Overseers or Overseer of the Poor of the said Parish or Townships, and shall be by them or him applied towards the Relief of the Poor of the Parish or Townships where such Wastes, Woods or Pastures, shall lie, and accounted for in such Manner as the Rates for Relief of the Poor are by Law directed to be accounted for: And whereas, in many Cases, the Right of Common of Pasture in the Ground or Soil inclosed, or intended to be inclosed, may not belong to all the Owners and Occupiers of Tenements within the Parishes or Townships wherein such Wastes, Woods, or Pastures, shall lie: And whereas the Owners and Occupiers of such Tenements, to which such pecular Right of Common doth belong, may refuse their Assent to an Inclosure, the Recompence for which is applicable to the General Relief of the Poor of the Parish, and not to them in Proportion to their particular Interests; and yet they may be willing to accept a different Recompence from that which is provided by the said Act; Be it enacted by the King's most Excellent Majesty, by and with the

Preamble, reciting several Clauses in Act 29 Geo. 2. *ch.* 36.

For former Laws touching the Subject of this Act, refer to the Statute of Merton; and to 13 *Ed.* 1. *c.* 46. 35 *H.* 8. *c.* 17. 3 & 4 *Ed.* 6. *c.* 3. 43 *El. c.* 7. 15 *Car.* 2. *c.* 2. 20 *Car.* 2. *c.* 3. 22 & 23 *Car.* 2. *c.* 7. 9 & 10 *W.* 3. *c.* 36. 1 *Geo.* 1. *St.* 2. *c.* 48. 6 *Geo.* 1. *c.* 16.

Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *August* one thousand seven hundred and fifty-eight, every Recompence to be made by virtue of the said Act, shall be made to the Person or Persons interested in the said Right of Common, in Proportion to their respective Interest or Interests therein; and not to be paid to the Overseer or Overseers of the Poor, as is directed by the said Act.

The Recompence to be made under the recited Act in respect of the Rights of Common of Pasture in Grounds to be inclosed for planting Trees, is to be paid to the Persons respectively interested therein, and not to the Overseers of the Poor.

Tenants for Life, or for Terms of Years determinable thereupon, may execute the Powers given by the recited and this Act, during their respective Interests.

'II. And whereas Doubts may arise whether Tenants for Life, or for Terms of Years, determinable upon one or more Life or Lives, be Owners, within the Meaning of this Act, and that of the twenty-ninth of his present Majesty's Reign;' Be it enacted by the Authority aforesaid, That the Powers given to such Owners by this Act, and the said Act of the twenty-ninth of his present Majesty's Reign, may be executed by such Tenants for Life, or Years, during their respective Interests.

But no Act of theirs is to have Effect, after the Determination of such their Estate.

III. Provided always, That nothing done by such Tenants for Life, or Terms of Years, by virtue of this Act, or by the Act of the twenty-ninth Year of his present Majesty's Reign, shall have Effect or Continuance after the Determination of the Estate of such Tenants for Life, or Terms of Years.

CAP. XLII.

An Act for making perpetual several Acts therein mentioned, for preventing Theft and Rapine on the Northern Borders of *England*; for the more effectual punishing wicked and evil disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice; and also two Clauses to prevent the cutting or breaking down the Bank of any River or Sea Bank; and to prevent the malicious cutting of Hop Binds; for the more effectual Punishment of Persons maliciously setting on Fire any Mine, Pit or Delph of Coal, or Canal Coal; and of Persons unlawfully hunting or taking any Red or Fallow Deer in Forests or Chases; or beating or wounding the Keepers or other Officers in Forests, Chases or Parks; and also so much of an Act as relates to the Power of appealing to the Circuit Courts in Civil Cases, in *Scotland*.

Preamble.

'WHEREAS the Laws herein after mentioned, which have by Experience been found useful and beneficial, are near expiring:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the thirteenth and fourteenth Years of the Reign of King CHARLES the Second, intituled, *An Act for preventing Theft and Rapine upon the Northern Borders of* England; which by several Acts hath from Time to Time been continued; and by an Act made in the sixth Year of the Reign of his present Majesty (for making perpetual several Acts, and for other Purposes therein mentioned) was further continued until the first Day of *September* one thousand seven hundred and forty-four, and from thence to the End of the then next Session of Parliament; and also several Clauses, Powers and Authorities, in the aforementioned Act made in the sixth Year of the Reign of his present Majesty, for the more effectual preventing of Theft and Rapine upon the Northern Borders of *England*; and which by the said Act were to continue in Force until the first Day of *September* one thousand seven hundred and forty-four, and from thence to the End of the then next Session of Parliament; and which said Act, together with the said several Clauses, Powers and Authorities, were by several subsequent Acts made in the seventeenth and twenty-fourth Years of the Reign of his present Majesty, further continued until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; are temporary and near expiring, shall be, and are hereby made perpetual.

Act 13 & 14 Car. 2. c. 22.

and several Clauses and Powers in the Act of 6 Geo. 2. c. 37. relating thereto; and which were continued by several subsequent Acts, are made perpetual.

17 *Geo.* 2. *c.* 40.
24 *Geo.* 2. *c.* 57.

II. And be it further enacted by the Authority aforesaid, That an Act made in the ninth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the more effectual punishing wicked and evil disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice*; which by several subsequent Acts, one made in the twelfth Year of the Reign of his said late Majesty, and the others made in the sixth, tenth, seventeenth and twenty-fourth Years of the Reign of his present Majesty, was further continued until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; is temporary and near expiring, shall be, and is hereby made perpetual.

Act 9 Geo. 1. c. 22. and which was continued by several subsequent Acts, is made perpetual.

12 *Geo.* 1. *c.* 30.
6 *Geo.* 2. *c.* 37.
10 *Geo.* 2. *c.* 32.
17 *Geo.* 2. *c.* 40.
24 *Geo.* 2. *c.* 57.

III. And

III. And be it further enacted by the Authority aforesaid, That a Clause in an Act made in the sixth Year of the Reign of his present Majesty (for making perpetual several Acts, and for other Purposes therein mentioned) to prevent the cutting or breaking down the Bank of any River or Sea Bank, which was to continue in Force during the Continuance of an Act made in the ninth Year of the Reign of his said late Majesty; and which by another Act made in the tenth Year of the Reign of his present Majesty, was further continued during the Continuance of the afore-mentioned Act made in the ninth Year of the Reign of his said late Majesty; and which by several subsequent Acts made in the seventeenth and twenty-fourth Years of his present Majesty's Reign, was further continued until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; is temporary and near expiring, shall be, and is hereby made perpetual.

Clause in Act 6 Geo. 2. c. 37. to prevent the cutting down the Banks of Rivers, and which was continued by several subsequent Acts, is made perpetual.

17 *Geo.* 2. *c.* 4.
24 *Geo.* 2. *c.* 57.

IV. And be it further enacted by the Authority aforesaid, That a Clause in an Act made in the sixth Year of the Reign of his present Majesty (for making perpetual several Acts, and for other Purposes therein mentioned) to prevent the malicious cutting of Hop Binds growing on Poles in any Plantation of Hops; which was to continue in Force during the Continuance of an Act made in the ninth Year of the Reign of his said late Majesty, and which by several subsequent Acts made in the tenth, seventeenth and twenty-fourth Years of his present Majesty's Reign, was further continued until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; is temporary and near expiring, shall be, and is hereby made perpetual.

Clause in an Act 6 Geo. 2. c. 37. to prevent the malicious cutting of Hop Binds, and which was continued by several subsequent Acts, is made perpetual.

10 *Geo.* 2. *c.* 32.
17 *Geo.* 2. *c.* 40.
24 *Geo.* 2. *c.* 57.

V. And be it further enacted by the Authority aforesaid, That a Clause in an Act made in the tenth Year of the Reign of his present Majesty (for continuing an Act for the more effectual punishing wicked and evil-disposed Persons going armed in Disguise, and doing Injuries and Violences to the Persons and Properties of his Majesty's Subjects, and for the more speedy bringing the Offenders to Justice; and for other Purposes therein mentioned) to extend, during the Continuance of the said Act, all the Provisions therein contained (for the more speedy and easy bringing the Offenders against the said Act to Justice, and the Persons who shall conceal, and abet or succour such Offenders, and for making Satisfaction and Amends to all and every the Person and Persons, their Executors and Administrators, for the Damages they shall have sustained or suffered by any Offender or Offenders against the said Act; and for the Encouragement of Persons to apprehend such Offender and Offenders; and for the better and more impartial Trial of any Indictment or Information which shall be found, commenced or prosecuted, for any of the Offences committed against the said Act; together with all Restrictions, Limitations and Mitigations, by the said Act directed) to all Cases of Offences committed by unlawfully and maliciously cutting down the Bank or Banks of any River or any Sea Bank, whereby any Lands shall be overflowed or damaged; or by unlawfully and maliciously cutting any Hop Binds growing on Poles in any Plantation of Hops; or by wilfully and maliciously setting on fire, or causing to be set on fire, any Mine, Pit or Delph of Coal or Cannel Coal, and which, by several subsequent Acts made in the seventeenth and twenty-fourth Years of his present Majesty's Reign, was further continued until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; is temporary and near expiring, shall be, and is hereby made perpetual.

Clause in an Act 10 Geo. 2. c. 32. for extending the Powers in Act 9 Geo. 1. c. 22. to the several Cases of Offences therein set forth, and which was continued by several subsequent Acts, is made perpetual.

17 *Geo.* 2. *c.* 40.
24 *Geo.* 2. *c.* 57.

VI. And be it further enacted by the Authority aforesaid, That the several Clauses in an Act made in the tenth Year of the Reign of his present Majesty (for the more effectual Punishment of Persons maliciously setting on fire any Mine, Pit or Delph of Coal or Cannel Coal; or unlawfully hunting or taking any Red or Fallow Deer in Forest or Chaces; or beating and wounding the Keepers or other Officers in Forests, Chaces or Parks) which were to continue in Force during the Continuance of an Act made in the ninth Year of the Reign of his said late Majesty, and which by several subsequent Acts, made in the seventeenth and twenty-fourth Years of his present Majesty's Reign, were further continued until the first Day of *September* one thousand seven hundred and fifty-seven, and from thence to the End of the then next Session of Parliament; are temporary and near expiring, shall be, and are hereby made perpetual.

Clauses in Act 10 Geo. 2. c. 32. for punishing of Persons maliciously setting on fire any Mine of Coal; or unlawfully hunting and taking of Deer; and beating and wounding the Keepers of Parks, &c. and which were continued by several subsequent Acts, are made perpetual. 17 *Geo.* 2. *c.* 40. 24 *Geo.* 2. *c.* 57.

VII. And be it further enacted by the Authority aforesaid, That so much of an Act made in the twentieth Year of his present Majesty's Reign, intituled, *An Act for taking away and abolishing the heritable Jurisdictions in that Part of* Great Britain *called* Scotland, *and for making Satisfaction to the Proprietors thereof, and for restoring such Jurisdictions to the Crown; and for making more effectual Provision for the Administration of Justice, throughout that Part of the United Kingdom by the King's Courts and Judges there; and for obliging all Persons acting as Procurators, Writers or Agents, in the Law of* Scotland, *to take the Oaths; and for rendering the Union of the two Kingdoms more complete*; as relates to the Power of appealing to the Circuit Courts in Civil Cases, which was to continue in Force for the Space of ten Years from the twenty-fifth Day of *March* one thousand seven hundred and forty-eight, and from thence to the End of the then next Session of Parliament; is temporary and near expiring, shall be, and is hereby made perpetual.

So much of the Act of 20 Geo. 2. c. 43 as relates to the Power of appealing to the Circuit Courts in Civil Cases, is made perpetual.

Anno

Anno tricesimo secundo GEORGII II. Regis.

'AT the Parliament begun and holden at *Westminster* the thirty-first Day of *May*, *Anno Domini* one thousand seven hundred and fifty-four, in the twenty-seventh Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. And from thence continued by several Prorogations to the twenty-third Day of *November* one thousand seven hundred and fifty-eight; being the sixth Session of this present Parliament.'

CAP. I.

An Act to continue, for a limited Time, an Act made in the last Session of Parliament, intituled, *An Act to permit the Importation of Salted Beef, Pork and Butter, from* Ireland, *for a limited Time*, and to amend the said Act.

Preamble.

Further continued by 32 Geo. 2. c. 5. and 1 Geo. 3. c. 4.

'WHEREAS the permitting the Importation of salted Beef, Pork and Butter, from *Ireland*, into this Kingdom, hath been found useful and beneficial; and that the Time allowed for that Purpose is near expiring, and it is expedient that the same should be prolonged:' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, that an Act made in the last Session of Parliament, intituled, *An Act to permit the Importation of salted Beef, Pork and Butter, from* Ireland, *for a limited Time*, which was to continue in Force for the Term of six Months, from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine; except only with respect to such Parts thereof relating to the Payment of the Duty, and to the recovering of Penalties, as are amended or otherwise provided for by this Act.

Act 31 Geo. 2.

further continued to 24 Dec. 1759.

'II. And whereas Doubts have arisen whether all Kinds of salted Pork and Hog Meat may be imported from *Ireland*, by virtue of the above recited Act;' Be it therefore declared and enacted by the Authority aforesaid, That the said Act does and shall extend, and shall be deemed, construed and taken to extend, to all Kinds of salted Pork and Hog Meat imported or to be imported, into *Great Britain* from *Ireland*, during the Continuance of the said Act.

All Kinds of salted Pork and Hog Meat, may be imported.

'III. And whereas the Duty or Imposition of one Shilling and three Pence charged and directed by the said Act to be laid on every hundred Weight of salted Beef or Pork so to be imported from *Ireland* as aforesaid, is not adequate to, but falls short of, the Duty laid upon, and payable for, such Quantity of Salt as is requisite and necessary to be used in curing and salting the same: And whereas the salted Beef and Pork imported into this Kingdom from *Ireland*, is generally packed up and contained in Casks, with the Pickle or Brine proper for preserving the same; and the opening the said Casks, in order to ascertain the Net Weight of the Beef and Pork liable to the said Duties on Importation, would not only be very expensive to the Revenue, but also a great Detriment and Loss to the said Provisions, and the Owner and Importer of the same; and that it would be more for the Benefit and Advantage of the Revenue, and also of such Owner and Importer, that the Rates and Duties to be paid upon the Importation of such Beef and Pork, should be ascertained by, and laid upon, every Barrel of the said Commodities so to be imported, according to the Rate and Proportion herein after mentioned;' Therefore be it enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *December* one thousand seven hundred and fifty-eight, and during the Continuance of this Act, there shall be paid for every Barrel or Cask of salted Beef or Pork so imported as aforesaid, containing thirty-two Gallons, to the proper Officer appointed by the said former Act, the Sum of three Shillings and four Pence, as and for Custom or Duty for, on or in respect thereof; and so in Proportion for any greater or lesser Quantity thereof: And for every hundred Weight of salted Beef, called Dried Beef, or Dried Neats Tongues, or Dried Hog Meat so imported, the Sum of one Shilling and three Pence, and so in Proportion for every greater or lesser Quantity thereof, as and for Custom or Duty for, on or in respect thereof.

Beef or Pork, if in Pickle, to pay 3 s. 4 d. per Barrel Duty;

if dried 1 s. 3 d. per Hundred Weight;

IV. And it is hereby further enacted by the Authority aforesaid, That if any Person shall after the said twenty-fourth Day of *December* one thousand seven hundred and fifty-eight, during the Continuance of this Act, land any such salted Beef, Pork or Butter, or any salted Beef called Dried Beef, or Dried Neats Tongues, or Dried Hog Meat, imported from *Ireland* as aforesaid, before Payment of the Duty laid or directed by this Act, the same, together with the Casks, Vessels and Package, containing the same, shall be forfeited and lost; and the Importer or Proprietor of the said Commodities shall also forfeit and pay the Sum of twenty Shillings for every Barrel of such salted Beef, Pork or Butter, and for every hundred Weight of such salted Beef, called Dried Beef, or Dried Neats Tongues, or Dried Hogs Meat, so imported and landed as aforesaid, and so in Proportion for every greater or lesser Quantity thereof; and that it shall and may be lawful to and for any Person or Persons (being an Officer of the Customs, or of his Majesty's Duties upon Salt) to take and seize all such Commodities as shall be imported and landed, contrary to the true Intent and Meaning of this

if landed without Duty paid, to be forfeited, with the Package; and Importer also to pay 20 s. per Barrel, or Hundred Weight.

Officer of Customs, or Salt Duties, may seize the same.

and

nd the former Act; and that all Penalties and Forfeitures inflicted and directed to be levied by this Act, shall be distributed in Manner as by the said former Act, and may be recovered either by the Ways and Means directed and appointed by the said former Act, or may be sued for, recovered and mitigated, by any of the Laws of and relating to the Excise. Forfeitures to be distributed, and recovered, as by the former Act.

CAP. II.

An Act to continue for a farther Time, the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch; and also to continue for a farther Time, the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal or Flour; and to prohibit for a limited Time, the making of Low Wines and Spirits from Bran.

'WHEREAS an Act made in the last Session of Parliament, intituled, *An Act for continuing certain Laws made in the last Session of Parliament, for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch; and for prohibiting the making of Low Wines, and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal or Flour; and to allow the Transportation of Wheat, Barley, Oats, Meal, and Flour, to the* Isle of Man, *for the Use of the Inhabitants there; and for reviving and continuing an Act made in the same Session, for discontinuing the Duties upon Corn and Flour imported, and upon Corn, Grain, Meal, Bread, Biscuit, and Flour, taken from the Enemy; and to permit the Importation of Corn and Flour into* Great Britain *and* Ireland, *in Neutral Ships; and to authorise his Majesty, with the Advice of his Privy Council, to order and permit the Exportation of such Quantities of the Commodities aforesaid, as may be necessary for the Sustentation of any Forces in the Pay of* Great Britain, *or of those of his Majesty's Allies acting in Support of the Common Cause; and to prohibit the Payment of any Bounty upon the Exportation of any of the said Commodities to be made during the Continuance of this Act*, is near expiring: And whereas it is expedient that so much of the said Act as relates to the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch; and also that the Act made in the thirtieth Year of his present Majesty's Reign, intituled, *An Act to prohibit for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour*, which was continued by the said first mentioned Act, should be further continued;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act made in the last Session of Parliament, intituled, *An Act for continuing certain Laws made in the last Session of Parliament, for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch; and for prohibiting the making of Low Wines and Spirits, from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal or Flour; and to allow the Transportation of Wheat, Barley, Oats, Meal, and Flour, to the* Isle of Man, *for the Use of the Inhabitants there; and for reviving and continuing an Act made in the same Session, for discontinuing the Duties upon Corn and Flour imported, and upon Corn, Grain, Meal, Bread, Biscuit, and Flour, taken from the Enemy; and to permit the Importation of Corn and Flour into* Great Britain *and* Ireland, *in Neutral Ships; and to authorise his Majesty, with the Advice of his Privy Council, to order and permit the Exportation of such Quantities of the Commodities aforesaid, as may be necessary for the Sustentation of any Forces in the Pay of* Great Britain, *or of those of his Majesty's Allies acting in Support of the Common Cause; and to prohibit the Payment of any Bounty upon the Exportation of any of the said Commodieies, to be made during the Continuance of this Act*, as relates to the Continuation of the Act made in the preceding Session of Parliament, for prohibiting the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch; and also the several Clauses in the said first mentioned Act contained, for allowing the Transportation of Wheat, Barley, Oats, Meal, and Flour, to the *Isle of Man*, for the Use of the Inhabitants there; to authorise his Majesty, by the Advice of his Privy Council, to order and permit the Exportation of such Quantities of the Commodities aforesaid, as may be necessary for the Sustentation of any Forces in the Pay of *Great Britain*, or of those of his Majesty's Allies, acting in Support of the Common Cause; and to prohibit the Payment of any Bounty upon the Exportation of any of the said Commodities; shall be, and the same are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine; unless such Continuation shall be abridged or shortened by any other Act to be made in this present Session of Parliament, or unless such Continuation shall, during the Recess of Parliament, be abridged or shortened by his Majesty's Royal Proclamation or Proclamations, to be issued with the Advice of his Privy Council, or his Majesty's Order or Orders in Council, to be published in the *London Gazette*; which Proclamation or Proclamations, Order or Orders, his Majesty, during the Recess of Parliament, and not otherwise, is hereby impowered, with the Advice of his Privy Council, to issue and make.

Preamble, reciting several Clauses in Act 31 Geo. 2. c. 1.

and 30 Geo. 2.

The recited Clauses in the Act of the last Session,

and in Act 30 Geo. 2.

further continued to 24 Dec. 1759; unless the Term shall be abridged by Parliament, or by Proclamation, or Order of Council.

II. And be it further enacted by the Authority aforesaid, That the said Act made in the thirtieth Year of his Majesty's Reign, intituled, *An Act to prohibit for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour*, shall be, and the same is hereby further continued, from the Expiration thereof, until the said twenty-fourth Day of *December* one thousand seven hundred and fifty-nine.

Act 30 Geo. 2. continued to 24 Dec. 1759;

III. And

and the ſeveral Proviſions thereof extended to prohibiting the making of Low Wines and Spirits from Bran.
This Clauſe is continued by 33 *Geo.* 2. *c.* 4.

III. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *December* one thouſand ſeven hundred and fifty-eight, until the twenty-fourth Day of *December* one thouſand ſeven hundred and fifty-nine, the ſeveral Proviſions made by the ſaid Act for prohibiting the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from any Meal or Flour, ſhall in like Manner extend to the prohibiting of the making of Low Wines and Spirits from Bran.

Certain Quantities of Meal, Flour, Bread, or Biſcuit, may be tranſported from Southampton, for the Uſe of the Inhabitants of Jerſey and Guernſey,

under certain Regulations.

IV. And whereas it would be of great Relief and Advantage to the Inhabitants of the Iſlands of *Jerſey* and *Guernſey*, if a ſufficient Quantity of Meal, Flour, Bread and Biſcuit, was allowed to be tranſported to the ſaid Iſlands, for the only Uſe of the Inhabitants there, inſtead of the like Quantity of Wheat, Malt or Barley, allowed by the ſaid Act made in the laſt Seſſion of Parliament to be tranſported to thoſe Iſlands; Be it therefore further enacted by the Authority aforeſaid, That it ſhall be lawful, at any Time or Times before the Expiration of this Act, to tranſport from the Port of *Southampton* only, unto the ſaid Iſlands of *Jerſey* and *Guernſey*, for the only Uſe of the Inhabitants there, any Quantity or Quantities of Meal, Flour, Bread or Biſcuit, in lieu of the like Quantity or Quantities of Wheat, Malt or Barley, allowed by the ſaid Act to be tranſported to the ſaid Iſlands, ſo that the whole Quantity of Wheat, Malt, Barley, Meal, Flour, Bread and Biſcuit, tranſported to the ſaid Iſlands before the Expiration of this Act, doth not exceed the Quantity of Wheat, Malt or Barley, limited by the ſaid Act to be tranſported to the ſaid Iſlands; and ſuch Tranſportation hereby authoriſed and allowed, ſhall be made under ſuch and the like Regulations, Penalties and Forfeitures, as the Tranſportation of Wheat, Malt and Barley, to the ſaid Iſlands is by the ſaid Act made ſubject; any Thing in any former Act or Acts contained to the contrary notwithſtanding.

70lb. Avoirdupois deemed equal to one Buſhel of Wheat, &c.

V. And be it further enacted by the Authority aforeſaid, That in order to aſcertain the Amount of the ſaid Tranſportation, every ſeventy Pounds Avoirdupois Weight of Bread or Biſcuit, ſhall be deemed reſpectively, for the Purpoſes of this Act, equal to one Buſhel of Wheat, Malt or Barley.

Return to be made to the Parliament of the Quantity of the ſaid Exports.
See Chapter 8, *by which the Prohibition is taken off.*

VI. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Cuſtoms for the Time being ſhall, and they are hereby required, to give a full and true Account in Writing to both Houſes of Parliament, at the Beginning of the next Seſſion thereof, of all Flour, Meal, Bread and Biſcuit, that ſhall have been exported to each of the ſaid Iſlands of *Jerſey* and *Guernſey*, by virtue or in purſuance of this Act.

CAP. III.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and fifty-nine. EXP.

CAP. IV.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and fifty-nine. EXP.

CAP. V.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. EXP.

CAP. VI.

An Act to explain and amend an Act paſſed in the twenty-ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Town and Borough of* Southwark, *and the ſeveral Pariſhes of* Saint Saviour, Saint Mary *at* Newington, Saint Mary Magdalen Bermondſey, Chriſt Church, Saint Mary Lambeth, *and* Saint Mary *at* Rotherhith, *in the County of* Surrey, *and the ſeveral Precincts and Liberties of the ſame*; and for extending the Powers and Proviſions of the ſaid Act to ſuch Part of the Eaſtern Half of the Hundred of *Brixton*, in the ſaid County, as is not included in the ſaid Act.

Preamble.
22 *Geo.* 2. *c.* 47.

'WHEREAS by an Act of Parliament made in the twenty-ſecond Year of his preſent Majeſty's Reign, intituled, *An Act for the more eaſy and ſpeedy Recovery of Small Debts within the Town and Borough of* Southwark, *and the ſeveral Pariſhes of* Saint Saviour, Saint Mary *at* Newington, Saint Mary Magdalen Bermondſey, Chriſt Church, Saint Mary Lambeth, *and* Saint Mary *at* Rotherhith, *in the County of* Surrey, *and the ſeveral Precincts and Liberties of the ſame*; a certain Number of Perſons to be choſen in Manner thereby authoriſed, were conſtituted a Court of Juſtice, by the Name of *The Court of Requeſts, for the Town and Borough of* Southwark, *in the County of* Surrey, with Power to hear and determine all ſuch Matters of Debt as are in the ſaid Act mentioned: And whereas it has been found by Experience that the Execution of the ſaid Act has been of great Benefit and Advantage to the ſeveral Tradeſmen, Artificers, Manufacturers, and other Perſons, living within the ſaid Town and Borough, and the ſeveral Pariſhes, Precincts and Liberties mentioned in the ſaid Act, but ſome Doubts have ariſen whether any Perſon or Perſons

'sons inhabiting within the said Limits, and indebted to Persons who do not live within the same, 'are subject to the Jurisdiction of the said Court: And whereas it would be of great Advantage to 'the several Tradesmen, Artificers, Manufacturers, and other Persons, living and residing within 'the several Parishes of *Streatham*, *Clapham*, and *Camberwell*, and the Manor of *Hatcham*, in the 'Parish of *Saint Paul Deptford* in the County of *Surrey*, being the remaining Part of the Eastern 'Half of the Hundred of *Brixton*, which is not included in the said Act, if the said Act was ex-'tended to the said Parishes and Manor;' May it therefore please your Majesty that it may be enacted and declared, And be it enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *April* one thousand seven hundred and fifty-nine, all Persons whatsoever inhabiting within the Limits of the Jurisdiction of the said Court of Requests, shall be and are hereby declared to be, subject to the Process and Jurisdiction of the said Court, for any Debt or Debts by them or any of them, then or at any Time or Times thereafter, owing to any Person or Persons, Bodies Politick or Corporate, not exceeding the Sum of forty Shillings, although the Plaintiff or Plaintiffs suing out such Process shall not inhabit or reside within the said Borough of *Southwark*, or any of the Parishes mentioned in the said recited Act, or the Liberties or Precincts thereof; any Thing in the said former Act contained to the contrary notwithstanding.

Inhabitants within the Limits of the Jurisdiction of the Court, are subject to the Process and Jurisdiction thereof for small Debts,

II. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *April* one thousand seven hundred and fifty-nine, the said Act made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for the more easy and speedy Recovery of Small Debts within the Town and Borough of* Southwark, *and the several Parishes of* Saint Saviour, Saint Mary *at* Newington, Saint Mary Magdalen Bermondsey, Christ Church, Saint Mary Lambeth, *and* Saint Mary *at* Rotherhith, in the County of *Surrey*, and the several Precincts and Liberties of the same, with the Explanation and Amendment thereof herein before enacted, and all the Powers, Directions, Punishments, Penalties, Forfeitures, Provisoes, Matters and Things in the said Act contained, shall extend, and are hereby extended to, and shall take Effect, operate, and be executed, with respect to the several Parishes of *Streatham*, *Clapham*, and *Camberwell*, and the Manor of *Hatcham* in the Parish of *Saint Paul Deptford*, in the County of *Surrey*, being the remaining Part of the Eastern Half of the Hundred of *Brixton*, which is not included in the said Act, and to all the Resiants, Inhabitants, and Persons, renting or keeping any Shop, Shed, Stall or Stand, or seeking a Livelihood within the said Parishes, and Manor, and to all other Persons, in such and the same Manner, and as fully and effectually to all Intents and Purposes whatsoever, as if the said Parishes and Manor were Part of the said Town or Borough of *Southwark*, or as if the said Powers, Directions, Punishments, Penalties, Forfeitures, Provisions, Matters and Things, were herein re-enacted with respect and in relation to the said Parishes and Manor.

Act 22 Geo. 2. and the several Powers and Provisoes, &c. therein, extended to the Parishes of Streatham, Clapham, Camberwell, and Manor of Hatcham, &c.

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for such of the Parishioners of the said respective Parishes of *Streatham*, *Clapham*, and *Camberwell*, and of such Part of the said Parish of *Saint Paul Deptford*, as lies within the said Manor of *Hatcham*, as have a Right to assemble in their several and respective Vestries, and they are hereby respectively impowered and required on *Tuesday* next after the Feast of *Easter*, which shall be in the Year of our Lord one thousand seven hundred and fifty-nine, and so on every *Tuesday* next after the Feast of *Easter*, in every succeeding Year, to nominate and assign in the Whole, the Number of twenty of the most substantial and discreet Persons residing within the said Parishes of *Streatham*, *Clapham*, and *Camberwell*, and such Part of the Parish of *Saint Paul Deptford* as aforesaid, who, together with the Persons to be from time to time nominated and appointed in the Manner directed by the said Act, are to be Commissioners for putting the said Act and this Act in Execution; which Persons shall be nominated in the Manner following; that is to say, Such Parishioners of the Parish of *Streatham* to nominate and assign six of the said Persons, of the Parish of *Clapham* six of the said Persons, of the Parish of *Camberwell* six of the said Persons, and such Part of the said Parish of *Saint Paul Deptford* as lies within the said Manor of *Hatcham*, two of the said Persons; and the Churchwardens of each respective Parish for the Time being, or one of such Churchwardens, shall within two Days next after every such Nomination, cause two Lists to be made out of the Persons so nominated and appointed; and shall cause one of the said Lists, or a true Copy thereof, to be fixed or stuck up on the Church Door of each respective Parish; and shall deliver, or cause to be delivered, the other to the Chief Bailiff of the said Town and Borough of *Southwark*, or his Deputy, who shall forthwith cause a Copy of such Lists to be made and stuck in some convenient Part of the Town Hall of the said Town and Borough of *Southwark*; and the Persons so to be from time to time nominated and appointed by the Parishioners of the said Parishes of *Streatham*, *Clapham*, *Camberwell*, and *Saint Paul Deptford* respectively, as aforesaid, shall, together with the Persons appointed or to be appointed by virtue of the said former Act, be Commissioners for putting the said former Act and this present Act in Execution; and the Commissioners so to be from time to time nominated and appointed by virtue of the said former Act and this present Act, or any three or more of them, shall be and are hereby fully authorised and impowered to put the said Act, and all the Powers and Authorities therein contained, and also this Act in Execution; except only as to the Suspension, Removal, or Election of any Clerk or Clerks of the said Court; and which Suspension, Removal, or Election, may and are hereby authorised to be, from time to time, made by the

20 Commissioners to be nominated annually on Tuesday in Easter-week by the Inhabitants of the said Parishes in Vestry assembled,

who are to be joint Commissioners with those appointed in pursuance of the recited Act.

viz. Streatham to nominate 6;
Clapham 6;
Camberwell 6;
St. Paul Deptford in Hatcham Manor 2.

Lists of the Commissioners to be made out:

One to be affixed on the Church Doors in each Parish, and the other to be delivered to the Chief Bailiff of Southwark, to be stuck up in the Town Hall.

Power given them jointly with the Commissioners under the former Act, to put this and the said Act in Execution, except with respect to the Suspension, Removal, or Election of the Clerks of the Court,

the major Part of the said Commissioners assembled at a Court to be summoned in the Manner prescribed by the said Act; any Thing in the said Act contained to the contrary notwithstanding.

The two Persons standing foremost on each List to be summoned monthly to attend the Court, and so in Rotation; except for St. Paul Deptford, for which one Person only is to be summoned.

IV. And be it further enacted by the Authority aforesaid, That the said Chief Bailiff, or his Deputy, shall, within two Days next after such several Lists shall be returned to him as aforesaid, summon, or cause to be summoned, the two first Persons named in the said List for the Parish of *Streatham*, the two first Persons named in the said List for the Parish of *Clapham*, the two first Persons named in the said List for the Parish of *Camberwell*, and the first Person named in the said List for such Part of the Parish of *Saint Paul Deptford* as aforesaid, to attend as Commissioners of the said Court for one Month then next following; and so the like Number of Persons out of every List, as they shall stand in Order and Rotation therein respectively, to serve as Commissioners, from Month to Month, during the Term for which they are chosen Commissioners.

Limitation of Actions.

V. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be brought or commenced against any Person or Persons, for any Matter or Thing done or to be done in pursuance of this Act, then and in such Case, such Action or Suit shall be brought or commenced within three Calendar Months next after the Fact committed, and not afterwards; and the Defendant or Defendants in such Action or Suit to be brought, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and if the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his or their Action or Actions, Suit or Suits; or if upon Verdict or Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall and may recover Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have in any other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

VI. And be it further enacted by the Authority aforesaid, That this Act shall be deemed, adjudged and taken to be a Publick Act; and be judicially taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

CAP. VII.

See farther 33 *Geo.* 2. *c.* 29. 1 *Geo.* 3. *c.* 12. 2 *Geo.* 3. *c.* 23. 3 *Geo.* 3. *c.* 5.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments within the Time limited by Law; and for allowing further Time for that Purpose. *EXP. Time given to* 28 *Nov.* 1759.

CAP. VIII.

An Act for taking off the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch.

Act of this Session. *Refer to Chapter* 2.

'WHEREAS by an Act made in this Session of Parliament, intituled, *An Act to continue for a farther Time, the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch; and also to continue for a farther Time, the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt, or any other Sort of Grain, or from Meal or Flour; and to prohibit for a limited Time, the making of Low Wines and Spirits from Bran*; it was enacted, That the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, and likewise the Prohibition of the Payment of any Bounty upon the Exportation of any of the said Commodities, should be further continued until the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, unless such Continuation should be abridged or shortened by any other Act to be made in this present Session of Parliament, or in such other Manner as by the said Act is provided: And whereas it is expedient for the publick Service, that the Continuance of so much of the said Act as relates to the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit, and Starch, and of the Payment of any Bounty on the Exportation of any of the said Commodities, should be abridged and shortened;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That such Continuance shall, from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, cease and determine.

The Exportation of Corn, Malt, &c. provisionally allowed,

unless his Majesty by Proclamation, or Order in Council, shall stop the Exportation thereof, until 25 Dec. 1759.

II. Provided always, and be it enacted by the Authority aforesaid, That if at any Time before the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine, his Majesty shall judge it to be most for the Benefit and Advantage of this Kingdom to stop the Exportation of the said Commodities, it shall be lawful for his Majesty, by his Royal Proclamation, to be issued by the Advice of his Privy Council, or by his Majesty's Order in Council, to be published in the *London Gazette*, to prohibit and stop the Exportation of the said Commodities, until the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine; except only in such Cases in which the said Commodities were allowed to be exported during such Continuance of the said Act of this Session of Parliament.

Exception.

CAP.

CAP. IX.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

Preamble.

'WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Possessions of the Crown of *Great Britain*, that a Body of Marine Forces should be employed in his Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*: And whereas the said Marine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relating to the Government of his Majesty's Forces by Sea; yet nevertheless it being requisite, for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny, or stir up Sedition, or shall desert his Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, if any Person being entered, or in Pay, as an Officer of Marines, or who is or shall be listed, or in Pay, as a Private Man in any Company of Marines in his Majesty's Service, and on the twenty-fifth Day of *March* one thousand seven hundred and fifty-nine shall remain in such Service, or during the Continuance of this Act shall be voluntarily entered, and in Pay, as a Marine Officer or Private Man in his Majesty's Service, and being ordered or employed in such Service, at any Time during the Continuance of this Act on Shore, in any Place within the Realm of *Great Britain*, or in the Kingdom of *Ireland*, or in any of his Majesty's Dominions beyond the Seas respectively, shall begin, excite, cause, or join in any Mutiny or Sedition, in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces in his Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall desert his Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment in his Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine; or shall be found sleeping upon his Post, or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of his Majesty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without his Majesty's Licence, or Licence of the Lord High Admiral of *Great Britain*, or of three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being; or shall strike, or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending, in any or either of the Matters before mentioned, on Shore, in any Part of this Kingdom, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

After 25 March 1759, during the Continuance of this Act, every Marine Officer and Private Man, on Shore,

who shall mutiny, or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on, or shall desert his Post, or hold illegal Correspondence with the Enemies of his Majesty, or shall strike, or disobey his superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

II. And be it further enacted by the Authority aforesaid, That it shall and may from time to time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in his Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court-martial, at any Place or Places on Shore in this Realm, or in *Ireland*, or in any of his Majesty's Dominions beyond the Seas; in every of which Courts-martial all or any of the Offences aforesaid, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such Manner as by this Act is directed.

The Lord High Admiral, or Commissioners for executing that Office, may grant a Commission to hold General Courts-martial, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgment, to inflict Corporal Punishment, not extending to Life or Limb, on any Marine, for Immorality, Misbehaviour, or Neglect of Duty, on Shore, in any Place or Places within this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, during the Continuance of this Act.

Courts-martial may inflict Corporal Punishment for Immoralities, &c.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour, and Neglect of Duty, in any of his Majesty's Marine Forces, while on Shore, in any Part of this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice; and to erect and constitute Courts-martial, with Power to try, hear, and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act.

Lords, &c. of the Admiralty impowered to make Articles for Punishment of Mutiny and Desertion, &c.

and to constitute Courts-martial.

None to be adjudged of Life or Limb, but for Crimes expressed to be so punishable by this Act.

V. Provided always, That no Person or Persons shall be adjudged to suffer any Punishment extending to Life or Limb, by the said Rules and Articles, within the Kingdom of *Great Britain* or *Ireland*, except for such Crime or Crimes as is or are expressed to be so punishable by this Act.

General Court-martial not to consist of less than 13, and the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain.

May administer an Oath to Witnesses.

VI. And it is hereby further enacted and declared, That no General Court-martial, which shall have Power to sit by Virtue of this Act, shall consist of a less Number than thirteen, whereof none to be under the Degree of a Commission Officer of Marines; and the President of such Court-martial shall not be under the Degree of a Field Officer of Marines, unless where such Field Officer cannot be had; in which Case, the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required, to administer an Oath to every Witness, in Order to the Examination or Trial of any of the Offences that shall come before them.

Officers to be sworn.

VII. Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the holy Evangelists, before the Court, and Judge Advocate, or his Deputy, who are hereby authorized to administer the same, in these Words; that is to say,

The Oath.

'YOU shall well and truly try and determine according to the Evidence which shall be given in the Matter now before you, between our Sovereign Lord the King's Majesty and the Prisoner to be tried:'

So help you God.

The Oath.

'I *A. B.* do swear that I will duly administer Justice, according to an Act of Parliament now in Force for the Regulation of his Majesty's Marine Forces while on Shore; and according to the Rules and Articles made in pursuance of the said Act of Parliament, for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour, or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles) according to my Conscience, the best of my Understanding, and the Custom of War in like Cases. And I further swear, That I will not divulge the Sentence of the Court until it shall be approved by the Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice in a due Course of Law:

So help me God.

The Judge Advocate to be sworn.

And so soon as the said Oaths shall have been administred to the respective Members, the President of the Court is hereby authorized and required to administer to the Judge Advocate, or to the Person officiating as such, an Oath in the following Words:

The Oath.

'I *A. B.* do swear, That I will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice in a due Course of Law:'

So help me God.

In Sentences of Death, Nine Officers to concur, &c.

And no Sentence of Death shall be given against any Offender by any such General Court-martial as aforesaid, unless nine Officers present shall concur therein; and if there be more Officers present than thirteen, then the Judgment shall pass by the Concurrence of two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of eight of the Clock in the Morning, and three in the Afternoon, except in Cases which require an immediate Example.

Hours of Trial.

The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court-martial.

VIII. Provided always, That the Party tried by any General Court-martial to be held as aforesaid, shall be intitled to a Copy of the Sentence and Proceeding of such Court-martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same) at any Time not sooner than three Months after such Sentence, whether such Sentence be approved or not; any thing in this Act to the contrary notwithstanding.

Original Proceedings, &c. of Courts-martial to be transmitted to the Secretary of the Admiralty, &c.

IX. And be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such at any General Court-martial, to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain*, to the End that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act.

X. Provided

X. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or private Man, being acquitted or convicted of any Offence, at any such Court-martial as aforesaid, shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than Once.

None to be tried a second Time for the same Offence.

Sentence not to be revised more than once.

XI. And be it further enacted, That if any Officer, or private Man shall desert his Majesty's Service in any of his Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm, or *Ireland*, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same; such Officer or private Man shall be tried for the same, as if the said Offence had been committed within this Realm.

Deserters beyond Sea, &c. may be tried here or in Ireland.

XII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Marine, either Officer or private Man whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law.

This Act not to exempt any on Shore from ordinary Process.

XIII. Provided also, and be it further enacted, That no Person or Persons being acquitted or convicted of any Capital Crimes, Violences or Offences, by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons acquitted by the Civil Magistrate, may only be cashiered by a Court-martial.

XIV. Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer, or private Man, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Company or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial: And if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person, to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the County where the Fact is committed, by the Oath of two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace for the said County, and a Certificate thereof transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

'XV. And whereas his Majesty hath been graciously pleased, in Compassion to the distressed Con-
'dition of several Widows of Officers of the Army, who have lost their Lives in the Service of the
'late War, or during the late Rebellion, by Orders made under his Royal Sign Manual, to direct
'his Commissary General of the Musters, to allow upon the Muster Rolls of all the Regiments,
'Troops, and Companies, a Number of fictitious Names therein mentioned, instead of private
'Men, in order to raise and settle a Fund for the Maintenance of such Widows of Officers as are
'or shall be intitled to his Royal Bounty: Therefore, for the more effectually fulfilling his Majesty's
'said gracious Intentions, with respect to the allowing of fictitious Names upon the Muster-rolls of
'the said Marine Forces while on Shore, for the Purposes aforesaid;' Be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the Time being authorized to pay the said Marine Forces, to pay over the full Pay of such fictitious private Men as shall be allowed on the Muster-rolls of the said Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by his Majesty, according to such Orders and Instructions as his Majesty shall be pleased to make under his Sign Manual, for the Purpose aforesaid; and that no Allowance of any such fictitious Name upon any Muster-roll of the said Marine Forces while on Shore as aforesaid, shall be construed to be a false Muster; any thing in this or any former Act contained to the contrary notwithstanding.

Fictitious Names allowed by his Majesty's Order upon the Muster-rolls, for the Maintenance of Officers Widows not to be counted a false Muster.

Paymaster to pay the full Pay of such Men to the Receiver.

'XVI. And whereas there is and may be Occasion for the marching and quartering of the said
'Marine Forces in several Parts of this Kingdom;' Be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer (in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being) it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other chief Officers and Magistrates of Cities, Towns, and Villages, and other Places, within *England*, *Wales* and the Town of *Berwick* upon *Tweed*, and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Village, or Place, and for no others; and such Constables, and other Civil Magistrates as aforesaid, are hereby required to quarter and billet the Marines, both Officers and private Men, in his Majesty's Service, in Inns, Livery Stables, Ale-houses, Victualling-houses, and the Houses of Sellers of Wine by Retail to be drank in their own Houses, or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cyder, or Metheglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the

Constables, &c. to quarter Officers and Men in Inns, Alehouses, &c.

But in no Distillers Houses, or Shop-keepers, or in any private Houses.

the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandizes, than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses) and in no other, and in no private Houses whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tythingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or Billet any such Officer or private Man in any such private House, without the Consent of the Occupier; in such Case, such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter private Men, otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall, for every such Offence (being thereof convicted before any two or more of the next Justices of the Peace of the County, by the Oath of two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Employment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tythingman, or Headborough, Chief Officer, or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear in Proportion to his Neighbours; and shall complain thereof to one or more Justice or Justices of the Peace of the Division, City, or Liberty, where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to two or more Justices of the Peace of such Division, City, or Liberty, such Justice or Justices respectively shall have, and is or are hereby declared to have, Power to relieve such Person, by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons, as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

Penalty on Officers quartering Private Men contrary to this Act, &c.

Persons aggrieved by being quartered on, may complain to any Justices, and be relieved.

Officers and Marines to be furnished at the Rates herein set for their Provisions.

XVII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Ale-houses, Victualling houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses, or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates herein after mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

What Inholders may allow Men quarter'd on them, instead of Meat.

XVIII. Provided always, That in case any Inholder or other Person on whom any Non-commission Officers or private Men shall be quartered by virtue of this Act (except on a March, or employed in Recruiting; and likewise except the Recruits by them raised, for the Space of seven Days at the most, for such Non-commission Officers and private Men who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or private Men with Candles, Vinegar, and Salt, and with either Small Beer or Cyder, not exceeding five Pints for each Man *per Diem*, *gratis*, and allow to such Non-commission Officers or private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then, and in such Case, the Non-commission Officers and private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or who shall actually receive, the Pay and Substance of such Non-commission Officers and private Men, shall pay the several Sums herein after mentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and private Men aforesaid, and not to the Inholder or other Person on whom such Non-commission Officer and private Men are quartered; any thing herein contained to the contrary notwithstanding.

Penalty on taking Money to excuse any Person from quartering.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if any Marine Officer shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or private Men, or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Employment whatsoever.

Commanding Officer may exchange Marines in their Quarters;

Constables to billet the same accordingly.

'XX. And whereas it may be for the Benefit of the Service for the Commanding Officer to have 'a Power to exchange the Billets or Quarters of Marines quartered in the same Town or Place;' Be it therefore enacted by the Authority aforesaid, That the Commanding Officer of Marines in any Town or Place where such Marine Forces are quartered, shall, and he is hereby declared to have Power, from time to time, to exchange any Marine or Marines quartered in such Town or Place, for any other Marine or Marines quartered in the same Town or Place; provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively, where such Men shall be exchanged; and the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns, and Villages, or other Places, where any of the said Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

XXI. And

No Paymaster, &c. to make Deductions out of Officers or private Mens Pay.

XXI. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, no Paymaster or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Marine, either Officer or private Man, in his Majesty's Service, or from their Agents, which shall grow due from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, other than the usual Deductions for Cloathing, and twelve Pence in the Pound to be disposed of as his Majesty shall think fit; and the one Day's Pay in the Year for the Use of the Royal Hospital at *Chelsea*, and such other necessary Deductions as shall from Time to Time be directed by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, by Order in Writing under his or their respective Hand or Hands. Exceptions.

Officers to give Notice to Innkeepers of Subsistence-money in their Hands.

XXII. And that the Quarters both of the said Marine Officers and private Men, while on Shore as aforesaid, may, during the Continuance of this Act, be duly paid and satisfied, and his Majesty's Duties of Excise better answered, Be it enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, every Officer or other Person, to whom it belongs to receive, or that shall actually receive the Pay or Subsistence-money, for one or more particular Company or Companies of the said Marine Forces or otherwise, shall immediately, upon each Receipt of every particular Sum which shall, from Time to Time, be paid, returned, or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or private Men are quartered by virtue of this Act; and shall also appoint the said Innkeepers, and others, to repair to their Quarters at such Times as they shall appoint for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or private Men, which shall be within four Days at the farthest after the Receipt of the same as aforesaid; and the said Innkeepers and others shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or private Men: Provided the said Accounts exceed not, for one Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and Small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, *per Diem*, six Pence; nor for one private Man's Diet and Small Beer, *per Diem*, four Pence: And if any Officer or Officers as aforesaid, shall not give Notice as aforesaid, and shall not immediately, upon producing such Account stated, satisfy, content and pay the same; upon Complaint and Oath made thereof, by any two Witnesses, at the next Quarter-Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster or Person for the Time being authorized to pay the said Marine Forces is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers; upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future: And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the Time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer and Officers shall, for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered. Rates of Subsistence to be paid to Innkeepers, &c. for Marines Quarters. Officers not giving Notice of Subsistence-money, and paying Quarters, Paymaster to satisfy them out of the Company's next Pay, and Officer to be cashiered.

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due, &c.

XXIII. And where it shall happen that the Subsistence-money due to any Marine Officer or private Man shall, by Occasion of any Accident, not be paid to such Officer or private Man, or such Officer or private Man shall neglect to pay the same, so that Quarters cannot be, or are not paid as this Act directs; in every such Case it is hereby further enacted, That every such Officer shall, before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts as this Act directs, with every Person with whom such Company shall have quartered, and sign a Certificate thereof, and give the said Certificate, so by him signed, to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the End the said Certificate may be forthwith transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the End the same may be applied to such Company, under Pain as is before in this Act directed for Nonpayment of Quarters. Paymaster to pay the Sum certified for.

Officers, &c. to be quartered in Scotland as the Laws in Force at the Union direct.

XXIV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and private Men of his Majesty's Forces in *Scotland*, in such and the like Places and Houses as Officers and private Men of the Land Forces might have been quartered in by the Laws in Force in *Scotland* at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and private Men quartered there, as by the said Laws in Force at the Time of the Union was provided with respect to the Officers and private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Juſtices to order Conſtables to provide Carriages for the Marine Forces on their March.

XXV. And be it further enacted by the Authority aforeſaid, That for the better and more regular Proviſion of Carriages for his Majeſty's Marine Forces in their Marches, or for their Arms, Clothes or Accoutrements in *England*, *Wales* and the Town of *Berwick* upon *Tweed*, all Juſtices of the Peace, within their ſeveral Counties, Ridings, Diviſions, Shires, Liberties and Precincts, being duly required thereunto by the ſaid Lord High Admiral, or three or more of the Commiſſioners for executing the Office of Lord High Admiral for the Time being, by an Order in Writing under his or their reſpective Hand or Hands, ſhall, as often as ſuch Order ſhall be brought and ſhewn unto one or more ſuch Juſtices by the Officer or Officers of the Company or Companies of Marines ſo ordered to march, iſſue out his or their Warrant or Warrants to the High Conſtables or Petty Conſtables of the Diviſion, Riding, City, Liberty, Hundred or Precinct, from, through, near or to which ſuch Company or Companies ſhall be ordered to march; requiring them to make ſuch Proviſion for Carriages, with able Men to drive the ſame, as ſhall be mentioned in the ſaid Warrant, allowing them ſufficient Time to do the ſame, that the neighbouring Parts may not always bear the Burthen: And in caſe ſufficient Carriages cannot be provided within any ſuch Riding, City, Liberty, Hundred, Diviſion or Precinct; then the next Juſtice or Juſtices of the Peace of the County, Riding or Diviſion, ſhall upon ſuch Order as aforeſaid being brought or ſhewn to one or more of them, by any of the Marine Officers aforeſaid, iſſue his or their Warrant or Warrants to the High Conſtables or Petty Conſtables of ſuch next County, Riding, Liberty, Diviſion or Precinct, for the Purpoſes aforeſaid, to make up ſuch Deficiency; and the aforeſaid Officer or Officers, who by virtue of the aforeſaid Warrant or Warrants from ſuch Juſtice or Juſtices of the Peace, is or are to demand the Carriage or Carriages therein mentioned, of the High Conſtable or Petty Conſtable to whom the Warrant is directed, is and are hereby required at the ſame Time to pay down in Hand

Rates for Carriages.

to the ſaid Conſtable or Petty Conſtable, for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horſes ſhall travel; and the Sum of one Shilling for every Mile any Wain with ſix Oxen, or four Oxen with two Horſes, ſhall travel; and the Sum of nine Pence for every Mile any Cart with four Horſes ſhall travel; and ſo in Proportion for leſs Carriages; for which reſpective Sums ſo received, the ſaid Conſtable or Petty Conſtable is hereby required to give a Receipt in Writing to the Perſon or Perſons paying the ſame: And ſuch Conſtable or Petty Conſtable ſhall order and appoint ſuch Perſon or Perſons, having Carriages within their reſpective Liberties, as they ſhall think proper, to provide and furniſh ſuch Carriages and Men, according to the Warrant aforeſaid, who are hereby required to provide and furniſh the ſame accordingly: And if any Marine Officer or Officers, for the Uſe of whoſe Company or Companies the Carriage was provided, ſhall force and conſtrain any Waggon, Wain, Cart or Carriage, to travel more than one Day's Journey, or ſhall not diſcharge the ſame in due Time for their Return Home, or ſhall ſuffer any Marine or Servant (except ſuch as are ſick) or any Woman, to ride in the Waggon, Wain, Cart or Carriage aforeſaid, or ſhall force any Conſtable or Petty Conſtable, by Threatenings or menacing Words, to provide Saddle Horſes for themſelves or Servants, or ſhall force Horſes from the Owners by themſelves, Servants or private Men; every ſuch Officer, for every ſuch Offence, ſhall forfeit the Sum of five Pounds; Proof thereof being made upon Oath before two of his Majeſty's Juſtices of the Peace of the ſame County or Riding, who are to certify the ſame to the proper Paymaſter of his Majeſty's Marine Forces, who is hereby required to pay the aforeſaid Sum of five Pounds accordingly to the Order and Appointment under the Hands and Seals of ſuch Juſtices of the Peace, and is alſo hereby impowered to deduct the ſame out of ſuch Officer's Pay.

Penalty on Officers forcing Waggons to travel more than one Day's Journey, &c.

Penalty on Conſtables, &c. Neglect.

XXVI. And be it enacted by the Authority aforeſaid, That if any High Conſtable or Petty Conſtable ſhall wilfully neglect or refuſe to execute any ſuch Warrant of the ſaid Juſtice or Juſtices of the Peace, as ſhall be directed unto ſuch Conſtable or Petty Conſtable for providing Carriages as aforeſaid; or if any Perſon or Perſons, appointed by ſuch Conſtable or Petty Conſtable to provide or furniſh any Carriage and Man, ſhall refuſe or neglect to provide the ſame; or any other Perſon or Perſons whatſoever ſhall wilfully do any Act or Thing, whereby the Execution of any ſuch Warrant or Warrants ſhall be hindered or fruſtrated; every ſuch Conſtable, or other Perſon or Perſons ſo offending, ſhall, for every ſuch Offence, forfeit any Sum not exceeding forty Shillings, nor leſs than twenty Shillings, to the Uſe of the Poor of the Pariſh where any ſuch Offence ſhall be committed: And all and every ſuch Offence and Offences ſhall and may be enquired of, heard, and fully determined, by two of his Majeſty's Juſtices of the Peace, dwelling in or near the Place where ſuch Offence ſhall be committed, who have hereby Power to cauſe the ſaid Penalty to be levied by Diſtreſs and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) to the Owner.

'XXVII. And whereas the reſpective Sums of Money by this Act appointed to be paid to the 'Conſtable by the Officers demanding ſuch Carriages, may not, in many Caſes, be ſufficient to 'anſwer the Charge and Expence of providing the ſame, whereby the ſaid Conſtables may be fre-'quently at great Charges, over and above what is received by them of the ſaid Officers, to the 'great Burthen of the Townſhip of which they are reſpectively Conſtables, or elſe the Perſons fur-'niſhing ſuch Carriages may be grievouſly oppreſſed: To prevent which, and that ſuch Overplus 'Charge may be borne by each County or Riding, at the general Charge of ſuch County or Riding,' Be it further enacted by the Authority aforeſaid, That the Treaſurer or Treaſurers of each reſpective County or Riding ſhall, without Fee or Reward, pay unto ſuch Conſtable all and every ſuch reaſonable Sum or Sums of Money, ſo by him paid or laid out for ſuch Carriages, over and above

Treaſurers of the County to repay the Conſtable's extraordinary Charges.

what

what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules and Directions, as the said Justices of the Peace, in their Quarter-Sessions assembled, within their respective Jurisdictions shall, from Time to Time, during the Continuance of this Act, make, direct and appoint (which Orders shall be made without Fee or Reward) Regard being always had to the Season of the Year, and the length and Condition of the Roads through which such Carriages are to travel.

'XXVIII. And in case the said publick Stock of the County or Riding be not sufficient (over 'and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Car-'riages before-mentioned;' It is hereby further enacted, That the said Justices of the Peace in the General Quarter-Sessions shall have Power, from Time to Time, to raise Monies upon the respective Counties or Ridings in such Manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages. The Money for those Purposes how to be raised.

XXIX. Provided always, and be it further enacted, That no Waggon, Wain, Cart or Carriage, impressed by Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above twenty Hundred Weight; any Thing in this Act contained to the contrary notwithstanding. No Waggon, &c. to carry above 20 Hundred Weight.

XXX. And be it further enacted, That the Carriages for the Service of the Marine Forces quartered or marching in *Scotland*, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in Force in *Scotland* at the Time of the Union, with regard to the furnishing Carriages for Land Forces. Carriages in Scotland how to be provided.

XXXI. And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorized to quarter Marines in any Houses hereby appointed for that Purpose, shall at any Time, during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid-servants of any Officer or Marine in any such Houses, against the Consent of the Owners; the Party offending, if an Officer of the Marines, shall, upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered; and if a Constable, Tythingman or other Civil Officer, he shall forfeit to the Party aggrieved twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace, to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same. Marines Wives, &c. not to be quartered without Consent. Penalty.

'XXXII. And for the better Preservation of the Game, in or near such Place where any Officers 'or Soldiers shall at any Time be quartered;' Be it enacted by the Authority aforesaid, That if, from and after the said twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, any Officer or Marine, shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill or destroy any Hare, Coney, Pheasant, Partridge, Pigeon or any other Sort of Fowls, Poultry or Fish, or his Majesty's Game, within the Kingdom of *Great Britain*; and upon Complaint thereof shall be, upon Oath of one or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby impowered and authorized to hear and determine the same; (that is to say) every Officer so offending shall, for every such Offence, forfeit the Sum of five Pounds, to be distributed among the Poor of the Place where the Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Marine under his Command, shall forfeit the Sum of twenty Shillings, to be paid and distributed in Manner aforesaid: And if, upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Oversees of the Poor, such Officer shall refuse or neglect, and not within two Days pay the said respective Penalties, such Officer so refusing or neglecting shall forfeit, and is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void. Penalty on Officers or Marines destroying the Game.

'XXXIII. And whereas several Marines, who being duly entered, may afterwards desert, and 'be found wandering, or otherwise absenting themselves illegally from his Majesty's Service;' It is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough or Tythingman, of the Town or Place where any Person, who may be reasonably suspected to be such a Deserter, shall be found, to apprehend, or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace living in or near such Town or Place, who is hereby impowered and required to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witness or Witnesses, upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found, that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction, or other publick Prison, in such Town or Place where such Deserter shall be apprehended; or to the *Savoy*, in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent; and transmit an Account thereof to the Secretary of the Admiralty for the Time being, to the End such Person may be proceeded against according to Law: And the Keeper of such Gaol, House of Correction or Prison, shall receive the full Subsistence of every such Deserter, during the Time he shall continue in his Custody, for the Maintenance of such Deserter; but shall not be entitled to any Fee or Reward, on account of the Imprisonment of any such Deserter; any Law, Usage or Custom to the contrary notwithstanding. Constables may apprehend Deserters, and carry them before a Justice; Justice to commit them, and transmit an Account to the Secretary of the Admiralty. Gaol-keeper to receive the Subsistence of Deserters.

'XXXIV. And for the better Encouragement of any Person or Persons to secure or apprehend 'such Deserters;' Be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money of Reward for taking up Deserters.

the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money arisen or to arise in the Year one thousand seven hundred and fifty-nine, into the Hands of such Person or Persons who shall apprehend, or cause to be apprehended, any such Deserter from his Majesty's Service, the Sum of twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of twenty Shillings shall be satisfied by such Collector or Collectors to whom such Warrant shall be directed, and allowed upon his or their Account.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

XXXV. And be it further enacted, That if any Person shall harbour, conceal, or assist any Deserter from his Majesty's Marine Service, knowing him to be such; the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; or if any Person shall knowingly detain, buy, or exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed; every such Person so offending, in each, any or either of the Cases aforesaid, shall forfeit for every such Offence the Sum of five Pounds; and upon Conviction by the Oath of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds, and five Pounds, shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattels of the Offender; one Moiety of the said first mentioned Penalty of five Pounds to be paid to the Informer, by whose Means such Deserter shall be apprehended; and one Moiety of the said last mentioned Penalty of five Pounds to be paid to the Informer; and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Marine did or doth belong: And in case any such Offender, who shall be convicted as aforesaid, of harbouring or assisting any such Deserter or Deserters; or having knowingly received any Arms, Clothes, Caps, or other Furniture belonging to the King; or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattels, whereon Distress may be made, to the Value of the Penalties recovered against him for such Offence, or shall not pay such Penalties within four Days after such Conviction; then and in such Case, such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprise for the Space of three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice or Justices.

This Act to extend to Deserters, &c. in Ireland.

XXXVI. Provided always, That so much of this Act as relates to the Punishment of such who shall harbour, conceal, or assist Deserters, or shall knowingly detain, buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, or cause the Colour of such Clothes to be changed, shall extend, to all Ends and Purposes whatsoever, to *Ireland*, and shall be put in Execution in that Kingdom, by all Justices of the Peace, and other Officers respectively, according to the Tenor and during the Continuance of this Act.

Continuance of this Act.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in Force from the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and fifty-nine, until the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and sixty.

No Volunteer liable to Process, unless for some criminal Matter,

or unless for a real Debt of the Value of 10l. Oath of the Debt to be made before a Judge,

and a Memorandum thereof marked on the Back of the Process;

otherwise Prisoner to be discharged, with Costs.

XXXVIII. And to prevent as far as may be, any unjust or fraudulent Arrests that may be made upon Marines, whereby his Majesty and the Publick may be deprived of their Service; It is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is entered or shall enter himself as a Volunteer in his Majesty's Service as a Marine, during the Continuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt, or other just Cause of Action; and unless before the taking out of such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorised to take Affidavits in such Courts, that to his or their Knowledge the original Sum, justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of ten Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for one or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Marine so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Marine so arrested, was legally entered as a Marine in his Majesty's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining such Costs as such Judge or Judges shall think reasonable: For the Recovery whereof, he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

XXXIX. And

'XXXIX. And to the end that honest Creditors, who aim only at the Recovery of their just 'Debts due to them from Persons entered as Marines in his Majesty's Service, may not be hin- 'dered from suing for the same, but on the contrary may be assisted and forwarded in their Suits; 'and instead of an Arrest, which may at once hurt the Service, and occasion a great Expence and 'Delay to themselves, may be enabled to proceed in a more speedy and cheap Method;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence before such Entering, to file a Common Appearance in any Action to be brought for or upon Account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so entered as aforesaid; this Act, or any thing herein, or any former Law or Statute to the contrary notwithstanding.

Plaintiff giving Notice, may file a Common Appearance, and proceed to Judgment and Execution.

XL. And be it further enacted by the Authority aforesaid, That if any High Constable, Constable, Bedel, or other Officer or Person whatsoever, who by Virtue or Colour of this Act, shall quarter or billet, or be employed in quartering or billeting, any Marine Officers or Private Men, shall neglect or refuse, for the Space of two Hours, to quarter or billet such Officers or Marines when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; or shall receive, demand, contract, or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse any Person or Persons whatsoever from quartering or receiving into his, her, or their House or Houses any such Officer or Marine; or in case any Victualler, or any other Person, liable by this Act to have any Officer or Marine billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Marine so quartered or billeted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before respectively directed to be furnished or allowed to Non-commission Officers and Marines so quartered or billeted on him or her as aforesaid, at the Rate herein before mentioned, and shall be thereof convicted before any one or more Justice or Justices of the Peace of the County, City or Liberty, within which such Offence shall be committed, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered to administer); every such High Constable, Constable, Bedel, or other Officer or Person so offending, shall forfeit for every such Offence the Sum of five Pounds, or any Sum of Money not exceeding five Pounds, nor less than forty Shillings (as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit) to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal, or Hands and Seals of such Justice or Justices before whom such Offender shall be convicted, or of one or more of them, to be directed to any other Constable within the County, City or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of five Pounds, or the said Sum not exceeding five Pounds, nor less than forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some or one of them, for the Use of the Poor of such Parish.

Penalty on Constables, &c. neglecting to quarter Marines.

Penalty on taking Money to excuse any Person from quartering,

and on Victuallers refusing to receive Marines.

'XLI. And for the better preventing Abuses in quartering or billeting the Marines in pursuance 'of this Act;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one or more Justice or Justices of the Peace within their respective Counties, Cities or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times during the Continuance of this Act, to require and command any High Constable, Constable, Bedel, or other Officer, who shall quarter or billet any Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and Private Men who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons, upon whom every such Officer or Private Man shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper dwells, and the Signs (if any) belonging to their Houses; to the end it may appear to the said Justice or Justices where such Officers and Private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

To prevent Abuses in quartering, Justices may order Constables to give an Account of the Number of Officers and Private Men, and where quartered.

XLII. Provided nevertheless, and it is hereby declared by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and fifty-nine, when and as often as any Person or Persons shall be inlisted as a Marine or Marines in his Majesty's Service, he and they shall within four Days, but not sooner than twenty-four Hours, after such Inlisting respectively, be carried before the next Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate (not being an Officer of Marines) and before such Justice or Chief Magistrate, he or they shall be at Liberty to declare his or their Dissent to such Inlisting; and upon such Declaration, and returning the Inlisting-money, and also each Person so dissenting paying the Sum of twenty Shillings for the Charges expended or laid out upon him, such Person or Persons so inlisted shall be forthwith discharged and set at Liberty, in Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of twenty-four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; or if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves, then such Justice or Chief Magistrate shall, and he is hereby required

Clause for Relief of Persons hastily listing themselves.

forthwith to certify under his Hand, that such Person or Persons is or are duly inlisted; setting forth the Place of the Birth, Age and Calling of him or them respectively (if known) and that the second and third Sections of the Articles of War for the better Government of his Majesty's Marine Forces while on Shore in *Great Britain* or *Ireland*, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the twelfth Section of the said Articles of War; and if any such Person or Persons so to be certified as duly inlisted, shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer from whom he has received such Money as aforesaid, to detain or confine such Person or Persons, until he or they shall take the Oath before required; and every Officer of Marines that shall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by two Witnesses, before a General Court-martial to be thereupon called, shall for such Offence be forthwith cashiered, and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Imployment within this Kingdom, or in his Majesty's Service.

Marine Forces being borne as Part of the Complement of any Ships of War, are liable to be governed by the Rules established by Act 22 Geo. 2. c. 33.

XLIII. Provided always, and it is hereby declared, That all his Majesty's Marine Forces, as well Officers as Private Men, shall from time or time, during their being respectively borne as Part of the Complement of any of his Majesty's Ships or Vessels, be subject or liable in like Manner, in all Respects, as any Officers or Seamen employed in his Majesty's Sea Service are subject and liable to be governed and proceeded against, and punished for Offences committed by them during the Time they shall be borne as Part of the Complement of such Ships or Vessels, according to the Purport, Tenor, Effect, and true Intent and Meaning of an Act of Parliament made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for amending, explaining and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels, and Forces by Sea*; this present Act, or any thing herein contained notwithstanding.

CAP. X.

An Act for granting to his Majesty a Subsidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom; and an additional Inland Duty on Coffee and Chocolate; and for raising the Sum of six millions six hundred thousand Pounds, by way of Annuities and a Lottery, to be charged on the said Subsidy and additional Inland Duty.

Most Gracious Sovereign,

Preamble.

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, towards raising by the most easy Means, the necessary Supplies to defray your Majesty's Publick Expences, have freely and voluntarily resolved to give and grant unto your Majesty the several Subsidies, Rates and Duties herein after mentioned; and do most humbly beseech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *April* one thousand seven hundred and fifty-nine, there shall be raised, levied, collected and paid unto and for the Use of his Majesty, his Heirs and Successors, for and upon all Tobacco, Foreign Linnens, Sugar, and other Grocery, as the same is understood in the Books of Rates, except Currans; *East India* Goods, except Coffee and Raw Silks; Foreign Brandy and Spirits, except Rum of the Produce of the *British* Sugar Plantations; and Paper, which shall be imported or brought into the Kingdom of *Great Britain*, a further Subsidy of Poundage of twelve Pence in the Pound, according to the Value or Rate respectively set upon each of the said Commodities by the several Books of Rates, or any Act or Acts of Parliament relating thereunto; which Subsidy shall be paid by the Importer of such Goods and Merchandizes, before the Landing thereof, over and above all other Duties charged or chargeable thereupon.

An additional Subsidy of 1 d. in the Pound granted upon certain Goods and Merchandizes imported,

as the same are valued in the Books of Rates;

and to be levied and paid into the Exchequer,

II. And be it further enacted and declared by the Authority aforesaid, That the said Subsidy of Poundage by this Act imposed, shall be raised, levied, collected and paid into his Majesty's Exchequer, for the Purposes in this Act expressed, in such and like Form and Manner, and with such Allowances, Discounts, Drawbacks and Exemptions, and under such Penalties and Forfeitures, and according to such Rules, Methods and Directions as are prescribed or appointed for raising, levying, collecting and paying the Subsidy of five Pounds *per Centum*, granted by an Act made in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a Subsidy of Poundage upon all Goods and Merchandizes to be imported into this Kingdom; and for raising a certain Sum of Money by Annuities and a Lottery, to be charged on the said Subsidy; and for repealing so much of an Act made in the twentieth Year of his present Majesty's Reign, as enacts*, That Prize Goods and Merchandize may be exported without paying any Duty of Custom or Excise for the same; or as are contained in or by any other Act or Acts of Parliament by the said Act of the twenty-first Year of the Reign of his present Majesty, referred unto, or any of them; and all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters and Things now in Force, contained in the said Act made in the twenty-first Year of his present Majesty's Reign, or in any other Act or Acts of Parliament in the said Act referred unto, or any of them, for the raising, levying, collecting and paying the Subsidies thereby granted, shall be in full

as the Subsidy of 5 l. per Cent. granted by 21 Geo. 2. c. 3.

Force, and be duly observed, practised, and put in Execution, throughout this Kingdom, for raising, levying, collecting, and paying, the Subsidy of Poundage of twelve Pence in the Pound by this Act granted, as fully and effectually to all Intents and Purposes, as if the same or the like Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauses, Matters, and Things were particularly repeated and re-enacted in the Body of this present Act.

Prize Goods are to be charged only with the Duties payable by Act 30 Geo. 2. *ch.* 18.

III. Provided nevertheless, That if any of the Goods and Merchandizes, charged with the Subsidy by this Act imposed, have been, or during the Continuance of this present War with *France*, shall be taken and brought into any Port of this Kingdom by any of his Majesty's Ships or Vessels of War, or by any private Ships or Vessels of War, and shall be condemned as lawful Prize, the same shall not be liable to any other or further Duty, than what they are respectively charged with, by an Act made in the thirtieth Year of his present Majesty, intituled, *An Act for the Relief and Encouragement of the Captors of Prizes, with respect to the Bringing and Landing Prize Goods in this Kingdom*; unless the said Goods and Merchandizes so taken and condemned as Prize, shall, for Home Consumption, be taken out of any Warehouse wherein they are secured under the Provisions of the said Act; in which Case, the Person or Persons so taking out the said Goods and Merchandizes shall first pay up the Subsidy by this Act granted, as well as all other Duties payable to his Majesty thereon.

unless taken out of the Warehouses for Home Consumption.

Allowance to be made to the Importer of Tobacco, on paying down the Duty.

Bond to be given on Non-payment of the Duty;

and the Importers to have the usual Allowances and Discounts.

IV. Provided also, and it is the true Intent and Meaning of this Act, that the Importers of Tobacco shall, upon paying down the Subsidy hereby granted, have the same Allowance with respect to this Subsidy, as they are intitled to by any Law now in Force upon Tobacco imported; but in case the said Subsidy hereby granted, shall not be paid down as aforesaid, and the said Importers shall become bound to his Majesty, his Heirs or Successors, with one or more sufficient Sureties, to be approved of by the Collector of the Port where the Tobacco shall be imported, with the Consent of the Comptroller of such Port, in one or more Bond or Bonds, at the Election of the Importer, for Payment of the said Subsidy within eighteen Months, to commence at the End of thirty Days after the Master's Report of the Ship, or to commence from the Merchant's Entry of the Goods within those thirty Days, which shall first happen; that then the Importers shall, in such Case, have, and be intitled to, the same Allowances and Discounts, with respect to the Subsidy hereby granted, or for paying the same before the Bonds become due, as they are at this Time intitled to by any Law now in Force upon Bonds given for Tobacco imported; any thing herein contained to the contrary thereof in any wise notwithstanding.

Drawback of the Duty allowed upon the Exportation of Goods within 3 Years.

Exception.

V. Provided always, and it is hereby enacted and declared by the Authority aforesaid, That in all Cases where any Goods or Merchandizes, that have paid the Subsidy hereby granted, shall at any Time or Times be again exported by any Merchant or Merchants, within three Years from the Importation thereof, the Subsidy by this Act granted, and which shall have been actually paid for such Goods, Wares or Merchandizes, shall, without any Delay or Reward, be paid unto such Merchant or Merchants who shall export the same, or the Security vacated; except for such Goods or Merchandizes, as by any former Act or Acts of Parliament it is declared no Drawback shall be paid or allowed upon Exportation of.

Drawback of the Duty allowed on Paper used in printing Books in the learned Languages in both Universities;

as is prescribed by Act 10 Annæ, *ch.* 19.

VI. Provided always, and be it enacted by the Authority aforesaid, That so much Money as shall from time to time be paid for the Duties granted by this or any former Act or Acts of Parliament whatsoever, for any Quantities of Paper which shall be used in printing any Books in the Latin, Greek, Oriental, or Northern Languages, within the two Universities of *Oxford* or *Cambridge*, or either of them, by Permission of the Vice Chancellors of the same respectively, shall and may be drawn back and repaid in such Manner as is prescribed by an Act made in the tenth Year of the Reign of Queen ANNE, intituled, *An Act for laying several Duties upon all Soap and Paper made in* Great Britain, *or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens, and Stuffs, printed, painted, or stained; and upon several Kinds of Stampt Vellum, Parchment, and Paper; and upon certain printed Papers, Pamphlets, and Advertisements, for raising the Sum of eighteen hundred thousand Pounds, by way of a Lottery, towards her Majesty's Supply; and for licensing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp Duties by Licences for Marriages and otherwise; and for Relief of Persons who have not claimed their Lottery Tickets in due Time, or have lost Exchequer Bills, or Lottery Tickets; and for borrowing Money upon the Stock, Part of the Capital of the* South Sea *Company, for the Use of the Publick.*

Like Drawback allowed on Paper used in printing Books in the learned Languages in the Universities of Scotland.

VII. Provided always, and be it enacted by the Authority aforesaid, That so much Money as shall, from time to time, be paid for the Duties granted by this or any former Act or Acts of Parliament whatsoever, for any Quantities of Paper which shall be used in printing any Books in the Latin, Greek, Oriental, or Northern Languages, within the Universities of *Scotland*, or any of them, by Permission of the Principal of the same respectively, shall and may be drawn back and repaid in such Manner as is prescribed by an Act made in the tenth Year of the Reign of Queen ANNE, intituled, *An Act for laying several Duties upon all Soap and Paper made in* Great Britain, *or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens, and Stuffs, printed, painted, or stained; and upon several Kinds of Stampt Vellum, Parchment, and Paper; and upon certain printed Papers, Pamphlets, and Advertisements, for raising the Sum of eighteen hundred thousand Pounds, by way of a Lottery, towards her Majesty's Supply; and for licensing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp Duties by Licences for Marriages and otherwise; and for*

Relief

Relief of Perſons who have not claimed their Lottery Tickets in due Time, or have loſt Exchequer Bills, or Lottery Tickets; and for borrowing Money upon Stock, Part of the Capital of the South *Sea Company, for the Uſe of the Publick.*

A Drawback of 3 s. per Hundred Weight allowed on Sugar refined in Great Britain, and exported, &c.

VIII. And be it further enacted by the Authority aforeſaid, That for every Hundred Weight of Sugar imported into *Great Britain*, after the ſaid fifth Day of *April* one thouſand ſeven hundred and fifty-nine, and refined there (and ſo in Proportion for a greater or leſſer Quantity) that ſhall be exported out of this Kingdom, after the ſaid fifth Day of *April* one thouſand ſeven hundred and fifty-nine, during the Continuance of this Act, there ſhall be repaid at the Cuſtom-houſe to the Exporter, within thirty Days after the Demand thereof, the Sum of three Shillings, over and above the preſent Bounties; Oath being firſt made by the Refiner that the Sugar ſo exported was produced from Brown and Muſcovado Sugar charged by this Act, and that, as he verily believes, the ſame was imported from his Majeſty's Plantations in *America*, and the Duty duly paid at the Time of the Importation thereof, the Exporter making Oath that the ſame was duly exported, and his Majeſty's Searchers alſo certifying the ſhipping thereof, and all other Requiſites being performed according to the reſpective Books of Rates.

Refiner to make Oath.

Exporter to make Oath.

Searcher to certify.

Books to be kept for entering the Monies coming in by this Act.

IX. And be it further enacted and declared by the Authority aforeſaid, That in the Office of the Auditor of the Receipt of the Exchequer, a Book or Books ſhall be provided and kept, in which all the Money ariſing from the ſaid additional Subſidy of Poundage of twelve Pence in the Pound, and paid into the ſaid Receipt, ſhall be entered ſeparate and apart from all other Monies paid or payable to his Majeſty, his Heirs or Succeſſors, upon any Account whatſoever; and the ſaid Money ſo ariſing from the ſaid additional Subſidy of Poundage of twelve Pence in the Pound, and paid, into the ſaid Receipt of Exchequer, ſhall be Part of the Fund eſtabliſhed for the ſeveral Purpoſes herein after mentioned.

An additional Inland Duty to be paid of 1 s. per lb. on Coffee.

Refer to 10 *Geo.* 1. *c.* 10.

and 9 d. per lb. on Chocolate.

X. And be it further enacted and declared by the Authority aforeſaid, That from and after the fifth Day of *April* one thouſand ſeven hundred and fifty-nine, there ſhall be charged, levied, collected and paid, unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, for and upon all Coffee to be ſold in *Great Britain* by Wholeſale or Retail, and upon all Chocolate to be made or ſold in *Great Britain*, an additional Inland Duty, to be paid by the reſpective Sellers of ſuch Coffee, and by the reſpective Makers or Sellers of ſuch Chocolate; that is to ſay, For and upon all Coffee to be ſold in *Great Britain*, an additional Duty of one Shilling *per* Pound Weight Averdupoiſe; and in that Proportion for a greater or leſſer Quantity, over and above the preſent Inland Duty, and over and above all Cuſtoms and Duties payable upon the Importation thereof; and for and upon all Chocolate to be made or ſold in *Great Britain*, an additional Duty of nine Pence *per* Pound Weight Averdupoiſe; and in that Proportion for a greater or leſſer Quantity, over and above the preſent Inland Duty payable thereupon.

The ſaid Duties on Coffee and Chocolate to be levied and paid, as the former Inland Duties payable thereon.

XI. And be it further enacted and declared by the Authority aforeſaid, That the ſaid additional Inland Duties hereby granted to his Majeſty, ſhall be raiſed, levied, collected, and paid, in the ſame Manner, and under ſuch Management, and under ſuch Penalties and Forfeitures, and with ſuch Powers for recovering the ſame, and by ſuch Rules, Ways, and Methods, as the former Inland Duties payable to his Majeſty upon Coffee and Chocolate are raiſed, levied, collected, and paid, as fully, and to all Intents and Purpoſes, as if the ſeveral Clauſes, Powers, Directions, Penalties, and Forfeitures, relating thereto, were particularly repeated, and again enacted in the Body of this preſent Act.

Coffee lodged in Warehouſes on 6 April 1759, to be charged with the new additional Duty;

XII. And be it further enacted and declared by the Authority aforeſaid, That all the Coffee which, on the ſixth Day of *April* one thouſand ſeven hundred and fifty-nine, ſhall be lodged or ſecured in any Warehouſe or Warehouſes in purſuance of the Directions of any former Act or Acts of Parliament in that Behalf made, ſhall be, and is hereby charged with the ſaid additional Duty of one Shilling *per* Pound, to be paid in like Manner as the former Inland Duty on Coffee is directed to be paid.

as alſo the Stock in Hand of Coffee and Chocolate (except for private Uſe)

112 lb. of Roaſted Coffee to be charged after the Rate of 112 lb. of Raw Coffee.

Duty to be paid into the Office of Exciſe.

XIII. And be it further enacted and declared, That all the Coffee and Chocolate which any Dealer in, or Seller of, Coffee, or any Dealer in, or Maker or Seller of, Chocolate, in *Great Britain* (other than and except ſuch Perſons who make Chocolate for their Family Uſe, and not for Sale, with reſpect only to their Stock in Hand) or any Perſon or Perſons in Truſt for him, her or them, or for his, her or their Uſe, ſhall be poſſeſſed of, or intereſted in, upon the ſaid ſixth Day of *April* one thouſand ſeven hundred and fifty-nine, ſhall be, and is hereby charged with the ſaid additional Inland Duty of one Shilling *per* Pound for the ſaid Coffee, and nine Pence *per* Pound for the ſaid Chocolate; and that every ninety Pounds Weight of Roaſted Coffee, by reaſon of the common Decreaſe by ſhrinking in the Roaſting thereof, ſhall be charged after the Rate of one hundred and twelve Pounds of Raw Coffee, and ſo in Proportion for a greater or leſs Quantity; which ſaid additional Inland Duty for the Stock in Hand ſhall be paid by the reſpective Sellers of Coffee, and ſuch Makers or Sellers of Chocolate as aforeſaid, to the proper Officer of Exciſe for the ſaid Inland Duties, at the Office of Exciſe within the Limits of which they ſhall reſpectively inhabit; that is to ſay, All ſuch Duties as ſhall ariſe within the Limits of the Chief Office of Exciſe in *London*, ſhall be paid within fourteen Days next after the ſaid fifth Day of *April* one thouſand ſeven hundred and fifty-nine; and all ſuch Duties as ſhall ariſe in any other Part of *Great Britain*, ſhall be paid within ſix Weeks next after the ſaid fifth Day of *April* one thouſand ſeven hundred and fifty-nine.

XIV. And it is hereby further enacted by the Authority aforesaid, That all such Chocolate as shall, on the sixth Day of *April* one thousand seven hundred and fifty-nine, be in the Custody or Possession of any Maker or Seller of Chocolate, other than such Makers as aforesaid, or of any Person or Persons in Trust, or for the Use of him, her or them, within the Limits of the Chief Office of Excise in *London*, shall, within fourteen Days next after the said fifth Day of *April* one thousand seven hundred and fifty-nine, and all such Chocolate as shall, on the sixth Day of *April* one thousand seven hundred and fifty-nine, be in the Possession of any Maker or Seller of Chocolate (other than such Makers as aforesaid) or of any Person or Persons in Trust, or for the Use of him, her or them, in any other Part of *Great Britain*, shall, within six Weeks next after the said fifth Day of *April* one thousand seven hundred and fifty-nine, be brought to the respective Offices where the Entries for the same shall be, or ought to have been made, and shall then have some new and additional Stamp, Mark, Impression, or Device, affixed thereon, to denote that it has been charged with the said additional Inland Duty; which Stamp, Mark, Impression, or Device, and all other Stamps, Marks, Impressions, or Devices, which shall be made use of to denote the charging the said additional Duties, either on the Stock in Hand, or any future Stock, the said respective Commissioners of Excise, and for the said Inland Duties, for the Time being, are hereby directed to provide, in such Manner as to them shall seem meet; which Stamps, Marks, Impressions, or Devices, or any of them, may from time to time, be varied or altered in such Manner as the said Commissioners shall judge most proper; and if any Person or Persons whatsoever shall at any Time counterfeit or forge, or cause to be counterfeited or forged, any such Mark, Stamp, Impression, or Device, which shall be made use of in pursuance of this Act, or shall utter, vend, or sell, any Chocolate with such counterfeit Mark, Stamp, Impression, or Device thereon, knowing the same to be counterfeited; or shall, upon any Chocolate which has not been duly entered with the proper Officer, and for which the Inland Duties have not been duly charged or paid, fix or place any Paper or Papers having on it or them the Impression of such Mark or Marks, Stamp or Stamps; or shall, in such Paper or Papers, inclose such Chocolate as shall not have been duly entered with the proper Officer, and for which the Inland Duties have not been duly charged or paid, with Intent to defraud his Majesty of his Inland Duties for and in respect of such Chocolate; that then every such Person or Persons so offending therein shall, for every such Offence, forfeit and lose the Sum of five hundred Pounds, and also shall be committed to the next County Gaol, there to remain for twelve Months without Bail or Mainprize.

Stock in Hand of Chocolate (except for private Use) to be brought to the proper Offices in order to be stampt.

New Stamps to be provided upon this Occasion;

which may be altered from time to time.

The Penalty of counterfeiting or forging the same,

or being guilty of any Fraud therein;

500 l. and one Year's Imprisonment.

XV. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons having, on the said sixth Day of *April* one thousand seven hundred and fifty-nine, in his or their Custody or Possession, any Stock or Quantity of Coffee or Chocolate chargeable by this Act with the said additional Inland Duties, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same, or any Part thereof, before his Majesty's Duties thereupon shall be paid as aforesaid; or shall fraudulently conceal or hide any Part of his, her or their said Stock of Coffee or Chocolate; or shall neglect or refuse to bring or send, within the respective Times appointed, his, her or their said Stock of Chocolate to the respective Offices where the Entries for the same shall have been or ought to have been made, in order to have such Chocolate stamped as aforesaid; or shall after the said fifth Day of *April* one thousand seven hundred and fifty-nine, sell, or vend, or offer or expose to Sale, any of their Stock of Chocolate, without being first marked or stamped to denote the Payment of the said additional Inland Duty; that then, and in each and every of the said Cases, he, she or they, so offending, for every such Offence shall forfeit the Sum of twenty Shillings for every Pound Weight of such Chocolate, and also the Chocolate so found after the End of the said fourteen Days, or six Weeks respectively, without such Mark, Stamp, Impression, or Device thereon, shall be forfeited, and may be seised.

The Penalty of secreting or concealing the Stock in Hand of Coffee or Chocolate;

or not sending the Chocolate to be new stampt;

or vending any without being duly stampt;

20 s. per lb. and Forfeiture of the Chocolate.

'XVI. And whereas the Provision by the former Law for packing up Chocolate in Pounds, has 'not been found sufficient to prevent Frauds, and the permitting the Sale of Chocolate in small 'Quantities not packed up and secured in the Manner herein after directed, has tended to encourage 'the clandestine and fraudulent making and selling thereof;' Be it further enacted by the Authority aforesaid, That all Chocolate, which from and after the fifth Day of *April* one thousand seven hundred and fifty-nine shall be made in *Great Britain*, shall be packed up, and a Stamp or Mark put upon the same, in Manner herein after mentioned; that is to say, All such Makers or Proprietors of Chocolate, which shall be made in *Great Britain*, shall, from time to time, and at the respective Times and Places, when and where they are required to make Entries of the Chocolate, by or for them respectively made as aforesaid, produce all the Chocolate contained in such Entry, at the respective Offices where such Entries are or ought to be made, to the respective Officers who are or shall be appointed for the receiving such Entries, on Pain of forfeiting the Sum of twenty Shillings for every Pound Weight of such Chocolate which shall not then be produced; which Chocolate shall be brought, inclosed, packed, and tied up with Thread, in Papers, which said Papers shall each of them contain either one Pound, or Half a Pound, or a Quarter of a Pound Weight of Chocolate, and not more or less (at the Election of the Makers or Proprietors); each of which Papers so tied up, shall, by an Officer appointed, or to be appointed, by the respective Commissioners of Excise and Inland Duties for that Purpose, or the major Part of them respectively, have such a Mark, Stamp, Impression, or Device, affixed thereon, as shall be by the said respective Commissioners for the time being, from time to time, devised or appointed for that Purpose.

Rule to be observed in packing up, and stamping Chocolate.

All Chocolate entered, is to be duly brought to the proper Offices,

on Forfeiture of 20 s. per lb.

and to be tied up with Thread in Papers either of one Pound, Half Pound, or quarter Pound, which are to be severally stampt by the proper Officers;

XVII. And

None to be sold in less Quantities than a Quarter of a Pound nor without being stampt, and tied up;

and having the original Thread and Stamp unbroken and un opened; on Forfeiture of 20 l.

XVII. And it is hereby further enacted by the Authority aforesaid, That if any Person or Persons shall sell Chocolate in any less Quantity than a Quarter of a Pound, or shall sell and deliver any Chocolate to any Person not being at the Time of the Sale and Delivery thereof duly marked or stamped, or not being at that Time inclosed, packed, and tied up with the identical Piece of Thread which is directed to be used in tying up the Chocolate in a Paper, before the same is to have the Mark, Stamp, Impression, or Device, affixed thereon, or shall sell and deliver any Chocolate, whereof the Thread or stamped Label inclosing the same at the Time of the Sale and Delivery thereof, shall have been broke or opened in any Manner whatsoever; every Person or Persons so offending shall, for every such Offence respectively, forfeit twenty Pounds.

Books to be kept for entering the Duties apart from all others.

XVIII. And be it further enacted and declared by the Authority aforesaid, That in the Office of the Auditor of the Receipt of the Exchequer, a Book or Books shall be provided and kept, in which all the Monies arising by the said additional Inland Duties upon Coffee and Chocolate, and paid into the said Receipt, shall be entered separate and apart from all other Monies paid or payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Money so arising from the said additional Duties, and paid into the said Receipt of Exchequer, shall be Part of the Fund established for the several Purposes herein after mentioned.

These Duties appropriated for the Payment of the Annuities chargeable on the Monies borrowed on the Credit of this Act.

XIX. And be it further enacted and declared by the Authority aforesaid, That the several Annuities which by this Act are herein after directed to attend, as well the Principal Sum of six millions six hundred thousand Pounds, and the additional Capital of five Pounds to be added to every one hundred Pounds thereof, as the additional Capital which will arise by ten Pounds, to be given in and by a Lottery Ticket to each Subscriber, for and upon every one hundred Pounds, advanced and paid towards the said Sum of six millions six hundred thousand Pounds, shall be charged and chargeable upon, and payable out of the Subsidies, Rates and Duties, composing the Fund hereby established for the Payment thereof, and the said Subsidies, Rates and Duties, are hereby appropriated for that Purpose accordingly.

'XX. And whereas the Commons of *Great Britain* in Parliament assembled have resolved, That 'towards raising the Supply granted to his Majesty in this present Session of Parliament, the Sum 'of six millions six hundred thousand Pounds be raised by transferrable Annuities, after the Rate 'of three Pounds *per Centum per Annum*; and that an additional Capital of fifteen Pounds be added 'to every one hundred Pounds advanced; which additional Capital shall consist of ten Pounds in a 'Lottery Ticket given to each Subscriber on every one hundred Pounds advanced, and of five 'Pounds in like transferrable Annuities, after the Rate of three Pounds *per Centum per Annum:* And 'whereas pursuant to, and upon the several Terms and Conditions expressed in the said Resolution, 'several Persons have, in Books opened at the Bank of *England* for that Purpose, subscribed toge-'ther the whole of the said Sum of six millions six hundred thousand Pounds, and made Deposits of 'fifteen Pounds *per Centum*, on the respective Sums by them so subscribed, with the Cashiers of the 'Bank of *England:* And whereas several of the said Subscribers may have already paid, or may 'hereafter pay unto the said Cashiers, the whole or some further Parts of the Sums by them respec-'tively subscribed, previous to the Days limited and appointed for the said respective Payments;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all such Subscribers who have made Deposits with, or Payments of further Parts to the said Cashiers as aforesaid, to advance and pay, and they are hereby required to advance and pay, unto the said Cashier or Cashiers of the said Governor and Company of the Bank of *England* the several Remainders of the Sums by them respectively subscribed, towards the said Sum of six millions six hundred thousand Pounds, at or before the respective Times or Days, and in the Proportions herein after limited and appointed on that Behalf; that is to say, The further Sum of ten Pounds *per Centum*, being Part of the Sum so remaining, on or before the thirtieth Day of *March* in the Year one thousand seven hundred and fifty-nine; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-seventh Day of *April* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the thirty-first Day of *May* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-eighth Day of *June* then next following; the further Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the twenty-seventh Day of *July* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof on or before the thirty-first Day of *August* then next following; the further Sum of ten Pounds *per Centum* other Part thereof on or before the twenty-eighth Day of *September* then next following; and the remaining Sum of ten Pounds *per Centum*, on or before the twenty-sixth Day of *October* then next following.

Times of Payments in respect of the Sum of 6,600,000 l. subscribed towards Annuities.

Contributors making their Payments previous to the Times limited,

to be allowed Interest for the same, &c.

XXI. And be it further enacted by the Authority aforesaid, That all such Subscribers or Contributors, their Executors, Administrators, Successors and Assigns, paying in the whole or any Part of the Sums by them respectively subscribed, previous to the Days appointed for the respective Payments herein before directed, in respect to their proportionable Share of the said Sum of six millions six hundred thousand Pounds, shall be intitled to an Allowance of so much Money as the Interest of the several Sums so previously paid, after the Rate of three Pounds *per Centum per Annum*, shall amount to, from the Days on which such previous Payments shall have been actually made, to the respective Times on which such Payments are directed to be made; such Allowance to be paid by the said Cashier or Cashiers, out of the Monies contributed towards the said Sum of six millions six hundred thousand Pounds, as soon as such respective Contributors, their Executors, Administrators,

tors, Successors and Assigns, shall have completed their Payments herein before directed to be made.

XXII. And be it further enacted by the Authority aforesaid, That each and every such Subscriber and Subscribers, Contributor or Contributors, shall be intitled to an Annuity after the Rate of three Pounds *per Centum per Annum*, for and upon every one hundred Pounds by him or them respectively subscribed, advanced and paid; and also to a like Annuity of three Pounds *per Centum per Annum*, for and upon an additional Capital of five Pounds, to be added to every one hundred Pounds, by such Subscriber or Subscribers, Contributor or Contributors respectively, advanced and paid; which said Annuities shall commence and be computed from the fifth Day of *January* one thousand seven hundred and fifty-nine, and shall be paid by half-yearly Payments, by even and equal Portions, on the fifth Day of *July*, and the fifth Day of *January* in every Year.

Annuities to bear 3 l. per Cent.

to commence from 5 Jan. 1759.

XXIII. And be it further enacted by the Authority aforesaid, That each and every such Subscriber or Subscribers, Contributor or Contributors, shall, for and upon every one hundred Pounds by him or them respectively subscribed, advanced and paid, be likewise intitled to one Ticket in the Lottery, herein after mentioned; which said Ticket will be equal in Value to, and is to be taken and accepted as an addition of ten Pounds Capital, on every one hundred Pounds subscribed, advanced and paid as aforesaid, which Sum shall carry an Annuity at the Rate of three Pounds *per Centum per Annum*; and the said Annuity shall commence and be computed from the fifth Day of *January* one thousand seven hundred and sixty, and shall be paid by half-yearly Payments on the fifth Day of *July*, and the fifth Day of *January* in every Year.

Subscribers, for every 100 l. subscribed, intitled to a Lottery Ticket,

to carry 3 l. per Cent.

XXIV. And be it further enacted, That all the Annuities aforesaid, shall be transferrable at the Bank of *England*; subject nevertheless to such Redemption as is hereafter mentioned.

Annuities transferrable.

XXV. And be it further enacted by the Authority aforesaid, That the Cashier or Cashiers of the Governor and Company of the Bank of *England*, who shall have received, or shall receive any Part of the said Contributions, towards the said Sum of six millions six hundred thousand Pounds, shall give a Receipt or Receipts in Writing to every such Contributor, for all such Sums, and that the Receipts to be given shall be assignable by Indorsement thereupon made at any Time before the fifth Day of *January* one thousand seven hundred and sixty, and no longer.

Cashier to give Receipts for Money paid in,

the same made assignable.

XXVI. Provided always, That such Cashier or Cashiers shall give Security to the good Liking of any three or more of the Commissioners of the Treasury for the Time being, or the High Treasurer for the Time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the publick Use, all the Monies which they have already received, and shall hereafter receive, from Time to Time, of and for the said Sum of six millions six hundred thousand Pounds, and for accounting duly for the same, and for Performance of the Trust hereby in them reposed; and shall, from Time to Time, pay all such Monies so received, and account for the same, in the Exchequer, according to the due Course thereof.

Cashier to give Security;

and to pay in the Monies into the Exchequer.

XXVII. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers shall, and they are hereby authorized and required, upon the Payment of twenty-five Pounds for every one hundred Pounds so subscribed as aforesaid, and not before, to give a Note or Writing signed by him or them to such Contributor or Contributors, obliging himself or themselves to deliver to such Contributor or Contributors, or their Assigns, a Ticket in the Lottery herein after-mentioned, of the Value of ten Pounds, by way of additional Capital, for every one hundred Pounds by them respectively subscribed towards raising the Sum of six millions six hundred thousand Pounds, for the Purposes aforesaid, as soon as the Managers and Directors to be appointed for preparing and delivering out the said Tickets in the said Lottery, shall deliver to the said Cashier or Cashiers the Books comprehending the said Tickets.

Cashiers, on Receipt of 25 l. per Cent. to give of Note for the Delivery of 1 Lottery Ticket for every 100 l. subscribed.

XXVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, to issue and apply, from Time to Time, all such Sums of Money as shall be so paid into the Receipt of his Majesty's Exchequer by the said Cashier or Cashiers, to such Services as shall then have been voted by the Commons of *Great Britain*, in this present Session of Parliament.

Treasury to apply the Monies to the Services voted by the Commons.

XXIX. And be it further enacted by the Authority aforesaid, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators and Assigns, shall and may, from Time to Time, and at all seasonable Times, resort to and inspect, without any Fee or Charge; and that the said Accomptant General shall, on or before the fifth Day of *July* one thousand seven hundred and sixty-one, transmit an attested Duplicate fairly written on Paper of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

Contributors Names, &c. to be entered in the Office of the Accomptant-General of the Bank.

Duplicate thereof to be transmitted into the Auditor's Office.

XXX. And be it further enacted by the Authority aforesaid, That such Contributors duly paying the whole Sum subscribed, at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators and Assigns, shall have, receive and enjoy, and be intitled, by virtue of this Act, to have, receive and enjoy the said several Annuities by this Act granted, in respect of the Sum so subscribed out of the Monies appropriated by this Act for Payment thereof, and shall have good and sure Interests and Estates therein, according to the several Provisions in this Act contained; and that the said Annuities shall be free from all Taxes, Charges and Impositions whatsoever.

The Monies arising by the Duties of this Act appropriated to Payment of the Annuities.

Contributors not making good their Payments within the Times limited, to forfeit their Deposits.

XXXI. Provided always, That in case any such Contributors who have already deposited with, or shall hereafter pay to, the said Cashiers, any Sum or Sums of Money at the Times, and in the Manner before-mentioned, in Part of the Sum so by them respectively subscribed, or their respective Executors, Administrators and Assigns, shall not advance and pay to the said Cashier or Cashiers, the Residue of the Sums so subscribed, at the Times, and in the Manner before-mentioned; then, and in every such Case, so much of the respective Sums so subscribed as shall have been actually paid in Part thereof, to the said Cashier or Cashiers, shall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Accomptant General to give Credit for the Sums named in the Certificates;

which may be transferred,

and carry 3 l. per Cent. Interest.

XXXII. And be it further enacted by the Authority aforesaid, That the said Accomptant General for the Bank of *England*, for the Time being, shall, in a Book or Books to be provided and kept for that Purpose, give Credit on or before the first Day of *July* next, to the said respective Contributors, and their respective Executors, Administrators and Assigns, for the Principal Sums by them respectively subscribed and paid, and the said additional Capital of five Pounds *per Centum* by this Act allowed thereon; and the Persons to whose Credit such Principal Sums with the said additional Capital shall be so placed, their respective Executors, Administrators and Assigns, shall and may have Power to assign and transfer the same or any Part, Share or Proportion thereof, to any other Person or Persons, or Body or Bodies Politick or Corporate whatsoever, in other Books to be provided and kept by the said Accomptant General for that Purpose; and every principal Sum so assigned and transferred, shall carry an Annuity after the Rate of three Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable according to the true Intent and Meaning of this Act, until Redemption thereof by Parliament, according to a Proviso herein after contained for that Purpose.

Managers and Directors of the Lottery to be appointed by the Treasury.

Method of the Lottery Books.

'XXXIII. And whereas it is intended that every Contributor of the Sum of one hundred Pounds, 'towards raising the said Sum of six millions six hundred thousand Pounds, shall have, and be intitled 'unto, an additional Capital of ten Pounds in a Lottery Ticket; which Tickets are to be prepared, 'and a Lottery to be drawn, in manner herein after mentioned;' Be it therefore further enacted by the Authority aforesaid, That such Persons as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall nominate or appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the drawing of Lots, and to order, do and perform, such other Matters and Things as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers or Directors shall meet together, from Time to Time, at some publick Office or Place for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers or Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns, and upon the innermost of the said three Columns there shall be printed sixty-six thousand Tickets, to be numbered one, two, three and so onwards, in an arithmetical Progression, where the common Excess is to be one, until they rise to and for the Number of sixty-six thousand; and upon the middle Column in every of the said Books shall be printed sixty-six thousand Tickets of the same Breadth and Form, and numbered in like Manner; and in the extreme Column of the said Books there shall be printed a third Rank or Series of Tickets, of the same Number with those of the other two Columns; which Tickets shall severally be of an oblong Figure, and in the said Books shall be joined with oblique Lines, Flourishes or Devices, in such Manner as the said Managers and Directors, or the major Part of them, shall think most safe and convenient; and that every Ticket in the third or extreme Column of the said Books shall have written or printed thereupon (besides the Number of such Ticket, and the present Year of our Lord Christ) Words to this Effect:

'THIS Ticket will intitle the Bearer thereof to six Pounds, or to a better Chance, in a Joint 'Stock of Annuities, after the Rate of three Pounds *per Centum per Annum*, transferrable at 'the Bank of *England*.'

Managers to examine the Books of Tickets, and deliver them to the Receivers;

taking Receipts for them.

Receivers shall cut out, and deliver Tickets to the Contributors.

XXXIV. And it is hereby enacted, That the said Managers and Directors, or so many of them as shall be present at such Meeting, or the major Part of them then present, shall carefully examine all the said Books, with the Tickets therein; and take Care that the same be contrived, numbered and made according to the true Intent and Meaning of this Act; and shall deliver or cause to be delivered the same Books, and every or any of them, as they shall be examined, to the said Cashier or Cashiers, taking from such Cashier or Cashiers an Acknowledgment in Writing, under his or their Hands, importing his or their Receipt of such Book or Books, and so many Tickets therein, as shall be delivered to him or them respectively; and all and every such Cashier or Cashiers respectively, is and are hereby directed and required, upon his or their receiving the full Consideration-money to be contributed on this Act, from any Person or Persons contributing as aforesaid, to cut out of the said Book or Books, so to be put into his or their Custody, through the said oblique Lines, Flourishes or Devices, Indentwise, one of the Tickets in the said extreme Columns; which the said Cashier or Cashiers shall sign with his or their own Name or Names, and he or they shall permit the Contributor, if it be desired, to write his or her Name or Mark on the corresponding Tickets in the same Book; and at the same Time the said Cashier or Cashiers shall deliver to the said Contributor the Ticket so cut off, which he, she, or they, are to keep and use for the better ascertaining

ascertaining and securing of the Interest which he, she or they, his, her or their Executors, Administrators or Assigns, shall or may have in the said Fund.

Receivers to return the Books with the Remainder of the Tickets.

XXXV. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers, on or before the first Day of *November* one thousand seven hundred and fifty-nine, shall redeliver to the said Managers and Directors, at their said Office or Place of Meeting, all the said Books, and therein all the Tickets which the said Cashier or Cashiers shall not have cut out and delivered to the Contributors as aforesaid; and that the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, shall forthwith cause all the Tickets of the said outermost Columns, which shall not have been delivered to the Contributors as aforesaid, if any such be, to be delivered into the Receipt of his Majesty's Exchequer, there to be retained and kept, and to be disposed of, as the Commissioners of his Majesty's Treasury, or the High Treasurer for the Time being shall judge reasonable and fitting.

Tickets of the middle Columns to be rolled up, and fastened with Silk;

and cut off Indentwise into a Box marked with the Letter (A)

Box to be locked up and sealed.

XXXVI. And be it further enacted, That the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, shall cause all the Tickets of the middle Columns in the Books, made out with three Columns as aforesaid, which shall be delivered back to them, by or from the said Cashier or Cashiers as aforesaid, to be carefully rolled up and made fast with Thread or Silk; and the said Managers or Directors, or the major Part of them as aforesaid, shall in their Presence, and in the Presence of such Contributors or Adventurers as will be there, cause all the said Tickets, which are to be so rolled up, and made fast as aforesaid, to be cut off Indentwise through the said oblique Lines, Flourishes or Devices, into a Box, to be prepared for that Purpose, and to be marked with the Letter (A) which is presently to be put up into another strong Box, and to be locked with seven different Locks and Keys, to be kept by as many of the said Managers, and sealed with their Seals, or the Seals of some of them, until the said Tickets are to be drawn, as is herein after mentioned; and that the Tickets in the first or innermost Columns of the said Books, shall remain still in the Books for discovering any Mistake or Fraud (if any such should happen to be committed) contrary to the true Meaning of this Act.

Books to be prepared with two Columns, on each of which 60,000 Tickets to be printed.

The Number and Value of the Fortunate Tickets.

XXXVII. And be it further enacted by the Authority aforesaid, That the said Managers and Directors, or the major Part of them, which shall be present at any Meeting as aforesaid, shall also prepare, or cause to be prepared, other Books, in which every Leaf shall be divided or distinguished into two Columns; and upon the innermost of these two Columns there shall be printed sixty-six thousand Tickets, and upon the outermost of the said two Columns there shall be printed sixty-six thousand Tickets, all which shall be of equal Length and Breadth, as near as may be; which two Columns in the said Books shall be joined with some Flourish or Device, through which the outermost Tickets may be cut off Indentwise; and that nine thousand three hundred and forty Tickets, Part of those to be contained in the outermost Columns of the Books last mentioned, shall be, and be called the Fortunate Tickets, to which extraordinary Benefits shall belong, as is herein after mentioned; and the said Managers and Directors, or the major Part of them, or such of them as shall be present at a Meeting as aforesaid, shall cause the said Fortunate Tickets to be written upon, or otherwise expressed, as well in Figures as in Words at Length, in Manner following; that is to say, Upon two of them severally, twenty thousand Pounds Principal Money; upon two of them severally, five thousand Pounds Principal Money; upon two of them severally, three thousand Pounds Principal Money; upon two of them severally, two thousand Pounds Principal Money; upon every one of twenty-five of them severally, one thousand Pounds Principal Money; upon every one of thirty of them severally, five hundred Pounds Principal Money; upon every one of one hundred and fifty of them severally, one hundred Pounds Principal Money; upon every one of seven hundred of them severally, fifty Pounds Principal Money; upon every one of eight thousand four hundred and twenty-seven of them severally, twenty Pounds Principal Money: Which Principal Sums so to be written, or otherwise expressed upon the said Fortunate Tickets, together with five hundred Pounds Principal Money, to be allowed to the Owner of the First drawn Ticket, and one thousand Pounds Principal Money, to the Owner of the Last drawn Ticket, over and above the Benefits which may happen to belong to the two last mentioned Tickets; and together with the Sum of six Pounds to be paid or allowed for and upon each Blank or Unfortunate Ticket of the said Lottery, will amount in the Whole to the Principal Sum of six hundred and sixty thousand Pounds; to be converted into Annuities by virtue of this Act, in respect of the said Lottery; and the said Managers and Directors, or the major Part of them, who shall be present at a Meeting as aforesaid, shall cause all the said Tickets, contained in the outermost Columns of the said last mentioned Books, to be in the Presence of the said Managers and Directors, or the major Part of them, which shall be present at a Meeting as aforesaid, and in the Presence of such Contributors or Adventurers as will then be there, to be carefully rolled up and fastened with Thread or Silk, and carefully cut out Indentwise through the said Flourish or Device, into another Box, to be prepared for this Purpose, and to be marked with the Letter (B) which Box shall be put into another strong Box, and locked up with seven different Locks and Keys, to be kept by as many of the said Managers, and sealed up with their Seals, or the Seals of some of them, until these Tickets shall also be drawn in the Manner and Form herein after mentioned; and that the whole Business of rolling up, and cutting off, and putting into the said Boxes the said Tickets, and locking up and sealing the said Boxes, shall be performed by the said Managers and Directors, or such of them as aforesaid, before the last six Days immediately preceding the Day by this Act appointed for the Drawing the said Lottery: And to the End every Person concerned may be well assured that the Counterpart of the same Number

500*l.* to the First drawn Ticket, and 100*l.* to the Last drawn.

Tickets of the outermost Columns to be rolled up and tied,

and cut out indentwise, into a Box marked with the Letter (B);

Box to be locked up and sealed.

with his or her Ticket is put into the Box, marked with the Letter (A) from whence the same may be drawn, and that other Matters are done as hereby directed, some publick Notification in Print shall be given of the precise Time or Times of putting the said Tickets into the said Boxes, to the End that such Adventurers as shall be minded to see the same done, may be present at the doing thereof.

Publick Notice to be given of Times of putting the Tickets into the Boxes.

Lottery to begin drawing on 13 Nov. 1759.

XXXVIII. And be it further enacted by the Authority aforesaid, That on or before the thirteenth Day of *November* one thousand seven hundred and fifty-nine, the said Managers and Directors shall cause the said several Boxes, with all the Tickets therein, to be brought into the Guild-hall of the City of *London*, so that the same may be there, and placed on a Table provided for that Purpose, by Nine of the Clock in the Forenoon of the same Day, and shall then and there severally attend this Service, and cause the two Boxes containing the said Tickets, to be severally taken out of the other two Boxes, in which they shall have been locked up; and the Tickets or Lots in the respective innermost Boxes being, in the Presence of the said Managers and Directors, or such of them as shall be then present, and of such Adventurers as will be there for the Satisfaction of themselves, well shaken and mingled in each Box distinctly; some one indifferent and fit Person, to be appointed and directed by the said Managers, or the major Part of them, or such of them as shall be then present, shall take out and draw one Ticket from the Box where the said numbered Tickets shall be as aforesaid put; and one other indifferent and fit Person to be appointed and directed in like Manner, shall take out a Ticket or Lot from the Box where the said nine thousand three hundred and forty Furtunate, and fifty-six thousand six hundred and sixty Blank Tickets shall be promiscuously put as aforesaid; and immediately both the Tickets so drawn shall be opened, and the Number, as well of the Fortunate as the Blank Ticket, shall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots shall appear to be a Blank, then the numbered Ticket so drawn with the said Blank at the same Time drawn, shall both be put upon one File; and if the Ticket so drawn or taken from the Box containing the Fortunate and Blank Lots, shall appear to be one of the Fortunate Tickets, then the Principal Sum written upon such Fortunate Ticket, whatsoever it be, shall be entered by a Clerk, which the said Managers, or the major Part of them as aforesaid, shall employ and oversee for this Purpose, into a Book to be kept for entering the Numbers coming up with the said Fortunate Tickets, and the Principal Sums whereunto they shall be intitled respectively, and two of the said Managers shall set their Names as Witnesses to such Entries; and the said Fortunate and numbered Tickets so drawn together, shall be put upon another File; and so the said Drawing of the Tickets shall continue, by taking one Ticket at a Time out of each Box, and with opening, naming aloud, and filing the same, and by entering the Fortunate Lots in such Method as is before mentioned, until the whole Number of nine thousand three hundred and forty fortunate Tickets, and one more for the Last drawn as aforesaid, shall be compleatly drawn; and as the same cannot be performed in one Day's Time, the said Managers or Directors shall cause the Boxes to be locked up and sealed in Manner as aforesaid, and adjourn till the next Day, and so from Day to Day, and every Day (except *Sundays*, *Christmas* Day, and Fast Days) and then open the same, and proceed as above, till the said whole Number of nine thousand three hundred and forty fortunate Tickets, and one more, shall be compleatly drawn as aforesaid; and afterwards the said numbered Tickets so drawn, with the fortunate Tickets drawn against the same, shall be and remain in a strong Box locked up as aforesaid, and under the Custody of the said Managers, until they shall take them out to examine, adjust, and settle the Property thereof.

Method to be observed in drawing, &c.

After each Day's Drawing, the Boxes to be locked up and sealed.

'XXXIX. And to the End the Fortunate may know, whether absent or present, to what Degree they have been so;' Be it enacted, That as soon as the Drawing is over, the said Managers are hereby required, as soon as conveniently may be, to cause to be printed and published the Number of the Tickets drawn against each fortunate Ticket, and the Principal Sum written on the same; and if any Contention or Dispute shall arise in the adjusting the Property of the said fortunate Tickets, the major Part of the said Managers agreeing therein, shall determine to whom it doth or ought to belong: And if any Person or Persons shall forge or counterfeit any Ticket or Tickets, Certificate or Certificates to be made forth by this Act, or made forth, or to be made forth, upon any former Lottery Act, or alter any the Numbers thereof, or utter, vend, barter, or dispose of, or offer to dispose of, any false, altered, forged or counterfeit Ticket or Tickets, Certificate or Certificates, or shall bring any forged or counterfeit Ticket or Certificate, or any Ticket or Certificate the Number whereof is altered (knowing the same to be such) to the said Managers, or any of them, or to the Cashier or Accomptant General of the Bank of *England* for the Time being, or to any other Person or Persons whatsoever, to the Intent to defraud his Majesty, or any Contributor or Adventurer, or the Executors, Administrators and Assigns, of any Contibutor or Adventurer upon this Act; that then every such Person or Persons being thereof convicted in due Form of Law, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy: And the said Managers or Directors, or any two or more of them, are hereby authorised, required and impowered, to cause any Person or Persons bringing or uttering such forged or counterfeit Ticket or Tickets, Certificate or Certificates as aforesaid, to be apprehended, and to commit him, her or them to his Majesty's Gaol of *Newgate*, or to the common Gaol of the County or Place where such Person or Persons shall be so apprehended, to be proceeded against for the said Felony according to Law.

Numbers of the Fortunate Tickets, and the Sums, to be printed. Disputes relating thereto, to be adjusted by the Managers.

Penalty of forging Tickets or Certificates.

Felony.

XL. Provided

XL. Provided always, and it is hereby enacted by the Authority aforesaid, That every Person that shall be appointed as aforesaid to be a Manager and Director for putting this Act in Execution, before his acting in such Commission, shall take the Oath following; that is to say, Managers to be sworn.

'I *A. B.* do swear, That I will faithfully execute the Trust reposed in me; and that I will not use any indirect Art or Means, or permit or direct any Person to use any indirect Art or Means, to obtain a Prize or Fortunate Lot, for myself, or any other Person whatsoever; and that I will do the utmost of my Endeavour to prevent any undue or sinister Practice to be done by any Person whatsoever; and that I will, to the best of my Judgment, declare to whom any Prize, Lot, or Ticket, of Right does belong, according to the true Intent and Meaning of the Act of Parliament made in the thirty-second Year of his Majesty's Reign in that Behalf.' The Oath.

Which said Oath shall and may be administered by any two or more of the other Managers and Directors.

XLI. Provided also, and it is hereby enacted by the Authority aforesaid, That out of the Monies to arise by and out of any of the Supplies granted in this Session of Parliament, it shall and may be lawful to and for any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, to reward the said Managers and Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Persons that shall and may be any ways employed in this Affair, for their Labour and Pains, and to discharge such incident Expences as shall necessarily attend the Execution of this Act, in such Manner as any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall from time to time think fit and reasonable in that Behalf; any Thing in this Act contained to the contrary notwithstanding. Managers, &c. to be paid by the Commissioners of the Treasury out of the Lottery Money.

XLII. And be it further enacted by the Authority aforesaid, That no Person or Persons shall sell the Chance or Chances of any Ticket or Tickets in the said Lottery, or any Share or Shares of any Ticket or Tickets in the said Lottery, for a Day, or Part of a Day, or for a longer Time less than the whole Time of drawing the Lottery then to come; or shall receive any Money whatsoever in Consideration of the Repayment of any Sum or Sums of Money, in case any Ticket or Tickets in the said Lottery shall prove Fortunate; or shall lay any Wager relating to the drawing or any Ticket or Tickets in the said Lottery, either as to the Time of such Ticket or Tickets being drawn, or whether such Ticket or Tickets be drawn Fortunate or Unfortunate; and all and every Person and Persons who shall offend in any of the aforesaid Matters, shall forfeit and pay treble the Sum and Sums of Money which shall have been received by such Person and Persons, contrary to the true Intent and Meaning of this Act; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; in which no Essoin, Protection, Privilege, or Wager of Law, or more than one Imparlance shall be allowed; one Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and every such Sale, Wager or Contract, and every Agreement relating thereto, shall be and is hereby declared null and void. Limitation of Sale of Chances, &c. Penalty.

XLIII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall keep any Office or Offices, or shall print or publish any Scheme or Proposal, for receiving any Sum or Sums of Money in Consideration of any Interest to be granted for the same, in any Ticket or Tickets in the said Lottery, whereof such Person or Persons shall not then be actually possessed, or in Consideration of any Sum or Sums of Money to be repaid in case any Ticket or Number of Tickets in the said Lottery, which shall not be in the actual Possession of such Person or Persons, shall prove Fortunate or Unfortunate; all and every such Person and Persons shall forfeit and pay the Sum of five hundred Pounds; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; in which no Essoin, Protection, or Wager of Law, or more than one Imparlance shall be allowed; one Moiety whereof to be for the Use of his Majesty, his Heirs or Successors, and the other Moiety to be paid to the Person or Persons who shall sue for the same; and also shall suffer three Months Imprisonment without Bail or Mainprize. Persons selling Shares in Tickets of which they are not possessed, to forfeit 500 *l.*

XLIV. And be it further enacted by the Authority aforesaid, That if any Offence against any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, shall be committed in *Ireland*, the Offender shall incur the like Penalty and Punishment, to be inflicted in like Manner as if the Offence was committed in this Kingdom; and that such Penalties as, by any of the said Acts, are directed to be recovered in any of his Majesty's Courts of Record at *Westminster*, shall in case of Offences committed against any of the said Acts in *Ireland*, be recovered in any of his Majesty's Courts of Record in *Dublin*. Offences committed in Ireland against Acts for preventing unlawful Lotteries declared to be punishable, and may be sued for in Dublin.

'XLV. And to the End that all and every the Payments, as well upon the Fortunate as upon the Unfortunate Tickets, may be more easily ascertained, settled and adjusted, for the Persons who shall be and become intitled thereunto;' Be it further enacted by the Authority aforesaid, That as soon as conveniently may be after the Drawing of the said Lottery shall be completed and ended, all and every the said Tickets, to be given out as aforesaid, shall be exchanged for Certificates to be signed by such of the said Managers as shall be appointed for that Purpose. After the Drawing of the Lottery, the Tickets to be exchanged for Certificates.

XLVI. And

Managers to give Notice of the Time for taking in the Tickets, and delivering out the Certificates, &c.

XLVI. And be it further enacted, That ſuch of the ſaid Managers, as any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall appoint to take in the ſaid Tickets, and deliver out the ſaid Certificates for and in lieu thereof, ſhall give timely Notice, by Advertiſement to be printed and publiſhed in Manner as they ſhall think fit, of the Days and Times for taking in the ſaid Tickets, and delivering out the ſaid Certificates, for and in lieu of the ſame; and every Perſon's Certificate ſhall be numbered in Courſe, according to their bringing their Tickets to the Managers ſo to be appointed for exchanging the ſame; to which Purpoſe ſuch Managers ſhall enter, or cauſe to be entered into a Book or Books to be by them kept for that Purpoſe, the Name of every Perſon who ſhall bring any Ticket or Tickets to be exchanged for ſuch Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which ſhall be ſo brought by ſuch Perſon or Perſons, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord when the ſame was ſo brought, which Book and Books ſhall lie open in the Office to be appointed for taking in the ſaid Tickets to be exchanged for ſuch Certificates, for all Perſons concerned to peruſe; all which Certificates ſhall be ſigned by the Managers ſo to be appointed, or the major Part of them, and be directed to the Accomptant General of the Bank of *England* for the Time being.

Books to be kept for entering Perſons Names, and the Number of their Tickets, &c.

Certificates to be ſigned, &c.

Accomptant General to give Credit for the Principal Sums in the Certificates.

Aſſignments may be made of the ſaid Sums, &c.

XLVII. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall upon receiving and taking in the ſaid Certificates, or any of them, give Credit to the Perſons named therein, in a Book or Books to be by him provided and kept for that Purpoſe, for the Principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch Principal Sums ſhall be entered in the ſaid Book or Books, his, her or their Executors and Adminiſtrators, ſhall and may have Power to aſſign or transfer the ſame, or any Part, Share or Proportion thereof, to any other Perſon or Perſons, Bodies Politick or Corporate whatſoever, in other Books to be prepared and kept by the ſaid Accomptant General for that Purpoſe; and the Principal Sums ſo aſſigned or transferred, ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authorities herein after mentioned, until the Redemption thereof as aforeſaid; and the ſaid Accomptant General of the Bank of *England* for the Time being, is hereby authoriſed and directed to cancel and file the Certificates, as they ſhall from time to time be received and taken in by him, and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the Principal Money for which they ſhall have Credit in the ſaid Book or Books, by Reaſon or Means of the Certificates ſo received, taken in, and cancelled as aforeſaid, and of the Annuities attending the ſame.

Certificates to be filed and cancelled, and Notes to be given in lieu thereof.

A Chief Caſhier, and Accountant General, to be appointed by the Bank for paying the Annuities.

'XLVIII. And for the more eaſy and ſure Payment of the ſaid transferrable Annuities after the Rate of three Pounds *per Centum per Annum*;' Be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from time to time, until the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be redeemed as aforeſaid, appoint and employ one or more ſufficient Perſon or Perſons within their Office in the City of *London*, to be their Chief or Firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office, to be their Accomptant General; and that ſo much of the Monies from time to time ariſing into the ſaid Receipt of Exchequer, from the ſaid Subſidies, Rates and Duties by this Act granted and appropriated, as ſhall be ſufficient from time to time for Payment of the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall by Order of the Commiſſioners of the Treaſury, or any three or more of them, or the Lord High Treaſurer for the Time being, without any further or other Warrant, to be ſued for, had and obtained in that Behalf, from time to time, at the reſpective Half-yearly Days of Payment in this Act appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid Firſt or Chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, for the Time being, by way of Impreſt, and upon Account, for the Payment of the ſaid Annuities after the Rate of three Pounds *per Centum per Annum*, at ſuch Times, and in ſuch Manner and Form as are by this Act preſcribed in that Behalf; and that ſuch Caſhier or Caſhiers to whom the ſaid Money ſhall, from time to time, be iſſued, ſhall from time to time, without Delay, apply and pay the ſame accordingly, and render his or their Account thereof, according to the due Courſe of the Exchequer.

Treaſury to iſſue Money for that Purpoſe to the ſaid Caſhier,

who is to account for the ſame.

Accomptant General to examine the Receipts and Payments of the Caſhier.

XLIX. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General for the Time being ſhall, from time to time, inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence or Delay; and that all Perſons who ſhall be intitled to any of the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, which ſhall not be deſcendible to Heirs, nor liable to any foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute or Cuſtom to the contrary notwithſtanding.

Annuities deemed a Perſonal Eſtate, &c.

Annuities deemed a Joint Stock;

L. And be it further enacted by the Authority aforeſaid, That all the Monies to be advanced or contributed by virtue of this Act towards the ſaid Sum of ſix millions ſix hundred thouſand Pounds, on which the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, ſhall be attending, ſhall be deemed one Capital and Joint Stock; and that all Perſons and Corporations whatſoever, in Proportion to the Monies by them ſeverally advanced for the Purchaſe of the ſaid Annuities, after the Rate of three Pounds *per Centum per Annum*, or to which they ſhall become intitled

by virtue of this Act, shall have, and be deemed to have, a proportional Interest and Share in the said Stock, and in the said Annuities attending the same, at the Rate aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, shall be assignable and transferrable as this Act directs, and not otherwise. and made transferrable.

LI. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time upon six Months Notice to be printed in the *London Gazette*, and fixed upon the *Royal Exchange* in *London*, and upon Repayment by Parliament of the said Sum of six millions six hundred thousand Pounds, or any Part thereof, by Payments not less than five hundred thousand Pounds at one Time, in such Manner as shall be directed by any future Act or Acts of Parliament in that Behalf, and also upon full Payment of all Arrearages of the said Annuities, after the Rate of three Pounds *per Centum per Annum*; then, and not till then, such and so much of the said Annuities as shall be attending on the Principal Sums so paid off, shall cease and determine, and be understood to be redeemed, and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act. Clause of Redemption.

LII. And be it further enacted by the Authority aforesaid, That Books shall be constantly kept by the said Accomptant General for the Time being, wherein all Assignments or Transfers of the said Annuities, after the Rate of three Pounds *per Centum per Annum*, shall, at all seasonable Times, be entered and registered; which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers; or if such Parties be absent, by their respective Attornies thereunto lawfully authorized in Writing under their Hands and Seals, to be attested by two or more credible Witnesses; and that the several Persons to whom such Transfers shall be made, shall respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law. Transfer Books to be kept by the Accomptant General. Method of transferring Stock.

LIII. Provided always, That all Persons possessed of any Share in the said Joint Stock of Annuities, or Estate and Interest therein, may devise the same by Will in Writing, attested by two or more credible Witnesses; but that no Payment shall be made upon any such Devise, till so much of the said Will as relates to any Share, Estate, or Interest, in the said Joint Stock of Annuities, be entered in the said Office; and that in Default of such Transfer or Devise, such Share, Estate, or Interest, in the said Joint Stock of Annuities, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on any of the said Transfers; any Law or Statute to the contrary notwithstanding. Annuities deviseable by Will. Entry to be made of such Clause in the Will. Transfer not liable to stamp Duties.

LIV. Provided always, and be it enacted by the Authority aforesaid, That out of the Monies arising from the Contributions towards raising the said Sum of six millions six hundred thousand Pounds, any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances as shall be thought proper, for the Service, Pains, and Labour of the said Cashier or Cashiers, for receiving, paying, and accounting for the said Contributions; and also shall have Power to make out of the Fund hereby established, or out of the Sinking Fund, such further Allowances as shall be judged reasonable, for the Service, Pains, and Labour of the said Cashier or Cashiers, for receiving, paying, and accounting for the said Annuities, after the Rate of three Pounds *per Centum per Annum*, payable by virtue of this Act; and also for the Service, Pains, and Labour of the said Accomptant General, for performing the Trust reposed in him by this Act; all which Allowances to be made as aforesaid in respect to the Service, Pains, and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only. Treasury to pay all incident Charges attending the Execution of this Act; and to make an Allowance to the Cashier and Accomptant General; to be at the Disposal of the Governor and Company of the Bank.

LV. Provided always, and be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation till all the said Annuities, after the Rate of three Pounds *per Centum per Annum*, by this Act granted, shall be redeemed by Parliament, according to the Proviso herein before contained in that Behalf; and that the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act. Bank to continue a Corporation till these Annuities be redeemed, &c.

LVI. And be it further enacted, That no Fee, Reward, or Gratuity whatsoever, shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution Monies, or any of them, or for paying the said several Annuities, or any of them, or for any Transfer of any Sum great or small, to be made in pursuance of this Act; upon Pain that any Offender or Person offending, by taking or demanding any such Fee, Reward, or Gratuity, shall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Costs of Suit; and that all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done or performed by the Officer there, without demanding or receiving, directly or indirectly, any Fee, Reward, or Gratuity for the same; and in case the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall misapply or divert any of the Monies to be paid into the Exchequer upon this Act, or shall pay or issue out of the same, otherwise than according to the true Intent of this No Fee for Payment of Contribution Money. Penalty.

this Act, or shall not keep such Books, Registers, or make Entries, and do and perform all Things which by this Act they are directed and required to do and perform; every such Offender shall forfeit his Place, and be for ever after incapable of any Office or Place of Trust whatsoever, and shall answer and pay Treble Costs of Suit to any Contributor or Person claiming under him that will sue for the same, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Restraint, or any more than one Imparlance shall be granted or allowed; and in the said Action the Plaintiff, upon Recovery, shall have full Costs of Suit; one third of which Sum shall be paid into the said Receipt of Exchequer, for the Benefit of his Majesty, his Heirs, and Successors, and the other two thirds shall be to and for the Use of the Prosecutor.

Deficiencies of the Exchequer, &c. how to be made good.

LVII. And it is hereby enacted by the Authority aforesaid, That if at any Time or Times it shall happen that the Produce of the said several Subsidies, Rates and Duties hereby granted, for Payment of the said several Annuities, shall not be sufficient to pay and discharge the several and respective Annuities and other Charges directed to be paid thereout, at the End of any or either of the respective Half-yearly Days of Payment, at which the same are hereby directed to be paid; then, and so often, and in every such Case, such Deficiency or Deficiencies shall and may be supplied out of any of the Monies which at any Time or Times shall be or remain in the Receipt of the Exchequer, of the Surpluses, Excesses, Overplus Monies, and other Revenues, composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses, by any former Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be, from time to time, issued and applied accordingly; and if at any Time or Times, before any Monies of the several Subsidies, Rates, and Duties hereby granted shall be brought into the Exchequer as aforesaid, there shall happen to be a Want of Money for paying the several Annuities as aforesaid, which shall be actually incurred and grown due at any of the Half-yearly Days of Payments before-mentioned, that then, and in every such Case, the Money so wanted, shall and may be supplied out of the Monies of the Sinking Fund (except as before excepted) and be issued accordingly.

Sinking Fund to be replaced.

LVIII. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be issued out of the Sinking Fund, shall from time to time be replaced, by and out of the first Supplies to be then after granted in Parliament.

Surplus Monies how to be applied.

LIX. Provided always, and be it enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Monies arising by the said several Subsidies, Rates, and Duties, after the said several and respective Annuities, and all Arrears thereof, are satisfied, or Money sufficient shall be reserved for that Purpose, such Overplus or Remainder shall, from time to time be reserved for the Disposition of Parliament, and shall not be issued but by the Authority of Parliament, and as shall be directed by future Act or Acts of Parliament; any thing in any former or other Act or Acts of Parliament to the contrary notwithstanding.

LX. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence: And if, upon Trial, a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

General Issue.

Treble Costs.

CAP. XI.

An Act to permit the free Importation of Cattle from *Ireland* for a limited Time.

Preamble.

For Former Laws concerning Cattle refer to 3 & 4 *Ed.* 6. *c.* 19. 2 & 3 *P.* & *M. c.* 3. 7 *Jac.* 1. *c.* 8. 18 *Car.* 2. *c.* 2. 20 *Car.* 2. *c.* 7. 22 *Car.* 2. *c.* 13. 32 *Car.* 2. *c.* 2. 1 *W.* & *M. c.* 8. 5 *W.* & *M. c.* 2. 31 *Geo.* 2. *c.* 40.

'WHEREAS the permitting the free Importation of Cattle into *Great Britain* from *Ireland* for a limited Time, may be of great Advantage to both Kingdoms;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand seven hundred and fifty-nine, the free Importation of all Sorts of Cattle into this Kingdom from *Ireland*, shall be and is hereby permitted, allowed, and authorized, for and during the Space of five Years from the said first Day of *May*, or at any Time thereafter before the End of the then next Session of Parliament; and that all Persons shall be, and are hereby exempted, freed, and discharged, from the Payment of all Subsidies, Customs, Rates, Duties, or other Impositions, and also from all Penalties, Forfeitures, Payments, and Punishments, for or upon account of Importing or bringing Cattle into this Kingdom from *Ireland*, during the Term aforesaid; any Act or Acts of Parliament to the contrary notwithstanding.

Free Importation of all Sorts of Cattle from Ireland, allowed for 5 Years, from 1 May 1759; the same to be duty free.

Limitation of Actions.

II. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done

General Issue.

in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law. Treble Costs.

CAP. XII.

An Act to discontinue, for a limited Time, the Duties payable upon Tallow imported from *Ireland*.

'WHEREAS the allowing, for a limited Time, the free Importation of Tallow from *Ireland*, may tend to the Ease of the Publick, and Advantage of the Revenue, by reducing the Price, and encouraging the Consumption, of Candles in this Kingdom;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *May* one thousand seven hundred and fifty-nine, no Subsidy, Custom, Rate, Duty or other Imposition whatsoever, shall be demanded, collected, received or taken, upon any Tallow un-manufactured into Candles or Soap, which shall be imported into this Kingdom from *Ireland*; but that all such Tallow shall and may be imported Duty free for the Space of five Years, from the said first Day of *May* one thousand seven hundred and fifty-nine, or at any Time thereafter before the End of the then next Session of Parliament; any former Law, Statute, or Act or Acts of Parliament, to the contrary notwithstanding. Preamble. Free Importation of Tallow allowed for 5 Years, from 1 May 1759.

II. Provided always, and be it further enacted by the Authority aforesaid, That a due Entry shall be made of all such Tallow at the Custom-house belonging to the Port into which the same shall be imported, in such Manner and Form, and expressing the Quantities of such Tallow, as were used and practised before the making of this Act; and such Tallow shall be landed in the Presence of the proper Officer or Officers of the Customs appointed for that Purpose; and if any Person or Persons upon the Importation of any Tallow from *Ireland*, shall not observe and perform the said Conditions and Directions herein before mentioned, every such Person shall be liable to, and pay such and the same Duties, as such Tallow would have been liable to if this Act had not been made; any thing in this Act contained to the contrary notwithstanding. Entry to be made thereof; and the same to be landed in the Presence of an Officer. Penalty.

III. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons for any Thing done in pursuance of this Act, the Defendant or Defendants in any such Action or Suit, may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, the Jury shall find for the Defendant or Defendants; and if the Plaintiff shall be nonsuited, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if Judgment shall be given upon any Verdict or Demurrer against the Plaintiff, the Defendant or Defendants shall and may recover Treble Costs, and have the like Remedy for the same, as any Defendant or Defendants hath or have in other Cases by Law. Limitation of Actions. General Issue. Treble Costs.

Extended by 1 Geo. 3. c. 10. to Hog's Lard and Grease.

CAP. XIII.

An Act for draining and preserving certain Fen Lands and Low Grounds in the Parishes of *Somersham*, and *Pidley* with *Fenton*, and the Parish of *Colne*, in the County of *Huntingdon*.

'WHEREAS certain Fen Lands and Low Grounds (Part of the Great Level of the Fens called *Bedford Level*) in the Parishes of *Somersham*, and *Pidley* with *Fenton* and *Colne*, in the County of *Huntingdon*, lately belonging to Sir *Thomas Drury* Baronet, *Dingley Askham* Esquire, *Rebecca Milbourn*, Widow, *William Underwood* and *Charles Leeds*, Gentlemen; and containing in the whole by Estimation, one thousand four hundred Acres or thereabouts, the Boundaries whereof are as follow; that is to say, Beginning from the North West Corner of the Farm belonging to *Charles Leeds*, next to *William Underwood*'s Hither High Fen Farm, in *Somersham* aforesaid, and next to *Fenton Load*; and from thence, along the said *Fenton Load*, to *Fenton Willows*, by the North East Corner of Mistress *Rebecca Milbourn's Land*; and from thence by the River of *West Water*, to *Crowlade Common*, to *Chatteris Chelm*, up to the Hard Lands there; and from thence, by the said River of *West Water*, to *Hammond's Eau Bridge*, at *Somersham Toll*; and from thence along the said *Hammond's Eau* to the Drain called *Leeds's Twelve Foot Drain*, and along the said Twelve Foot Drain, to the South West Corner of the said *Charles Leeds*'s Farm; and from thence along the Drain between *William Underwood*'s Hither High Fen Farm, and the said Farm belonging to the said *Charles Leeds*, to *Fenton Load*, are subject to be overflowed, but are capable of being drained, and thereby greatly improved: And whereas the said Lands and Grounds adjoin or lie contiguous to several of the Lands and Grounds mentioned and described in an Act made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for draining and preserving certain* Preamble. 22 Geo. 2.

'*certain Fen Lands and Low Grounds in the several Parishes of* Sutton, Mepall, Witcham, Chatteris, 'Doddington, *and a Place called* Byal Fen *in* The Isle of Ely, *and County of* Cambridge; *and also in* 'the *Parishes of* Somersham, *and* Pidley *with* Fenton, *in the County of* Huntingdon; and may be 'conveniently drained and preserved under the Powers and Authorities contained in the said Act;' May it therefore please your Majesty that it may be enacted, and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, the said Act made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for draining and preserving certain Fen Lands and Low Grounds in the several Parishes of* Sutton, Mepall, Witcham, Chatteris, Doddington, *and a Place called* Byal Fen *in* The Isle of Ely, *and County of* Cambridge; *and also in the Parishes of* Somersham, *and* Pidley *with* Fenton, *in the County of* Huntingdon; and all the Powers, Authorities, Directions, Penalties, Forfeitures, Punishments, Provisions, Matters and Things therein contained, shall extend, and are hereby extended to, and shall take Effect, operate and be executed, with respect to the Lands and Grounds herein before bounded and described, and to the Owners, Proprietors, Occupiers and Tenants thereof, and to all Persons committing Offences in relation thereto, or in relation to any Cuts, Drains, Outlets, Banks, Engines or other Works whatsoever, made or hereafter to be made, or maintained, for draining, preserving or improving the said Lands and Grounds, in such and the same Manner, and as fully and effectully to all Intents and Purposes whatsoever, as if the same were herein repeated and re-enacted, with respect to the said Lands and Grounds, and to the said Owners, Proprietors, Occupiers, Tenants and Persons, and as fully and effectually to all Intents and Purposes, as if the said Lands and Grounds had been described in the said Act, and were Part of the Lands and Grounds thereby authorizad or directed to be drained, preserved or improved; and that the Rates and Taxes hereby chargeable, and to be charged upon the Lands and Grounds herein before bounded and described, shall be equally subject and liable to the Payment of the Debt of one thousand Pounds, borrowed by the Commissioners of the said former Act, and yet remaining undischarged, together with the Interest now due, and to grow due thereon, equally and rateably with the Lands and Grounds comprized in the said former Act, and in the same Manner, as if the said Lands and Grounds mentioned in this present Act, had originally been comprized in the said former Act, and the Rates and Taxes chargeable thereon, had been comprehended in the Securities made by the Commissioners for the said Sum of one thousand Pounds, so borrowed by virtue of the said former Act.

The Powers, &c. of Act 22 Geo. 2. extended to this Act.

The Rates on the Lands herein described, are subjected to the Payment of the Debt, &c. contracted under the former Act, equally with Lands comprized in the said Act.

II. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, the Commissioners appointed by or in pursuance of the said former Act, shall be, and they are hereby authorized and impowered, during the Time that they shall be possessed of such Qualifications as are therein mentioned, to act as well in the Execution of this Act, as of the said former Act, in as full and ample Manner, to all Intents and Purposes, as if they had been nominated and appointed Commissioners in and by this present Act, and that Sir *Thomas Hatton* Baronet, *William Underwood* and *Charles Leeds*, Gentlemen shall be, and are hereby added to the Commissioners appointed by or in pursuance of the said Act; and they are hereby authorized and impowered, during the Time that they shall be possessed of such Qualification as is therein mentioned, to act in the Execution of the said former Act and this present Act, in as full and ample Manner to all Intents and Purposes, as if they had been nominated and appointed Commissioners in the said former Act; any thing therein contained to the contrary notwithstanding.

The Commissioners under the former Act, with those herein named, are to put both Acts in Execution.

III. Provided always, and be it further enacted by the Authority aforesaid, That the Commissioners for putting the said former Act or this present Act in Execution, or any five or more of them, shall, in the first Place, and before any other Works are made for draining and preserving the Lands hereby intended to be drained and preserved, cause the following Works to be done and performed; that is to say, They shall cause a Mill to be built at such Place as the said Commissioners, or any five or more of them, shall think proper; and that the Sum of three hundred and twenty Pounds at least, shall be expended in erecting such Mill, and making the Hill Bridge and Water Ways; and shall cause the Bank against *Fenton Load* to be repaired, as far as the Lands hereby intended to be drained and preserved shall extend, and then along to the *Ferry Chelm* to the Hard Lands; and a sufficient Drain to be made from the Corner of the Land lately belonging to Sir *Thomas Drury* Baronet, cross the Common called *Crollade Common*, and along *Snares Load*, to the new Drain made by virtue of the said former Act, at the Corner of the Ground belonging to *William Strong* Esquire; and a substantial Cart Bridge to be built over the said Drain on the Turnpike Road, and other Bridge over the said Drain, into the Grounds called *The Old Halves*, at the Place where the Road now is.

Works to be executed previous to any other.

IV. Provided nevertheless, That no Earth shall be taken for repairing the said Banks from any Land which lies within the Distance of ninety Feet from such Banks.

Earth for repairing the Banks, to be taken at some Distance from them.

V. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to impower the Commissioners in the said recited Act and this Act named and appointed, to do any Act that may prejudice or damage a Bank adjoinging to *Fenton Load*, lying between certain Lands belonging to Master *Leeds*, Master *Underwood*, *Dingley Askham* Esquire, the Representatives of Sir *Thomas Drury* Baronet, and Mistress *Rebecca Milbourn*, on one Side, and *Warboys Fen*, and certain Lands belonging to *John Leman* Esquire, and Mistress

Certain Banks and Lands not to be prejudiced by the Works.

Mistress *Elizabeth Newnham*, on the other Side, so that the Lands of the said *John Lemon*, or *Elizabeth Newnham*, may be hurt or affected thereby.

Rates how to be assessed.

VI. Provided also, and be it further enacted by the Authority aforesaid, That the Rates and Taxes to be assessed, collected or levied, upon the Lands and Grounds hereby intended to be drained and preserved, shall at all Times hereafter be assessed, collected or levied, rateably and proportionably to, and shall not at any Time exceed the Rates and Taxes which shall be assessed and raised upon the Lands and Grounds mentioned in the said former Act.

Proviso.

VII. Provided also, and be it further enacted by the Authority aforesaid, That for the Purpose of applying the Money which shall be raised by virtue of the said former Act and this present Act, the Lands and Grounds hereby intended to be drained and preserved, shall not be deemed Part of the Fen called *Westmore Beezlings*, and *Restidge*, but Part of the other Lands and Grounds mentioned in the said Act.

High Lands exempted from Payment of Rates.

VIII. Provided also, and be it further enacted by the Authority aforesaid, That no Rate or Tax shall be assessed, collected or levied by virtue of the said former Act, or this present Act, for or in respect of certain High Lands, in a Farm called *Rumball*, containing thirty Acres, being Part of three hundred Acres of Land belonging to the said *Charles Leeds*, and lies neareſt to the House there, or for or in respect of any Lands in the said Common called *Crollade Common*; any Thing in this Act contained to the contrary notwithstanding.

'IX. And whereas the Owners and Proprietors of the Lands and Grounds hereby intended to be 'drained and preserved, have in Consideration of the Expences that will be necessarily incurred in 'making the several Works aforesaid, and other Works, for the effectual draining and preserving 'thereof, agreed to pay in Proportion to their respective Properties therein, the Sum of three hun-'dred Pounds, to the Commissioners for putting the said former Act in Execution, to be applied in 'Manner herein after mentioned;' Be it therefore enacted by the Authority aforesaid, That the Owners and Proprietors of the Lands and Grounds hereby intended to be drained and preserved, shall on or before the first Day of *July* next, pay or cause to be paid, unto the Commissioners for putting the said former Act in Execution, or to any five or more of them, or to such Person or Persons as they, or any five or more of them, shall appoint for that Purpose, the Sum of three hundred Pounds; and that the said Sum shall be paid by the said respective Owners and Proprietors, in Proportion and according to the Number of Acres liable to be taxed by virtue of this Act, which every such Owner or Proprietor shall be possessed of, or intitled to, in the said Lands and Grounds, which Proportions shall be settled and ascertained by the said Commissioners, or any five or more of them; and in case of Non-payment thereof, it shall be lawful for the said Commissioners, or any five or more of them, and they are hereby impowered to cause the same to be raised and levied upon such respective Owners and Proprietors so making Default, or upon the Tenants or Occupiers of the Lands and Grounds in respect whereof such Default shall be made, in the same Manner as the Rates or Taxes authorised by the said former Act to be assessed or imposed, are upon Failure of Payment thereof directed by the said Act to be raised and levied; and the Tenants or Occupiers of such Lands and Grounds, who shall pay any such Sums as aforesaid, or upon whom the same shall be levied, are hereby authorised to deduct the Monies so paid or levied out of the Rent, which they are liable to pay for such Lands and Grounds, and the Owners and Proprietors thereof are hereby required to allow such Deduction, upon Receipt of the Residue of their Rent; and every Tenant making such Payment shall be acquitted for so much Money as the same shall amount unto, as if the same had been actually paid to such Owners or Proprietors respectively, except where there is a Lease of three or more Years to come from the Commencement of this Act, and in such Case the Proportion of the Sums so settled and ascertained as aforesaid, which the Tenant ought to bear and pay in Consideration of the Benefit which he or she will receive, shall be adjudged and awarded by five or more of the Commissioners for putting the said former Act in Execution; the said Sum of three hundred Pounds shall be applied towards defraying the Expence of erecting, making and maintaining such Works, as the said Commissioners, or any five or more of them shall judge necessary or proper, for the draining and improving the Lands and Grounds, hereby and by the said former Act intended to be drained and preserved; any Thing herein before contained to the contrary notwithstanding.

300l. to be paid to the Commissioners under the former Act, by the Proprietors of Lands to be drained under this Act.

Proportion to be settled by the Commissioners.

The same may be levied upon the Owners or Tenants.

Tenants paying, to deduct the same out of the Rent;

except where there is a Lease, in which Case, the Tenant is to bear a Proportion.

Application of the 300l.

X. And be it further enacted by the Authority aforesaid, That the Charges and Expences of procuring this Act shall be in like Manner defrayed by the Owners, Proprietors and Lessees of the said Lands and Grounds in and by this present Act mentioned and intended to be drained and preserved, in Proportion to their respective Properties and Interests therein; which Proportions shall be settled and ascertained; and in case of Nonpayment thereof, on or before the said first Day of *July*, shall be raised and levied in such Manner as is herein before authorised and directed with respect to the settling, ascertaining, raising and levying the said Sum of three hundred Pounds; any Thing herein before contained to the contrary notwithstanding.

Charges of obtaining this Act, to be defrayed by the Owners and Lessees.

Penalty of making Sock Dykes, or Sock Gripples, within a certain Distance of the Banks; or more than one Foot deep.

XI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall make any Sock Dyke, or Sock Gripple, on any of the said Lands or Grounds within the Distance of ninety Feet from any Bank which now is, or hereafter shall be, made for keeping off the Waters from any of the said Lands and Grounds, or more than one Foot deep in any Part of the said Lands and Grounds; every such Person so offending shall forfeit and pay the Sum of three Pence for every Foot in Length of such Sock Dyke, or Sock Gripple, for every Month during which the same shall be continued; which Forfeiture shall be recovered and levied by Distress and Sale of the

Offender's Goods and Chattels, by Warrant from any one or more Juſtice or Juſtices of the Peace for the ſaid County of *Huntingdon*; which Warrant ſuch Juſtice or Juſtices is or are hereby required to grant upon Proof of the Offence by one or more credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice or Juſtices is or are hereby impowered and required to adminiſter without Fee or Reward) and the Overplus remaining, after ſuch Forfeiture and neceſſary Charges are deducted, ſhall be returned to the Offender; and ſuch Penalty, when recovered, ſhall be paid to the ſaid Commiſſioners, or any five or more of them, or to ſuch Perſon as they ſhall appoint, and ſhall be applied towards defraying the Expence of putting the ſaid former Act and this preſent Act in Execution; and in caſe ſufficient Diſtreſs cannot be found, ſuch Juſtice or Juſtices ſhall, by the ſame or any other Warrant, commit any ſuch Offender to the Houſe of Correction for any Time not exceeding two Calendar Months.

Application of the Penalty.

Limitation of Actions.

XII. And be it enacted by the Authority aforeſaid, That if any Action, Suit or Information ſhall be commenced or proſecuted againſt any Perſon or Perſons for any thing done or to be done in purſuance of this Act, or in Execution of any of the Powers and Authorities hereby given; every ſuch Action, Suit or Information ſhall be commenced or proſecuted within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid or brought in the County of *Huntingdon*, and not elſewhere; and the Defendant or Defendants in ſuch Action or Suit ſhall and may plead the General Iſſue, Not guilty; and if in Replevin, may juſtify and avow by virtue of this Act, as Perſons acting by the Authority of Commiſſioners of Sewers are enabled to do, and give this Act and the Special Matter in Evidence, without ſpecially pleading the ſame (other than as aforeſaid) at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act; and if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County; then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her or their Suit or Suits; or if any Verdict ſhall paſs againſt him, her or them, upon Demurrer, or otherwiſe; then in any of the ſaid Caſes, the Defendant or Defendants, or Avowant or Avowants, ſhall recover Treble Coſts, for which he, ſhe or they ſhall have like Remedy as where Coſts by Law are awarded.

General Iſſue.

Treble Coſts.

Publick Act.

XIII. And be it further enacted, That this Act ſhall be deemed, taken and allowed to be a Publick Act; and all Judges, Juſtices, and other Perſons, are hereby required to take Notice thereof as ſuch without ſpecially pleading the ſame.

CAP. XIV.

An Act for the more regular and eaſy collecting, accounting for, and paying, of Poſt Fines, which ſhall be due to the Crown, or to Grantees thereof under the Crown; and for the Eaſe of Sheriffs in reſpect to the ſame.

Preamble.

For former Proviſions concerning Sheriffs refer to 13 *Ed.* 1. *c.* 39. 27 *Ed.* 1. *ſt.* 1. *c.* 2. 28 *Ed.* 1. *c.* 8 & 15. 9 *Ed.* 2. *ſt.* 2. 14 *Ed.* 2. *c.* 1. 1 *Ed.* 3. *ſt.* 2. *c.* 4. 2 *Ed.* 3. *c.* 4. 5 *Ed.* 3 *c.* 4. 14 *Ed.* 3. *c.* 7 & 9. 28 *Ed.* 3. *c.* 7 & 9. 42 *Ed.* 3. *c.* 9. 1 *R.* 2. *c.* 11. 1 *H.* 4. *c.* 11. 4 *H.* 4. *c.* 5. 1 *H.* 5. *c.* 4. 4 *H.* 5. *c.* 2. 23 *H.* 6. *c.* 7 & 9. 12 *Ed.* 4. *c.* 1. 17 *Ed.* 4. *c.* 7. 11 *H.* 7. *c.* 15. 6 *H.* 8. *c.* 18. 34 & 35 *H.* 8. *c.* 16. 2 & 3 *Ed.* 6. *c.* 4. 1 *Mar. ſt.* 2. *c.* 8. 8 *El. c.* 16. 27 *El. c.* 12. 29 *El. c.* 4. 21 *Jac.* 1. *c.* 5. 13 & 14 *Car.* 2. *c.* 21. 3 *Geo.* 1. *c.* 15 & 16. 20 *Geo.* 2. *c.* 37. 24 *Geo.* 2. *c.* 48.

The Poſt Fine to be indorſed on the Back of the Writ, by the Officer who is to ſet the Preſine, together with his Name, or Mark of Office: both Fines to be paid together to the Receiver of the Preſines at the Alienation Office, with 4 d. for his Fee, inſtead of the Fine granted by Act 3 Geo. 1.

WHEREAS great Trouble and Expence ariſe in the Execution of the Office of Sheriff, by the preſent Method of collecting, accounting for, and paying, of Poſt Fines, which become due to the Crown, or to Grantees or Proprietors thereof under the Crown, by reaſon that the Perſons from whom ſuch Poſt Fines are due, are frequently unknown to the Sheriff, and reſide out of his County; and the Pariſhes, Towns, Precincts, or Places in which the Lands lie, whereof the Fine was levied, are frequently miſnamed, whereby the Sheriff is unable to find out the ſame. And foraſmuch as the Sheriff of every County, on the paſſing his Accounts, is obliged to pay to the Crown, before he can obtain his *Quietus*, the ſeveral and reſpective Poſt Fines charged upon him, many of which he is never able to collect in and receive, to his manifeſt Loſs and Detriment; For Remedy whereof, and for the Eaſe of Sheriffs in the Execution of their Office, May it pleaſe your Majeſty that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That on all and every Writ or Writs of Covenant which, from and after the firſt Day of *Trinity* Term one thouſand ſeven hundred and fifty-nine, ſhall be ſued out for the paſſing of Fines in his Majeſty's Court of *Common Pleas* at *Weſtminſter*, the Officer or Officers, whoſe Duty it is to ſet and indorſe the Preſine payable thereon, ſhall alſo at the ſame Time, ſet the uſual Poſt Fine, and indorſe the ſame on the Back of the ſaid Writ or Writs, together with his or their Name or Names, or Mark of Office thereto, in the like Manner as the ſame are now indorſed or ſtampt at the Office called *The King's Silver Office*; which ſaid Poſt Fine or Poſt Fines ſhall be forthwith paid to the Receiver of Preſines at the Alienation Office, for the Time being, together with the Sum of four Pence, as his Fee for receiving the ſame, inſtead and in lieu of the Fee of four Pence charged on Lands, Tenements and Hereditaments, and payable to Sheriffs, Bailiffs, and others, on diſcharging the ſame, by virtue of the Act of the third Year of his late Majeſty King GEORGE the Firſt, intituled, *An Act for the better regulating the Office of Sheriffs; and for aſcertaining their Fees, and the Fees for ſuing out their Patents and paſſing their Accounts*; which ſaid Fee of four Pence, by the ſaid Act granted, from and after the ſaid firſt Day of *Trinity* Term one thouſand ſeven hundred and fifty-nine, ſhall

ceaſe

ceaſe and determine; and ſuch Receiver ſhall indorſe upon the Back of every ſuch Writ or Writs of Covenant, one particular or certain Mark of Office, in like Manner as is now uſed by him on the Receipt of Preſines at the Alienation Office, together with the Name of ſuch Receiver, and the Sum of Money which ſhall be by him received as the Poſt Fine due thereon; which Mark and Indorſement of ſuch Receiver, ſhall diſcharge the Manors, Lands, Tenements, Rents, Commons and Hereditaments, compriſed in the ſaid Writ or Writs of Covenant, and the Cognizee or Cognizees named therein.

Receiver to indorſe on the Back of the Writ, his Mark of Office, Name, and Sum received.

II. And be it further enacted by the Authority aforeſaid, That the Officer or Clerk of the King's Silver Office, or his Deputy, from and after the ſaid firſt Day of *Trinity* Term one thouſand ſeven hundred and fifty-nine, ſhall continue to enter every ſuch Fine or Fines upon Record, in the Way hitherto uſed in the paſſing of Fines, and make thereof the ſame Entries, and ſhall put thereon the ſame Indorſements, with the ſame Stamp or Mark, and in the like Manner, as has hitherto been the conſtant Uſage and Practice of the ſaid Office in paſſing of Fines; and that no Fine, until the ſame ſhall be ſtampt and marked with the Sum to which the Poſt Fine amounts as aforeſaid in the ſaid King's Silver Office, ſhall be deemed a Fine valid and effectual in Law.

Clerk of the Silver Office to enter and mark the Fines.

Fines not valid until ſtampt and marked with the Poſt Fine.

'III. And whereas no Preſine is payable on any Writ of Covenant where the Lands and Tene-'ments contained therein are under the yearly Value of five Marks; but a certain Sum of ſix Shil-'lings and eight Pence hath been antiently ſet and payable to the Crown on every ſuch Writ of 'Covenant, as and for the King's Licence being granted to the Parties in ſuch Writ of Covenant 'named to accord;' Be it therefore further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *Trinity* Term, in all Caſes where no Preſine ſhall be payable on any Writ of Covenant, the Officer or Officers at the ſaid Alienation Office, whoſe Duty it is to ſet and indorſe the Preſine on every Writ of Covenant on which a Preſine is payable, ſhall ſet on every Writ of Covenant brought to the ſaid Alienation Office, on which no Preſine ſhall be payable, a Poſt Fine of ſix Shillings and eight Pence, as hath been antiently uſually put, at the ſaid King's Silver Office, on every Writ of Covenant on which no Preſine was payable; and ſhall indorſe ſuch Poſt Fine of ſix Shillings and eight Pence on every ſuch Writ of Covenant, together with his or their Name or Names, and Mark of Office, in the like Manner as it hath been uſual to indorſe ſuch Writs of Covenant at the ſaid Alienation Office; and every ſuch Poſt Fine of ſix Shillings and eight Pence ſhall be paid to the ſaid Receiver of the ſaid Alienation Office, before the Writ of Covenant on which no Preſine is payable ſhall be paſſed at the ſaid Alienation Office; and the ſaid Receiver, on Payment of the ſaid ſix Shillings and eight Pence, ſhall indorſe on and mark every ſuch Writ of Covenant, in like Manner as other Writs of Covenant are by this Act before directed to be indorſed and marked by ſuch ſaid Receiver.

Where no Preſine is payable on the Writ, the Officer at the Alienation Office is to put a Poſt Fine of 6s. 8d. thereon,

and indorſe the ſame, with his Name and Mark of Office.

The ſaid Sum of 6s. 8d. to be paid before the Writ paſs the Alienation Office.

Receiver to indorſe his Name, and mark the Writ.

IV. And be it further enacted by the Authority aforeſaid, That the Officer or Clerk of the King's Silver Office, or his Deputy, from and after the ſaid firſt Day of *Trinity* Term one thouſand ſeven hundred and fifty-nine, ſhall not receive any Writ or Writs of Covenant, unleſs it ſhall appear by the Mark and Indorſement of ſuch Receiver as aforeſaid, that the Poſt Fine has been paid thereon.

Clerk of the Silver Office to receive no Writ where the Poſt Fine has not been paid.

V. Provided nevertheleſs, That if after the Payment of ſuch Poſt Fine or Poſt Fines as aforeſaid, the ſaid Writ or Writs of Covenant ſhall, by the Death of any of the Parties named therein, or for any other Cauſe whatſoever, be prevented or hindered from paſſing through the ſeveral other Offices, ſo as the ſaid Fine or Fines is or are not, or cannot be compleated; that then and in every ſuch Caſe, the ſaid Receiver ſhall repay to the Cognizee or Cognizees, in every ſuch Writ or Writs of Covenant, his, her or their Attorney or Agent, on their producing and filing with him the ſaid Writ or Writs of Covenant, all and every ſuch Sum and Sums of Money as ſhall have been before by him received thereon as and for the Poſt Fine or Poſt Fines; and ſuch Writ or Writs of Covenant ſo remaining filed with ſuch Receiver, ſhall be and is hereby declared to be a ſufficient Diſcharge to ſuch Receiver, for ſuch Sum or Sums of Money as he ſhall ſo repay as aforeſaid.

If the Writ ſhall be prevented from paſſing the ſeveral Offices, the Receiver to repay the Poſt Fine to the Cognizee.

VI. And be it further enacted by the Authority aforeſaid, That every ſuch Receiver as aforeſaid, before he takes upon him the Execution of his ſaid Office, ſhall enter into a Recognizance before one of the Barons of his Majeſty's Court of *Exchequer*, to his Majeſty, his Heirs and Succeſſors, with one or more Surety or Sureties, as ſhall be thought proper by ſuch Baron, in the penal Sum of five thouſand Pounds, conditioned for the due and faithful Execution of the ſaid Office, and to pay unto every reſpective Sheriff of every County, City, and Town in *England*, having a Sheriff or Sheriffs, or his under Sheriff or lawful Attorney, on his or their producing to ſuch Receiver, his Clerk or Agent, at his publick Office, the *Quietus* of the Sheriff for whom Payment is required, the Sum Total of the Poſt Fines which ſhall be contained in ſuch reſpective *Quietus*, and wherewith ſuch Sheriff ſhall have been charged in his Account in the Exchequer; and alſo to pay unto all and every the Lords of Liberties, Proprietors or Grantees of Poſt Fines under the Crown, or to their lawful Bailiffs or Attorney, upon their producing reſpectively unto the ſaid Receiver, his Clerk or Agent, at his publick Office, the reſpective Schedules of the Foreign Apposer, or Clerk of the Eſtreats of the ſaid Court of *Exchequer*, the ſeveral and reſpective Sums of Money in ſuch Schedules contained, and ſet over as Poſt Fines to ſuch Lords, Proprietors, or Grantees reſpectively; which ſaid Surety or Sureties, ſhall reſpectively juſtify him or herſelf, before the Baron taking ſuch Recognizance, to be worth the Sum of two thouſand five hundred Pounds, over and beſides all juſt Debts and Incumbrances; and every ſuch Recognizance ſhall, with all convenient Speed, after the taking thereof, be tranſmitted by the Baron who ſhall take the ſame to the King's Remembrancer

Receiver to enter into Recognizance, with Sureties, for the faithful Diſcharge of his Office, and making due Payments of the Monies received by him.

Sureties to juſtify themſelves.

Recognizance to be tranſmitted to, and filed in the Court of Exchequer.

Receiver and Sureties liable in the Penalty of the Recognizance, to the Sheriff, Lords of Liberties, Proprietors, or Grantees, for the Poſt Fines received.

On the Death, &c. of a Surety, a new one to be provided within one Month.

of the Court of *Exchequer*, there to be filed and remain on Record; and ſuch Receiver, and his ſaid Sureties, ſhall in all Caſes be reſpectively liable to the amount of ſuch penal Sum, to make Satisfaction to each reſpective Sheriff, and alſo to the reſpective Lords of Liberties, Proprietors, or Grantees, for all and every Poſt Fine and Poſt Fines which ſhall be received by ſuch Receiver his Deputy or Agent, on any Fine levied of any Lands, Tenements, Rents, or Hereditaments, within their reſpective Sheriffwicks or Liberties; and in caſe of the Death or Inſolvency of any of the ſaid Sureties, at any Time after the entering into ſuch Recognizance as aforeſaid, then one or more Surety or Sureties in the Room or Place of him, her or them, ſo dying or becoming inſolvent, as aforeſaid, ſhall, within the Space of one Month then next, enter into ſuch Recognizance as the ſaid Surety or Sureties ſo dying or becoming inſolvent had entered into, and juſtify himſelf, herſelf or themſelves, in like Manner as is before directed in this Act; in Default of which the ſaid Office ſhall immediately ceaſe, determine, and be utterly void.

Time of Receiver's Attendance at Office, and Delivery of the Writs.

VII. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *Trinity* Term, every ſuch Receiver, his Clerk or Agent, ſhall daily (*Sundays* and Holidays excepted) attend at the ſaid Alienation Office from nine of the Clock in the Morning till one of the Clock in the Afternoon, and ſhall deliver back every ſuch Writ of Covenant as aforeſaid, when the ſame ſhall be called for at the ſaid Alienation Office, during the Office Hours herein before appointed for ſuch Receiver's Attendance at the ſaid Office, within two Days after every ſuch Poſt Fine ſhall be paid thereon reſpectively, unleſs the laſt of the ſaid two Days ſhall happen to be a *Sunday* or Holiday, and then on the next ſucceeding Day.

Receiver to pay the Poſt Fines to the Sheriff, on producing his Quietus,

and to the Lords of Liberties, Proprietors, or Grantees, on producing the Schedules of the Foreign Appoſer.

Receiver to deduct 6 d. in the Pound, and no more, of the Sums paid by him.

VIII. And be it enacted by the Authority aforeſaid, That every ſuch Receiver as aforeſaid ſhall pay unto every Sheriff of any of the Counties, Cities, or Towns of *England*, his Under Sheriff or lawful Attorney, on his producing his *Quietus*, the ſeveral and reſpective Sums of Money in the ſaid *Quietus* mentioned to have been by him accounted for in the Receipt of his Majeſty's Exchequer, on the paſſing of his Accounts as and for Poſt Fines of his Majeſty's Court of *Common Pleas* at *Weſtminſter*; and alſo in like Manner pay unto all and every Lords of Liberties, Proprietors or Grantees, under the Crown, of ſuch Poſt Fines, ro his or their Bailiff or lawful Attorney, upon their producing the Schedules of the Foreign Appoſer, or Clerk of the Eſtreats of the ſaid Court of *Exchequer*, the ſeveral and reſpective Sums of Money in the ſaid Schedules ſet and allowed to them as Poſt Fines; the ſaid Receiver deducting and retaining to himſelf, out of every twenty Shillings which he ſhall ſo pay, the Sum of ſix Pence only, for his Trouble and Attendance on the due Execution of this Act, and ſo in Proportion for any greater or leſs Sum, and which he is hereby authorized and impowered to deduct and retain to his own Uſe; but neither the ſaid Receiver, nor any other Perſon or Perſons whatſoever, for his or their Attendance on ſuch Receiver, ſhall charge or be allowed any Fee or Reward for or on the Account of doing any Thing by this Act directed, except the ſaid Fees to ſuch Receiver in this Act particularly mentioned and expreſſed.

Penalty of forging the Receiver's Hand or Mark.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons from and after the ſaid firſt Day of *Trinity* Term one thouſand ſeven hundred and fifty-nine ſhall make, forge, or counterfeit, or cauſe or procure to be made, forged, or counterfeited, the Mark or Hand of ſuch Receiver as aforeſaid, whereby ſuch Receiver, or any other Perſon or Perſons, ſhall or may be defrauded, or ſuffer any Loſs thereby; every Perſon or Perſons convicted of ſuch Offence, ſhall be deemed guilty of Felony, and ſhall ſuffer Death as a Felon without Benefit of Clergy.

Receiver made ſubject to the Order of the Court, for not paying the Poſt Fines;

and being guilty of any Miſdemeanor, to forfeit Treble Damages.

Limitation of Proſecutions.

Orders of the Court inforced.

X. And be it alſo enacted by the Authority aforeſaid, That every ſuch Receiver refuſing or neglecting to pay ſuch Poſt Fines to the ſaid reſpective Sheriffs, Lords of Liberties, Proprietors, or Grantees under the Crown, or their lawful Attornies, or Bailiffs, ſhall be ſubject to ſuch Order as the Barons of the ſaid Court of *Exchequer* of the Degree of the Coif ſhall make for the Payment of the ſame; and the ſaid Receiver, and every Perſon or Perſons who ſhall be guilty of any wilful Default, Extortion, or Miſdemeanor, contrary to the true Intent and Meaning of this Act, ſhall forfeit and pay to the Party aggrieved Treble Damages with full Coſts, which ſhall and may be ordered and awarded by the Barons of the Court of *Exchequer*, upon Application made to, and on due Proof thereof made before them, in ſuch ſummary Way and Method as to them ſhall ſeem meet; provided every ſuch Application or Proſecution be made within the Space of two Years next after any ſuch Offence ſhall have been committed, and not otherwiſe; and ſuch Orders of the ſaid Court of *Exchequer*, ſo to be made as aforeſaid, ſhall have the ſame Force, Virtue, and Effect, and the Obſervance thereof ſhall be inforced by ſuch Ways and Means, as any other Orders of the ſame Court.

Operation of Fines in the Court of Common Pleas, not altered by this Act.

XI. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall not any Way alter the Operation of any Fine which after the ſaid firſt Day of *Trinity* Term one thouſand ſeven hundred and fifty-nine, ſhall be levied in the Court of *Common Pleas* at *Weſtminſter*, or the Courſe of paſſing Fines in that Court, otherwiſe than is in and by this Act directed.

Publick Act.

XII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed and taken to be a Publick Act; and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XV.

CAP. XV.

An Act for the better Preservation of the Turnpike Roads in that Part of *Great Britain* called *Scotland*.

Preamble.

'WHEREAS great Sums of Money have been expended in amending and repairing the Turnpike Roads in that Part of *Great Britain* called *Scotland*, yet the said Roads cannot be kept in sufficient Repair, and are in many Places become ruinous by the great and excessive Weights which the Number of Horses now allowed by Law to draw Waggons and other Carriages, enable Carriers, and other Persons, using the said Roads, to carry upon the same:' For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *September* one thousand seven hundred and fifty-nine, where any Waggon, Wain, Cart, or other Carriage, is drawn by four or more Horses, or other Beasts of Draught, it shall and may be lawful for all Trustees or Commissioners appointed, or hereafter to be appointed, by any Act or Acts of Parliament, for the Repair of any Highway or Highways, in that Part of *Great Britain* called *Scotland*, in their respective Districts, or any five or more of them, or any Person or Persons impowered by them, or any five or more of them, to demand, receive, and take, and they are hereby required to demand, receive, and take, at all the Gates and Bars that are or shall be erected for receiving and collecting any Toll or Duty, before such Waggon, Wain Cart or other Carriage, shall be permitted to pass through any such Toll-gate or Toll-bar, over and above the Tolls or Duties already granted, or hereafter to be granted, the Sum of five Shillings Sterling for each Horse, or other Beast of Draught, drawing any such Waggon, Wain, Cart, or other Carriage; which said additional Toll or Duty hereby granted and made payable, shall and may be levied upon any Person who shall, after Demand made thereof, refuse or neglect to pay the same, in such Manner as any other Toll or Duty, payable at the same Turnpike-gate or Bar, is by Law to be levied; and the Money arising from such additional Duty, shall be applied to the Repair of the Highway where the same shall be collected.

Additional Toll of 5 s. per Horse to be laid on all Waggons, &c. drawn by four or more Horses in Scotland.

II. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall take off, or cause to be taken off, any Horse or Horses, or other Beast of Draught, from any Carriage, at or before the same shall come to any of the said Gates or Turnpikes, with an Intent to avoid paying the said additional Toll or Duty, each and every Person so offending, and being convicted thereof before the said Trustees, or any five or more of them, upon the Oath of one or more credible Witness or Witnesses (which Oath the said Trustees, or any five or more of them, are hereby impowered to administer) shall forfeit and pay twenty Shillings Sterling; one Half to the Informer, and the other Half to be applied to repairing such Part or Parts of the said Road, as the said Trustees, or any five or more of them, shall appoint.

20 s. Penalty on taking off Horse, &c. to avoid the additional Toll.

III. And be it further enacted and declared by the Authority aforesaid, That every Person who shall drive any Waggon or other Carriage upon any Part of any Turnpike Road, with more Horses than such Waggon, or other Carriage, shall, on the same Day, pass through any Turnpike-bar or Gate with, shall be deemed and and adjudged to have taken off the said Horses, with Intent to avoid paying the said additional Toll or Duty.

Travelling with fewer Horses on one Part of the Road than on another liable to forfeit.

IV. And be it further enacted by the Authority aforesaid, That from and after the first Day of *September* one thousand seven hundred and fifty-nine, no Waggon, Wain, Cart, or other Carriage, shall be drawn by more than eight Horses, or other Beasts of Draught, upon any Turnpike Road, in that Part of *Great Britain* called *Scotland*, on Pain of forfeiting the Sum of five Pounds Sterling for every such Offence; one Half to the Informer, and the other Half to be applied to repairing the Road where the Offence shall be committed, as the Trustees, or any five or more of them, shall appoint.

V. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to restrain the Owner or Owners of any Carriage, or his or their Servants, using or drawing with as many Horses, or Beasts of Draught, as shall be necessary for drawing such Carriages up any steep Hill, as the said Trustees, or any five or more of them, within their respective Districts, where such steep Hills do lie, shall, from time to time, order and direct; a Copy of which Order and Direction, under the Hand of the Clerk of the said Trustees, shall be kept by the Person or Persons impowered to levy the said Tolls or Duties, at the Toll-gate next adjacent to such Hills; and shall without Fee or Reward, be made Patent to the Owners of such Carriages passing the Road, or their Servants, requiring to see the same.

Such Number of Horses may be used for drawing Carriages up Hill, as the Trustees by an Order for that Purpose, shall allow.

Copy of the Order to be lodged with the Collector of the Tolls, &c.

VI. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall impose or be construed to impose the said additional Duty on any Waggon, Wain, Cart, or other Carriage, the Fellies of the Wheels whereof are of the Breadth or Gage of nine Inches, from Side to Side, at the least; nor on any Waggon, Wain, Cart, or other Carriage, employed in carrying one Tree or Piece of Timber, one Stone or Block of Marble, or any Machine or Engine in one Piece, which cannot be drawn by fewer than four Horses; nor on any Waggon,

Waggons, &c. with Broad Wheels.

or carrying only one Block of Marble, &c. not liable to additional Duty.

Waggon, Wain, Cart, or other Carriage, drawn by Oxen or Neat Cattle only, or along with two Horſes, and no more.

Carriages with Fellies of the Wheels ſix Inches broad, drawn by three Horſes to pay the Toll only of two.

VII. And, for the further encouraging the uſing of Broad Wheels, Be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *September* one thouſand ſeven hundred and fifty-nine, all Waggons, Wains and Carts, whereof the Fellies of the Wheels are of the Breadth or Gage of ſix Inches from Side to Side, at the leaſt, drawn by three Horſes, Mares, or Geldings, ſhall only be liable and ſubject to Payment of ſuch Toll or Duty as is at preſent impoſed, by the Acts of Parliament already made, upon Waggons, Wains and Carts, drawn by two Horſes.

Chaiſes, Coaches, &c. exempted.

VIII. Provided always, and be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall be deemed or conſtrued to extend to any Chaiſe Marine, Coach, Chariot, Landau, Berlin, Chaiſe, Chair, or Calaſh.

Truſtees may order Wheels to be meaſured.

IX. And, for the better diſcovering and detecting the Offenders againſt this Act; It is hereby further enacted, That it ſhall and may be lawful to and for the Truſtees appointed, or to be appointed, by any Act or Acts of Parliament made, or to be made, for the repairing or amending any Higway or Higways withithin that Part of *Great Britain* called *Scotland*, or any five or more of them, and they are hereby authorized and required, by Writing under their Hands, to order the Fellies of the Wheels of all Waggons, Wains, Carts, and other Carriages, which are, or ought to be, of the Breadth or Gage herein before directed and preſcribed, to be meaſured and gaged at any Turnpike or Toll-gate erected, or to be erected, upon any Part of the Highway or Road, in or upon which ſuch Waggon, Wain, Cart, or Carriage reſpectively, ſhall travel, paſs, or be drawn.

Carriages with Wheels reduced, by wearing, not more than one Inch, allowed to paſs.

X. Provided always, That in caſe it ſhall appear to the Satisfaction of the Perſon or Perſons appointed to meaſure and gage the ſaid Wheels, that the Fellies of the Wheels of any Waggon or Wheel Carriage, travelling or paſſing upon any ſuch Turnpike Road, were originally, and when firſt made, of the Breadth of nine or ſix Inches reſpectively, and, by long Uſage and Wearing, ſhall have been reduced to, and become of, leſs Breadth or Gage; then, and in ſuch Caſe, it ſhall and may be lawful for ſuch Waggon or Wheel Carriage to travel, paſs, or be drawn upon any ſuch Turnpike Road, ſo as the Fellies of all the Wheels thereof reſpectively be not diminiſhed more than one Inch of the full Breadth required by this Act.

Perſons hindering the meaſuring of Wheels forfeit 5 l. Sterling.

XI. And it is hereby further enacted and declared, That if any Perſon or Perſons ſhall hinder, or attempt to prevent or obſtruct, the meaſuring or gaging the Fellies of ſuch Weels, or ſhall uſe any Violence to any Perſon or Perſons employed or concerned in ſuch meaſuring or gaging; each and every Perſon ſo offending, and being convicted thereof before the ſaid Truſtees, or any five or more of them, upon the Oath of one or more credible Witneſs or Witneſſes, which Oath the ſaid Truſtees or any five or more of them, are hereby impowered to adminiſter, ſhall forfeit and pay five Pounds Sterling; one Half to the Informer, and the other Half to be applied to repairing ſuch Part or Parts of the ſaid Road, as the ſaid Truſtees, or any five or more of them, ſhall appoint.

Penalties, not otherwiſe directed, to be levied by Diſtreſs.

XII. And be it further enacted by the Authority aforeſaid, That all Tolls, Duties, Penalties, and Forfeitures, by this Act impoſed, if not otherwiſe directed to be levied by this Act, ſhall be levied by Diſtreſs of the Offenders Goods and Chattels, by Warrant under the Hands and Seals of any two or more Juſtices of the Peace for the County, City, or Place, where the Offence ſhall be committed; and the Perſons diſtraining for ſuch Penalties are hereby authorized and impowered to ſell the Goods or Chattels ſo diſtrained, and return the overplus Money, if any there be, upon Demand, to the Owners of ſuch Goods and Chattles, after ſuch Tolls, Duties, Penalties or Forfeitures, with the reaſonable Charges of ſuch Diſtreſs, ſhall be deducted and paid.

Diſtreſs may be ſold.

Perſons aggrieved may appeal to the Quarter-Seſſions.

XIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall think him or themſelves aggrieved by any Order or other Proceedings of the ſaid Truſtees or Juſtices, it ſhall and may be lawful for him or them to appeal to the Juſtices of the Peace for the County or Place where the Cauſe of Appeal ſhall ariſe, in their General Quarter-Seſſions aſſembled, who are hereby authorized and impowered to hear and determine the Matter in Diſpute, and whoſe Order therein ſhall be final and concluſive.

Limitation of Actions.

XIV. And be it further enacted by the Authority aforeſaid, That if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in relation to the Premiſſes, or any of them, every ſuch Action or Suit ſhall be laid or brought within one Month after the Fact done.

CAP. XVI.

CAP. XVI.

An Act to continue, amend, explain, and render more effectual, an Act made in the sixth Year of the Reign of his present Majesty, for the better Regulation of Lastage and Ballastage in the River *Thames*, and to prevent putting of Rubbish, Ashes, Dirt, or Soil into the said River, and in the Streets, Passages, and Kennels in *London*, and in the Suburbs thereof in *Middlesex*, and in *Westminster*, and such Part of the Dutchy of *Lancaster* as is in *Middlesex*; and for allowing a certain Quantity of Dung, Compost, Earth, or Soil, to be yearly shipped as Ballast from the Laystalls in *London* on Board any Collier or Coasting Vessel.

'WHEREAS an Act made in the sixth Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Lastage and Ballastage in the River* Thames, which was to continue in Force from the first Day of *June* one thousand seven hundred and thirty-three, for five Years, and from thence to the End of the then next Session of Parliament; and which, by an Act made in the eleventh Year of the Reign of his said present Majesty, was further continued for seven Years, and from thence to the End of the then next Session of Parliament; and by an Act made in the eighteenth Year of the Reign of his said present Majesty, was further continued for eleven Years, and from thence to the End of the then next Session of Parliament, is near expiring: And whereas the said Act hath greatly tended to the preventing the Frauds and Abuses thentofore committed by the Ballast-men employed under the Master, Wardens, and Assistants of the *Trinity House* at *Deptford Strond* in the County of *Kent*, and also to the Preservation of the Navigation of the said River *Thames*, and the promoting and encouraging the Trade of this Kingdom, and for the Maintenance and Relief of decayed Seamen, their Wives, Widows, and Orphans;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Act, and all and every the Powers, Authorities, Clauses, and Provisions therein contained, other than such as are herein after altered or amended, shall be and continue, and the same is and are hereby continued, in Force, from the Expiration thereof, until the twenty-fourth Day of *June* one thousand seven hundred and seventy, and from thence to the End of the then next Session of Parliament.

Act 6 Geo. 2. c. 29.

18 Geo. 2. c. 21.

The recited Act further continued, except where altered by this Act, to 24 June 1770.

'II. And, for the explaining and rendering more effectual the said first recited Act, and ascertaining the Quantities of Dung, Compost, Earth, or Soil, which may be shipped or transported as Ballast;' Be it therefore further enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, any Master, Owner or Owners of any Ship or Vessel, may ship, transport and carry, in his or their Ship or Ships, Vessel or Vessels, as Ballast, from *London*, or any Part of the River *Thames*, any Dung, Compost, Earth, or Soil, or any Chalk Rubbish, Sope Ashes, Soap Waste, Flints, Tobacco-Pipe Clay, or other Clay, or any other Goods or Commodities claimed to be furnished as Ballast by the said Corporation of *Trinity House* (subject nevertheless to the Payment of the Rates and Duties, and under the Provisoes and Restrictions, herein after mentioned and contained concerning the same) so that the whole Quantity together of all Dung, Compost, Earth, or Soil, which shall be allowed to be shipped and transported for Ballast as aforesaid, under the Authority of this Act, for the Use of Coasters and Colliers, or on any other Account or Pretence whatsoever, doth not exceed in any one Year, to commence and be computed from the first Day of *June* inclusive in every Year, the Quantity of three thousand Tons, over and besides the Quantity of two thousand Tons of Dung, Compost, Earth, or Soil, herein after specified and allowed to be shipped or put on Board any Coasting Ships or Vessels in the said River *Thames*, by the Lessee or Lessees, Occupier or Occupiers of the Laystalls of the City of *London* for the Time being, on the Condition hereinafter mentioned; and so also that the whole Quantity of Chalk and Chalk Rubbish which shall be shipped and transported as Ballast, for the Use of Coasters and Colliers in the said River *Thames*, doth not exceed the Quantity of three thousand Tons in any one Year, to commence and be computed as aforesaid; and so likewise that the whole Quantity of Sope Ashes, and of all other Sorts of Commodities as aforesaid, claimed to be furnished as Ballast as aforesaid by the said Corporation, and licensed by the Authority of this Act to be shipped and transported as Ballast as aforesaid, for the Use of Coasters and Colliers in the said River, doth not exceed the Quantity of two thousand Tons in any one Year, to commence and be computed as aforesaid.

300 Tons of Dung, Compost, Earth, or Soil, allowed to be yearly shipped as Ballast, from any Part of the River Thames;

over and besides 2000 Tons from the Laystalls in London;

and of Chalk, and Chalk Rubbish 3000 Tons;

and of Sope Ashes, &c. 2000 Tons.

III. Provided nevertheless, and be it enacted by the Authority aforesaid, That before the Master, Owner or Owners, of any Ship or Vessel, shall permit any of the said Commodities or Things, claimed to be furnished as Ballast by the said Corporation, to be shipped or put on board any such Ship or Vessel, every such Master, Owner or Owners, shall make a due Entry at the Ballast Office of the *Trinity House* in *London*, or with the Officer of the said *Trinity House* at *Gravesend* (unless any of the said Commodities or Things shall be shipped or put on board any Ship or Vessel as aforesaid, in the last seven Days of the Month of *May* in any Year, and then every Entry thereof shall be made at the Office of the *Trinity House* in *London*, and not in any other Place) of all Commodities and Things as aforesaid, which shall be shipped or put on board any such Ship or Vessel as Ballast, and

Entry to be made of all Commodities shipped for Ballast:

and 1 d. per Ton paid for a Licence to the Trinity House;

of the Name of every such Ship or Vessel, and of the Master or Commander thereof; and also at the Time of the making of every such respective Entry, shall pay to the said Corporation for such Licence or Authority one Penny for every Ton of the said Commodities and Things so to be entered as aforesaid.

on Penalty of 5l.

IV. And be it further enacted by the Authority aforesaid, That if any Master, Owner or Owners, or Officer of any Ship or Vessel, shall ship or put on board, or suffer to be shipped or put on board any such Ship or Vessel, any of the Commodities or Things herein before-mentioned, specified and enumerated, before every such Entry and Payment as aforesaid in respect thereof shall be made; or shall ship or take on board any such Ship or Vessel any greater Quantity thereof than what shall be so entered and paid for as aforesaid; then, and in every such Case, every Person who shall so offend in the Premisses, and be thereof convicted in Manner herein-after provided or directed, shall, for every such Offence, forfeit and pay the Sum of five Pounds.

with like Penalty for making a fraudulent Entry.

Bricks, Tyles or Lime, &c. may be shipped as Ballast, Duty-free.

V. Provided always, and it is hereby likewise enacted, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, it shall be lawful for any Master or Owner of any Ship or Vessel, from Time to Time, to ship, transport and carry, in any such Ship or Vessel, as Ballast from *London*, or any other Part of the River *Thames*, any Quantity of Bricks, Tyles or Lime, or any other merchandizeable Commodities and Things (other than and except such of the said Commodities and Things as are herein before enumerated and specified, and allowed to be taken or carried as Ballast) without paying any thing to the said Corporation for the same.

'VI. And whereas it is necessary that the Lighters, Barges or Vessels, in which any Dung, Compost, Earth or Soil shall be loaded, in order to be put on board any Ships or Vessels, for the Use of Coasters or Colliers in the said River *Thames*, should be weighed, marked and numbered:' Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, no Lighter, Barge or Vessel whatsoever, shall be used or employed by any Person or Persons, for carrying any Dung, Compost, Earth or Soil, on board any Ship or Vessel whatsoever, in the said River *Thames*, for the Use of Coasters or Colliers there, until every such Lighter, Barge or Vessel, shall have been first weighed, marked and numbered, by the said Corporation of the *Trinity House*, and at their Costs, or by some Agent or Officer who shall be appointed for that Purpose by them; and the said Corporation, their Agent or Officer, is and are hereby authorized and required, from Time to Time, at seasonable Times in the Day-time, as they shall see Occasion, to weigh every such Lighter, Barge or Vessel, which shall be employed in the said River *Thames*, for the carrying any Dung, Compost, Earth or Soil, on board any Coaster or Collier in the said River; and also to affix a Gauge Mark, by painting the same or otherwise, in some conspicuous Place or Places, at the Stem and Stern of every such Lighter, Barge or Vessel as aforesaid, higher than the same shall sink into the Water when loaded, denoting the exact Tonage; and also the Number of every such Lighter, Barge or Vessel, in a legible Manner, and in large White Capital Letters and Figures: And if any one shall offend in the Premisses, or shall remove, alter, deface or counterfeit any Gauge Mark of any such Lighter, Barge or Vessel as aforesaid, or the Number thereof, which shall be set, painted or affixed, by the said Corporation, their Agent or Officer, on any such Lighter, Barge or Vessel; every Person so offending, and being thereof convicted in the Manner herein after directed, shall, for every such Offence, forfeit and pay the Sum of five Pounds.

Lighters and Vessels employed in the Ballastage to be weighed, marked and numbered by the Officers of the Trinity House;

Penalty of removing, defacing or counterfeiting, &c. the Marks, 5l.

On Suspicion of Fraud, the Lighters may be reweighed;

VII. And be it further enacted by the Authority aforesaid, That in case the said Corporation shall have Reason at any Time to suspect that the Gauge Mark of any such Lighter, Barge or Vessel, hath been removed, altered or changed; then, and in such Case, it shall be lawful for the said Corporation, their Agent or Officer, at all Times hereafter, at seasonable Times in the Day-time, and at the Costs of the said Corporation, to reweigh any such Lighter, Barge or Vessel (so as that no more than one such Lighter, Barge or Vessel, shall be reweighed in any Week); and in case upon the reweighing of any such Lighter, Barge or Vessel, the same shall be found to be of greater Tonage than by the Mark thereof such Lighter, Barge or Vessel, shall be signified or denoted, and ought to be, then the Person or Person or Persons to whom such Lighter, Barge or Vessel, which shall be so found to be of greater Tonage than aforesaid shall belong, shall, for every such Offence, on being convicted in Manner by this Act prescribed, forfeit and pay the Sum of five Pounds.

and the Owner to forfeit 5l. on Conviction of the Offence.

'VIII. And whereas it frequently happens that Ships and Vessels which come within the Port of *London*, bring in them large Quantities of Ballast, which, for Convenience of the Masters or Owners of such Ships or Vessels, and to save Expence, are frequently unloaded and thrown into the said River *Thames*, to the great Prejudice and Obstruction of the Navigation thereof: Now, for preventing such Annoyances for the future;' Be it further enacted by the Authority aforesaid, That if any Ship or Vessel, after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, shall come into the said River with any Ballast therein, no Part of any such Ballast shall be unloaded, put or thrown, from or out of any such Ship or Vessel, into the said River, but all such Ballast shall be laid or put at the Expence of the Owner or Owners, or Master of every such respective Ship or Vessel, on some common Wharf or Quay near to the said River, or on some Ground or Place above High Water Mark; or otherwise shall be unloaded from every such respective Ship or Vessel, at the Costs of the Owner or Owners, Master or Commander of every such said Ship or Vessel, into one or more Lighter or Lighters belonging, or which shall belong, to the said Corporation, which the said Corporation are hereby required to furnish and send, on any Demand for the same being made, or left in Writing at the said Ballast Office, by or on the Behalf of every

Vessels to unload their Ballast on some Wharf or Ground, above High Water Mark;

or into Lighters of the Trinity House.

every such Owner or Owners, or Master of any such Ship or Vessel; and in case the said Corporation, on any such Application or Demand as aforesaid, shall refuse, or shall neglect to furnish and send sufficient Lighter or Lighters to take any Ballast from any such Ship or Vessel, according to the true Meaning of this Act, within the Space of three Days after any such Application or Demand shall be made to them for that Purpose; then, and in every such Case, the said Corporation shall forfeit and pay, for every such Refusal or Neglect, the Sum of fifty Pounds; unless such Refusal or Neglect shall be occasioned by frosty or tempestuous Weather, preventing such Lighter or Lighters from being navigated to take away the same; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, wherein no Essoin, Protection or Wager of Law, and no more than one Imparlance shall be allowed; one Moiety of which Penalty shall be applied to the Use of the Poor of the Parish or Place where the Offence shall be committed, and the other Moiety to the Person who shall sue for the same.

Trinity House to furnish Lighters accordingly, on Penalty of 5 l.

Application of the Penalty.

IX. And be it further enacted by the Authority aforesaid, That the Owner or Owners, Master or Commander of every Ship or Vessel, out of which any Ballast shall be taken by any Lighter or Vessel belonging to the said Corporation, shall pay to the said Corporation the Sum of six Pence *per* Ton, for every Ton of Ballast which shall be received by the said Corporation out of any such Ship or Vessel, within the Space of twenty-four Hours after any such Ballast shall be carried away from or out of any such Ship or Vessel, by the Ballast-men, Servants or Agents of the said Corporation; which Money, when received, shall be applied and disposed of for the Use of the Poor of the said Corporation; and in case of Nonpayment thereof, the same may be recovered for the Use aforesaid, by Action of Debt to be brought in any of his Majesty's Courts of Record at *Westminster*, in the Name of the said Corporation, against any such Owner or Owners, Master or Commander of any such Ship or Vessel.

Corporation to be paid 6 d. per Ton, for Ballast unloaded into their Lighters.

X. And be it further enacted by the Authority aforesaid, That if after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, any Ballast, of any Kind or Denomination whatsoever, shall be unloaded, put or thrown out of any Ship or Vessel, into the River *Thames*, or be unloaded, laid or put on any Shore, Ground or Place, below the High Water Mark in the said River, then, and in any such Case, the Master or Commander of every such respective Ship or Vessel from or out of which any such Ballast shall be so unloaded, or put on any such Shore, Ground or Place as aforesaid, on being thereof convicted in the Manner by this Act prescribed, shall forfeit and pay for every such Offence the Sum of five Pounds.

Penalty of unloading Ballast otherwise than is directed by this Act, 5 l.

XI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, unload, put or throw, into the said River *Thames*, any Rubbish, Earth, Ashes, Dirt or Soil, from any Wharf, Quay or Bank, adjoining or near to the said River *Thames*, or from or out of any Barge or Lighter; any Person so offending, and who shall be thereof convicted in Manner by this Act prescribed, shall forfeit and pay for every such Offence the Sum of forty Shillings.

and of unloading or throwing Rubbish, &c. from any Wharf or Lighter, &c. into the River, 40 s.

'XII. And, to the Intent that no greater Quantity of Dung, Compost, Earth or Soil, may be 'delivered or put on board any Coaster or Collier, as or for Ballast, than is allowed of by this Act, 'and that if any greater Quantity thereof than what is so allowed of shall be put on board any 'Coaster or Coasters, Discovery may be made thereof;' Be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, no Dung, Compost, Earth or Soil, shall be delivered into or put on board any such Coaster or Collier immediately from any Laystall, Wharf, Quay or other Place on Shore, adjoining or near to the said River *Thames*; and that all Dung, Compost, Earth or Soil, which, after the said twenty-fourth Day of *June* shall, in pursuance of this Act, be delivered or put on board any such Coaster or Collier as or for Ballast, shall be taken from the Laystall, Wharf, Quay or other Place on Shore, whereon the same shall lie, and therefrom shall be carried to every such Coaster or Collier, in and by some Lighter, Barge or Vessel, which shall be weighed, marked and numbered, as by this Act is directed, and shall be delivered or put on board such Coaster or Collier from such numbered and marked Lighter, Barge or Vessel only, and not in any other Manner: And if any Person or Persons shall offend in the Premisses, he or they, on being thereof convicted as by this Act is directed, shall, for every such Offence, forfeit and pay the Sum of five Pounds; one Moiety thereof to the Informer, and the other Moiety thereof to the Treasurer or Treasurers of the said Corporation of the *Trinity House*, for the Use of the Poor of the said Corporation.

Dung, Compost, Earth or Soil, for Ballast, to be first laid on board some numbered and marked Lighter, and from thence delivered on board the Coaster or Collier.

on Penalty of 5 l.

Application thereof.

'XIII. And whereas great Quantities of Rubbish, Earth, Sand, Ashes, Dirt, Filth and Soil, 'are frequenly put or thrown into the Streets, Lanes and Common Passages, of the City of *Lon-* '*don*, and the Liberties thereof, and of the Suburbs of the said City in the County of *Middlesex*; 'and also in the Streets, Lanes and Common Passages of the City of *Westminster*, and the Liber- 'ties thereof; and in such Part of the Liberty of the Dutchy of *Lancaster*, as lies in the said County 'of *Middlesex*; and Scavengers or Rakers whose Duty it is to cleanse such Streets, Lanes and Com- 'mon Passages, their Servants or Labourers, and also other Persons, do frequently sweep or put 'Rubbish, Earth, Sand, Ashes, Dirt, Filth and Soil, into the Kennels or Channels in the said 'Streets, Lanes and Common Passages, and by Means thereof, such Rubbish, Earth, Sand, Ashes, 'Dirt, Filth or Soil, or Part thereof, are frequently carried or forced down into the said River of '*Thames*, to the manifest Prejudice of the said River, and the Navigation thereof, as well as to the 'Annoyance of the Docks and Wharfs contiguous to the said River:' For Remedy whereof, be it

Penalty of laying Rubbiſh, Aſhes or Soil, &c. in any of the Streets or Common Ways in London, Weſtminſter, or the Suburbs thereof,

or of ſweeping or throwing any Rubbiſh &c. into any of the Kennels.

further enacted by the Authority aforeſaid, That from and after the ſaid twenty-fourth Day of *June* one thouſand ſeven hundred and fifty-nine, no Perſon or Perſons ſhall lay, throw or put any Rubbiſh, Earth, Sand, Aſhes, Dirt, Filth or Soil, in any Street, Lane, Court, Common Way or Paſſage, within the ſaid City of *London*, or the Liberties thereof, or in the Suburbs thereof in the ſaid County of *Middleſex*; or in any Street, Lane, Court, Common Way or Paſſage, in the ſaid City of *Weſtminſter*, or the Liberties thereof; or in ſuch Part of the Liberty of the Dutchy of *Lancaſter*, as lies in the County of *Middleſex*; other than ſuch as is or are allowed by Law to be laid or heaped up to drain, ready for the reſpective Scavengers or Rakers, within their ſeveral Precincts, to carry away; or ſweep, throw, carry or otherwiſe put, any Rubbiſh, Earth, Sand, Aſhes, Dirt, Filth or Soil, into any Kennel or Channel, in the ſaid City of *London*, or the Liberties thereof; or in the Suburbs of the ſaid City of *London*, or the Liberties thereof; or in the ſaid City of *Weſtminſter*, or the Liberties thereof; or in ſuch Part of the Liberty of the Dutchy of *Lancaſter*, as lies in the ſaid County of *Middleſex*; other than ſuch as ſhall be ſwept away by the reſpective Inhabitants before their reſpective Habitations: And if any one ſhall offend in the Premiſſes, and ſhall be thereof convicted in the Manner by this Act directed, he, ſhe or they ſo offending ſhall, for every ſuch Offence. forfeit and pay the Sum of ten Shillings.

But none are liable to forfeit for ſweeping before their Houſes immediately after Snow, Thaw or Rain.

XIV. Provided always, and be it enacted by the Authority aforeſaid, That nothing before in this Act contained ſhall extend to prevent any Inhabitant within the Limits herein before mentioned, or his or her Servant, from ſweeping immediately after Snow, Thaw or Rain, into any Kennel or Channel within the Limits aforeſaid, any Ice, Snow, Dirt or Soil, which by Means of any ſuch Snow, Thaw or Rain, ſhall be before his or her Houſe or Tenement (other than and except Rubbiſh which ſhall be caſt out, thrown or put, in any ſuch Street, Lane or Paſſage, within the Limits aforeſaid, from repaired or decayed Buildings or otherwiſe) or to inflict any Penalty on any ſuch Inhabitant, or his or her Servant, in reſpect of his or her ſo doing.

Leſſees and Occupiers of Layſtalls to inſpect the Streets and Common Paſſages, and give Information of Offenders in the Premiſſes;

XV. And be it further enacted by the Authority aforeſaid, That it ſhall be lawful for the Leſſee or Leſſees, Occupier or Occupiers, for the Time being, of the Layſtalls of the ſaid City of *London*, and he and they is and are hereby required, either in Perſon, or by ſome proper Servant to be deputed by him or them, and at his or their Charges, to go about and inſpect the ſeveral Streets, Courts, Lanes and Common Paſſages, in the ſaid City of *London*, and the Liberties thereof, every Day in the Year (*Sundays* excepted) and to give Information from Time to Time to the Mayor of the ſaid City for the Time being, or ſome Alderman of the ſaid City, of every Perſon or Perſons he or they ſhall at any Time diſcover or detect offending in the Premiſſes, in the ſaid City of *London*, or the Liberties thereof, contrary to the Intent of this Act, ſo that every Perſon and Perſons ſo offending in *London*, or the Liberties thereof, may be proceeded againſt, as by this Act is directed, for every ſuch Offence.

'XVI. And in caſe ſuch Leſſee or Leſſees, Occupier or Occupiers, or his or their Servant, ſhall 'duly, from Time to Time, make and perform the Inſpection hereby directed to be made in *London*, 'and the Liberties thereof, according to the Intent of this Act, and give Information againſt the 'Perſons found offending in the ſaid City of *London*, and the Liberties thereof, to the Mayor of the 'ſaid City for the Time being, or ſome Alderman of the ſaid City;' Be it further enacted by the

and on performing their Duty therein, they are allowed to ſhip annually as Ballaſt from any Layſtalls in London, 2000 Tons of Dung, &c.

Authority aforeſaid, That ſuch Leſſee or Leſſees, Occupier or Occupiers, of the ſaid Layſtalls for the Time being, ſhall and may, between the firſt Day of *June* one thouſand ſeven hundred and fifty-nine, and the firſt Day of *June* one thouſand ſeven hundred and ſixty, ſhip or cauſe to be ſhipped from any Layſtall of the ſaid City of *London*, as and for Ballaſt, but on no other Account or Pretence whatſoever, on board of any Collier, or Coaſting Ship or Ships, Veſſel or Veſſels, in the ſaid River, any Quantity of Dung, Compoſt, Earth or Soil, not exceeding two thouſand Tons in the whole; and alſo ſhall and may after the ſaid firſt Day of *June* one thouſand ſeven hundred and ſixty, yearly in every Year then following, ſhip or cauſe to be ſhipped, from any Layſtall or Layſtalls of the ſaid City of *London*, as and for Ballaſt, but on no other Account or Pretence whatſoever, on board any Collier or Coaſting Ship, Veſſel or Veſſels, any Quantity of Dung, Compoſt, Earth or Soil, not exceeding two thouſand Tons.

but before ſhipping thereof, they are to obtain a Certificate from the Mayor, and deliver the ſame at the Ballaſt Office;

XVII. Provided nevertheleſs, That ſuch ſaid Leſſee or Leſſees, Occupier or Occupiers of the ſaid Layſtalls, or the Inſpector or Inſpectors who ſhall be employed by or under him or them, ſhall do his or their Duty in the Premiſſes, directed and intended by this Act, and ſhall yearly, after the ſaid firſt Day of *June* one thouſand ſeven hundred and ſixty, before the ſhipping of any Part of the ſaid additional two thouſand Tons of Dung, Compoſt, Earth or Soil, obtain a Teſtimonial or Certificate thereof, under the Hand of the Major of the ſaid City of *London* for the Time being, and ſhall deliver ſuch Certificate or Teſtimonial at the Ballaſt Office of the ſaid Maſter, Wardens and Aſſiſtants of the ſaid *Trinity Houſe*, before the ſaid firſt Day of *June* in every ſuch Year, after the ſaid firſt Day of *June* one thouſand ſeven hundred and ſixty; and which ſaid additional two thouſand Tons of Dung, Compoſt, Earth or Soil, ſhall be beſides and excluſive of the ſaid three thouſand Tons allowed by the ſaid herein before recited Act made in the ſaid ſixth Year of his preſent Majeſty's Reign, to be yearly ſhipped and tranſported as Ballaſt; but ſuch ſaid two thouſand additional Tons of Dung, Compoſt, Earth or Soil, by this Act allowed to be yearly ſhipped and tranſported as aforeſaid, are to be, and ſhall be, ſubject and liable to the like Penalties, Payments, Orders, Reſtrictions and Regulations, as in and by the ſaid firſt herein before recited Act are enacted and declared, concerning Dung or Compoſt thereby allowed to be ſhipped or tranſported as or for Ballaſt, other than ſuch thereof as are altered or varied by this preſent Act.

the ſaid Quantity to be excluſive of the 3000 Tons allowed by Act 6 Geo. 2.

but ſubject to like Regulations, &c.

XVIII. And

XVIII. And be it further enacted by the Authority aforesaid, That any Justice or Justices of the Peace, of the County, City, Division, or Place, in which any Offence as aforesaid for unloading, putting, or throwing any Ballast from or out of any Ship or Vessel into the said River *Thames*, or for putting, unloading, or throwing into the said River *Thames* any Rubbish, Earth, Sand, Ashes, Filth, Dirt or Soil, from any Wharf, Quay, or Bank, adjoining to or near the said River, or from or out of any Barge or Lighter, or for putting or throwing any Rubbish, Earth, Sand, Ashes, Filth, Dirt or Soil, in any Street, Lane or Passage, in the said City of *London*, or the Liberties thereof, or in the said Suburbs of the said City in the said County of *Middlesex*, or in the said City of *Westminster*, or the Liberties thereof, or in such Part of the Liberty of the Dutchy of *Lancaster* as lies in the said County of *Middlesex*, except as herein before is excepted, or sweeping, putting, or throwing the same into any Kennel or Channel in the said City of *London*, or the Liberties thereof, or in the Suburbs of the said City in the said County of *Middlesex*, or in the City of *Westminster*, or the Liberties thereof, or in such Part of the Dutchy of *Lancaster* as lies in the said County of *Middlesex*, except as herein before is excepted, by Means whereof the same shall or may be carried or forced down any such Kennel or Channel into the said River *Thames*, shall be committed, or wherein any such Offender or Offenders shall be found, such Justice or Justices (not being a Member of the said Corporation of the said *Trinity House*) is and are hereby authorised and required to convict any such Offender or Offenders on the proper Knowledge or View of any such Justice or Justices; and every such Justice and Justices is and are hereby also authorised and required to hear all the Offences punishable by this Act by any pecuniary Penalties, other than such as are herein before directed to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; and upon an Information exhibited, or Complaint made in that Behalf, so that every such Information or Complaint be exhibited upon Oath before such Justice or Justices, within seven Days after any such Offence shall be committed (which Oath such Justice or Justices is or are hereby impowered and required to administer) every such Justice or Justices is and are hereby required, within their respective Jurisdictions, to issue a Warrant or Warrants for the immediate apprehending of the Party or Parties accused, and bringing him, her or them, before any Justice or Justices, within his or their respective Jurisdiction, to answer the Matters of Complaint to be contained in such Warrant or Warrants; and which Warrant or Warrants the Person and Persons to whom the same shall be directed is and are hereby authorised and impowered to execute upon the said River *Thames*, or on any Shore adjoining thereto; and for that Purpose they, and every of them, is and are hereby authorised, impowered and required, at all Times in the Day-time, to go on Board any Ship, Vessel, Boat or Craft in the said River, for apprehending any such Offender or Offenders who shall be named in any such Warrant or Warrants: And on any such Offender or Offenders being apprehended, he, she or they shall, with all convenient Speed, be carried before some Justice or Justices of the Peace having Jurisdiction in the Premisses; and every such Justice and Justices, within his and their respective Jurisdiction, is and are hereby authorised and required to summon Witnesses within the Jurisdiction of such Justice or Justices, as shall be desired on either Side, and on their Appearance, to examine them on Oath (and which Oath any such Justice and Justices is and are hereby authorised and required to administer) touching the Premisses, and thereupon to hear and determine same, and to give such Judgment in the Premisses as shall be just, and according to the Meaning of this Act: And in case the Party or Parties accused shall be convicted, upon the proper Knowledge or View of the Justice or Justices, of any Offence cognizable by this Act, or upon or by the Oath of any credible Witness, or by his, her, or their own Confession, and the Penalty thereby incurred or forfeited shall not immediately be paid on such Conviction, the same shall be recovered and levied by Distress and Sale, in the like Manner as any of the Penalties incurred and forfeited by the first recited Act are thereby directed to be recovered and levied by Distress and Sale; and in case sufficient Distress cannot be found whereon the same may be recovered and levied, then such Justice or Justices shall, by Warrant under his Hand and Seal, or their Hands and Seals, commit the Person or Persons who shall be so convicted to the House of Correction of the County, City or Place where any such Offender shall be apprehended, there to remain without Bail or Mainprize, and be kept to hard Labour, for any Time not exceeding one Month, or until Payment shall, before that Time, be made, of the pecuniary Penalties or Forfeitures, or Composition shall be made and accepted for the same.

Justices not being Members of the Trinity House, may convict Offenders on their own View and Knowledge;

and hear all Offences punishable by pecuniary Penalties (except where such are directed to be recovered in Courts of Record) and upon Complaint or Information, issue Warrants for apprehending Offenders;

which may be executed as well upon the River as on Shore;

Offender when taken, to be immediately carried before some Justice, who is to summon Witnesses on either Side, and examine them on Oath, &c.

Penalty on Conviction, may be levied by Distress and Sale,

and for want of sufficient Distress, the Party be committed.

XIX. Provided always, and it is hereby enacted and declared, That any Inhabitant of the Parish or Place in which any Offence against this Act shall be committed, shall notwithstanding such Inhabitancy be a good and competent Witness.

Inhabitants deemed competent Witnesses.

XX. And be it further enacted by the Authority aforesaid, That if any Person who shall be so summoned as a Witness or Witnesses as aforesaid, before any Justice or Justices, shall refuse or neglect to appear at the Time by such Summons appointed, and no just Cause shall be offered for such Neglect or Refusal; then (after Proof on Oath of such Summons having been duly served upon the Party or Parties so summoned) every such Justice and Justices is and are hereby authorised and required to issue his or their Warrant under his Hand and Seal, or their Hands and Seals, to bring every such Witness or Witnesses before any Justice or Justices: And if any such Witness or Witnesses, on his or her Appearance, or on being brought before any such Justice or Justices, shall refuse to be examined on Oath concerning the Premisses, without offering some just Excuse for such Refusal, any such Justice or Justices, within the Limits of his or their respective Jurisdiction, may by Warrant under his Hand and Seal, or their Hands and Seals, commit any Person or Persons so

Where Witnesses refuse to appear upon being summoned,

Warrants are to be issued out against them;

and where they refuse to give Evidence, they are to be committed.

refuſing to be examined to the Houſe of Correction of the County, City or Place where any ſuch Perſon ſhall be apprehended, there to remain for any Time not exceeding one Month, nor leſs than one Week, as any ſuch Juſtice or Juſtices ſhall direct.

Penalty of Witneſs not appearing to the Summons, or refuſing to give Evidence, 40 s.

XXI. Provided always, and be it further enacted, That every Perſon who ſhall be ſummoned to appear and give Evidence before a Juſtice or Juſtices of the Peace, concerning any Offence cognizable before him or them by this Act, and ſhall refuſe or neglect to appear according to ſuch Summons, or appearing ſhall refuſe to give Evidence, without offering ſome juſt Cauſe, to be allowed of by ſuch Juſtice or Juſtices, in Excuſe for ſuch Neglect or Refuſal, ſhall on being convicted thereof by ſuch Juſtice or Juſtices forfeit and pay for every ſuch Neglect or Refuſal the Sum of forty Shillings; to be recovered and levied by Diſtreſs and Sale of the Goods and Chattels of the Party convicted of any ſuch Neglect or Refuſal, in like Manner as any other pecuniary Penalty incurred under this Act is hereby directed to be recovered and levied; and that all Money ſo forfeited ſhall, when recovered, be paid and applied for the Uſe of the Poor of the Pariſh or Place in which any ſuch Neglect or Refuſal ſhall be made; but that no Warrant ſhall be ſigned by a Juſtice or Juſtices of the Peace for committing to any Houſe of Correction any Perſon who ſhall be convicted of ſuch Neglect or Refuſal as aforeſaid, until it ſhall have been proved by Oath, to the Satisfaction of ſuch Juſtice or Juſtices, that the Money forfeited by ſuch Neglect or Refuſal hath not been paid; and likewiſe that no ſufficient Diſtreſs can be found, within the Juriſdiction of ſuch Juſtice or Juſtices whereon the Money ſo forfeited may be recovered and levied.

to be recovered by Diſtreſs and Sale,

and paid over for the Uſe of the Poor of the Pariſh; but Oath is to be made of Nonpayment of the Penalty, and want of Diſtreſs, before Warrant of Commitment be iſſued.

Juſtices may back Warrants of Apprehenſion or Diſtreſs, where the Offender or Goods ſhall be out of the Juriſdiction of the Perſon firſt granting the ſame;

XXII. And it is hereby further enacted, That in caſe any Perſon, againſt whom a Warrant ſhall be iſſued by any Juſtice or Juſtices before or after Conviction as aforeſaid, for any Offence againſt this Act, ſhall eſcape, go into, reſide, or be in any other County, Riding, Diviſion, City, Liberty, Town or Place, out of the Juriſdiction of ſuch Perſon granting ſuch Warrant or Warrants as aforeſaid; or if the Goods and Chattels of any Offender convicted of any Offence in purſuance of this Act, ſhall be in a different County, Riding, Diviſion, City, Liberty, Town or Place, than where the ſaid Party was convicted, or Warrant of Diſtreſs granted; it ſhall and may be lawful for any Juſtice of the Peace of the County, Riding, Diviſion, City, Liberty, Town or Place, into which ſuch Perſon ſhall eſcape, either before or after Conviction, or where his Goods and Chattels ſhall be after ſuch Conviction; and they and every of them are hereby required, upon Proof made upon Oath of the Hand Writing of any Juſtice or Juſtices granting ſuch Warrant or Warrants, to indorſe his or their Name or Names on ſuch Warrant; and the ſame when ſo indorſed, ſhall be a ſufficient Authority to all Peace Officers to execute ſuch Warrant in ſuch other County, Riding, Diviſion, City, Town or Place, out of the Juriſdiction of the Perſon or Perſons granting the ſaid Warrant: And any Juſtice or Juſtices reſpectively, on the Offender or Offenders being apprehended and brought before him or them within their reſpective Juriſdictions, may proceed to hear and determine the Complaint in the ſame Manner as if it had originally aroſe within his or their reſpective Juriſdictions, or may direct the Offender or Offenders to be carried to the Juſtice or Juſtices who granted the original Warrant, to be dealt with according to Law.

and may hear and determine the Complaint, or remit the Offender to the Juſtice who granted the original Warrant.

XXIII. And be it further enacted by the Authority aforeſaid, That the Juſtice or Juſtices before whom any Perſon ſhall be convicted in Manner preſcribed by this Act, ſhall cauſe every ſuch Conviction to be drawn up in the Form or to the Effect following:

Form of Conviction.

To wit, } 'BE it remembered, That on the Day of in the Year of his preſent Majeſty's Reign, *A. B.* is convicted before of his Majeſty's Juſtices of the Peace for the County of or for the City of (as the Caſe ſhall happen to be) for and do adjudge him, her or them (as the Caſe ſhall be) to pay and forfeit for the ſame the Sum of

'Given under the Day and Year aforeſaid.'

No Certiorari iſſuable to remove the Conviction or Proceedings thereon. None to be proſecuted a ſecond Time for the ſame Offence.

XXIV. And be it further enacted by the Authority aforeſaid, That no *Certiorari*, or other Writ or Proceſs, for Removal of any ſuch Conviction, or any Proceedings thereon, into any of his Majeſty's Courts of Record at *Weſtminſter*, ſhall be allowed or granted; and that no Perſon who ſhall be proſecuted under this Act for any Offence committed againſt the ſame, and who ſhall be thereupon convicted, ſhall be proſecuted or convicted for any ſuch Offence by or under any other Law whatſoever.

Application of the Penalties, not otherwiſe directed how to be applied.

XXV. And be it further enacted by the Authority aforeſaid, That all pecuniary Penalties and Forfeitures which ſhall incur and become payable under or by virtue of this Act (the Application whereof is not herein before directed) ſhall, when recovered, go and be applied in Manner following; that is to ſay, Where any Perſon or Perſons ſhall be convicted under the Authority of this Act, on the View of any Juſtice or Juſtices, then the whole Money forfeited ſhall go to the Poor of the Pariſh or Place where ſuch Offence ſhall be committed; and where any Perſon or Perſons ſhall be convicted by the Oath of one or more credible Witneſs or Witneſſes, or his, her, or their own Confeſſion, for any Offence againſt this Act not done on the River *Thames*, one Moiety of the Penalty ſo forfeited ſhall go to the Poor of the Pariſh or Place where any ſuch Offence ſhall be committed, and the other Moiety thereof to or for the Uſe of the Perſon or Perſons on whoſe Information any ſuch Offender or Offenders ſhall be convicted; and where any Party or Parties ſhall be convicted for any Offence committed againſt this Act on the ſaid River *Thames*, then one Moiety of

of the Penalty forfeited shall go to, and be applied for the Benefit of the Poor of the said Corporation of *Trinity House*, and the other Moiety thereof to the Person or Persons on whose Information any Person shall be convicted for any Offence committed against this Act on the said River *Thames*.

Justices may mitigate the Penalties,

XXVI. Provided nevertheless, and it is hereby also enacted, That it shall be lawful to and for any Justice or Justices of the Peace who shall convict any Offender or Offenders against this Act, from time to time, as he or they shall see Cause, to mitigate or lessen any of the Forfeitures or Penalties incurred by any such Conviction, as any such Justice or Justices in his or their Discretion shall think fit, so as such Mitigation doth not extend to remit above one Moiety of the Penalty forfeited by any such Conviction; and on the Payment by the Person or Persons who shall have been so convicted of the Sum to which any such Penalty or Forfeiture shall be so lessened or mitigated, the Person or Persons who shall have been so convicted, shall be acquitted and discharged of, from and against the Penalty or Forfeiture incurred by any such Conviction.

so as not to remit above one Moiety thereof.

Persons aggrieved, &c. may appeal to the General or Quarter-Sessions;

XXVII. Provided also, and it is hereby further enacted, That if any Person or Persons shall find himself or themselves aggrieved, or remain unsatisfied, in the Judgment or Determination of any Justice or Justices as aforesaid, then such Person or Persons shall or may, by virtue of this Act, complain or appeal to the Justices of the Peace at the next General or General Quarter-Sessions of the Peace which shall be held for the County, City or Place wherein such Offence shall be committed, who are hereby impowered to summon and examine Witnesses upon Oath, and to hear and determine the Matter of every such Appeal; and which Determination shall be final, and shall not be removable by *Certiorari*, or otherwise, into any other Court; and in case of Conviction, to issue a Warrant for levying or compelling, by the Means by this Act prescribed, the Payment of the Penalties and Forfeitures hereby incurred, and the reasonable Charges on any such Appeal, if such Charges at any such Sessions shall be awarded; and in case of Nonpayment, to commit the Offender or Offenders, on whose Goods no sufficient Distress can be made, to the House of Correction of the County, City or Place where any such Offender shall be apprehended, there to remain without Bail or Mainprize, and be kept to hard Labour, for any Time not exceeding one Month, or until Payment shall before that Time be made, of the pecuniary Penalty or Forfeiture incurred, and the reasonable Charges of every such Appeal, if the same at any such General or General Quarter-Session of the Peace, shall be ordered to be paid, or Composition shall be made and accepted for such Penalty or Forfeiture and Charges.

the Determination thereof to be final.

Penalties and Costs awarded, to be levied by Distress;

and for want of Distress, Offender to be committed.

Commencement and Continuance of this Act,

XXVIII. And be it further enacted by the Authority aforesaid, That the several Clauses, Powers, Penalties, Forfeitures, Provisions and Matters herein before contained, shall continue in Force and be executed from and after the respective Commencements thereof, until the twenty-fourth Day of *June* one thousand seven hundred and seventy, and from thence to the End of the then next Session of Parliament.

Limitation of Actions,

XXIX. And it is hereby further enacted and declared, That if any Suit or Action shall be brought or prosecuted against any Person or Persons for any Thing done or to be done in pursuance of this Act; in every such Case, the Action or Suit shall be commenced within six Months after the Fact committed, and not afterwards; and shall be laid or brought in the County, City or Place where the Cause of Action arises, and not elsewhere; and the Defendant or Defendants in such Action or Suit may plead the General Issue, Not guilty, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to be done, or if any such Action or Suit shall be brought after the Time limited for bringing the same, then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her or their Action or Actions, or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall have Treble Costs, and have such Remedy for the same, as any Defendant or Defendants hath or have for Costs of Suit in other Cases by Law.

General Issue,

Treble Costs,

Publick Act,

XXX. And be it further enacted by the Authority aforesaid, That this Act shall be deemed and taken to be a Publick Act; and all Judges, Justices, and other Persons, are to take Notice thereof.

CAP. XVII.

An Act for obviating a Doubt with respect to the summoning of Persons for Offences committed against, or Forfeitures incurred by, the Laws of Excise.

Preamble.

'WHEREAS it has been doubted, where the Commissioners of Excise and Justices of the Peace have respectively issued out any Summons for the Appearance of Persons offending 'against, or for Forfeitures incurred by, the Laws of Excise, or other Laws made for collecting 'and securing the several other Duties under the Management of the Commissioners of Excise, 'which hath been left at the House or usual Place of Residence, or with the Wife, Child, or 'menial Servant of such Persons, whether the same should be deemed and adjudged a good and 'sufficient Summons, and as legal and effectual a Notice, as if the same had been actually deli-'vered to the proper Hands of such Person or Persons to whom the same was or were directed:' Now in order to put an End to such Doubt; Be it hereby enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Com-

Summons left at the House, or usual Place of Residence of the Party, deemed legal Notice.

mons, in this present Parliament assembled, and by the Authority of the same, That every such Summons, so left as aforesaid, shall be deemed to be a good and sufficient Summons, and as legal and effectual a Notice, as if the same had been actually delivered to the proper Hands of such Persons to whom the same was by Name directed.

In all Cases relating to the Excise, Summons directed to the Party by his Right or assumed Name, or left at his usual Place of Residence, deemed legal Notice.

Exception.

II. And for the future, it is hereby enacted, That in all Cases relating to the Excise, or to any of the other Duties, which now or hereafter may be under the Management of the Commissioners of Excise (except where particular Provisions and Directions are or shall be enacted for summoning Offenders, or for condemning of Seizures made from Persons unknown) the leaving such Summons at the House, Workhouse, Warehouse, Shop, Cellar, Vault, or usual Place of Residence of such Person or Persons, directed to such Person or Persons, by his, her or their right or assumed Name or Names, shall be deemed to be, and is hereby declared to be as legal and effectual a Notice and Summons, to all Intents and Purposes, as if the same was personally given or delivered to or into the Hands of the Party or Parties for whom the same shall be designed, and as if the same was directed to the Party or Parties to and for whom the same shall be designed, by his, her or their proper Name or Names.

CAP. XVIII.

An Act to continue so much of an Act made in the nineteenth Year of the Reign of his present Majesty, as relates to the further Punishment of Persons going armed or disguised, in Defiance of the Laws of Customs or Excise; and to the Relief of the Officers of the Customs in Informations upon Seizures; and to appropriate certain Penalties mentioned in an Act made in the last Session of Parliament, for the due Making of Bread; and to regulate the Price and Assize thereof; and to punish Persons who shall adulterate Meal, Flour, or Bread.

Preamble.

'WHEREAS the Law hereafter mentioned, hath by Experience been found useful and beneficial, and is near expiring:' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of an Act made in the nineteenth Year of the Reign of his present Majesty, intituled, *An Act for the further Punishment of Persons going armed or disguised, in Defiance of the Laws of Customs or Excise; and for indemnifying Offenders against those Laws, upon the Terms therein mentioned; and for Relief of Officers of the Customs in Informations upon Seizures*; which Act was to continue in Force for the Space of seven Years, and from thence to the End of the then next Session of Parliament; as relates to the further Punishment of Persons going armed or disguised, in Defiance of the Laws of Customs or Excise, and to the Relief of Officers of the Customs in Informations upon Seizures; which, by an Act made in the twenty-sixth Year of the Reign of his said Majesty, was further continued from the Expiration thereof until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament, shall be further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty-four, and from thence to the End of the then next Session of Parliament.

Act 19 Geo. 2. c. 34.

26 Geo. 2. c. 32.

further continued to 29 Sept. 1764.

'II. And whereas several of the Penalties or Forfeitures made payable by an Act passed in the 'thirty-first Year of his present Majesty's Reign, intituled, *An Act for the due Making of Bread; 'and to regulate the Price and Assize thereof; and to punish Persons who shall adulterate Meal, Flour or 'Bread*; were not by such said last-mentioned Act appropriated how or to whom the same should, 'when paid or recovered, go or be distributed;' Be it therefore further enacted by the Authority aforesaid, That such of the Penalties or Forfeitures which, from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, shall incur or become payable by or under the said last-mentioned Act, or by reason of any thing therein contained (as by the said Act are not particularly disposed of, or appropriated, how or to whom the same should go or be applied) shall, when the same shall be recovered or paid, go, and be distributed, in Manner following; that is to say, One Moiety thereof, where any Offender or Offenders shall be convicted, either by his, her or their own Confession, or by the Oath of one or more credible Witness or Witnesses, shall go and be paid to the Person or Persons who shall inform against, and prosecute to Conviction, any such Offender or Offenders; and the other Moiety thereof, and also all Penalties and Forfeitures, which, from the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, shall incur, be due, or payable, under the said last-mentioned Act, on the Weighing, Trying, or Seizure of any Bread, by any Magistrate or Magistrates, Justice or Justices, shall go and be applied for the better carrying into Execution the Purposes of the said last mentioned Act, as any such Magistrate or Magistrates, Justice or Justices, within his or their respective Jurisdiction, shall, from time to time, think fit and order.

Act 31 Geo. 2. c. 29.

For former Laws concerning Bread refer to 51 H. 3. St. 6. 8 *Ann.* c. 18.

Distribution of unappropriated Penalties and Forfeitures under the said Act;

viz. One Moiety to the Prosecutor, where the Offender shall be convicted by Oath, or Self-confession;

and the other Moiety, with the Penalties on Weighing, Trying, or Seizure of Bread, by a Magistrate, to such Purposes as the Magistrate shall think fit.

Concerning Bread see further 3 Geo. 3. c. 6 & 11.

CAP. XIX.

CAP. XIX.

An Act to explain and amend an Act paſſed in the thirtieth Year of his preſent Majeſty's Reign, for granting to his Majeſty ſeveral Rates and Duties upon Indentures, Leaſes, Bonds, and other Deeds; and upon News Papers, Advertiſements, and Almanacks; and upon Licences for retailing Wine; and other Purpoſes in the ſaid Act mentioned; ſo far as the ſame relates to ſome Proviſions with Regard to Licences for retailing Wine; and to preſerve the Privileges of the two Univerſities in that Part of *Great Britain* called *England*, with reſpect to Licences for retailing Wine.

Preamble. Act 30 Geo. 2. c. 19.

'WHEREAS by an Act paſſed in the thirtieth Year of his preſent Majeſty's Reign, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Indentures, Leaſes, Bonds, and other Deeds; and upon News Papers, Advertiſements, and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying from a certain Time the Sums of Money ariſing from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raiſing the Sum of three millions by Annuities, to be charged on the ſaid Rates, Duties, and Sums of Money; and for making perpetual an Act made in the ſecond Year of the Reign of his preſent Majeſty, intituled*, An Act for the better Regulation of Attornies and Solicitors; *and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and alſo the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*;'

Recital of a Clauſe in the ſaid Act.

'It was amongſt other Things enacted, That from and after the fifth Day of *July* one thouſand ſeven hundred and fifty-ſeven, no Perſon whatſoever, unleſs authorized and enabled, by taking out ſuch Licence as is therein preſcribed, ſubject to the Payment of ſuch Duties as are therein reſpectively charged thereupon, ſhould ſell or utter by retail (that is) by the Pint, Quart, Pottle, or Gallon, or by any other greater or leſſer retail Meaſure, or in Bottles, in any leſs Quantity than ſhould be equal to the Meaſure of the Caſk or Veſſel in which the ſame ſhould have been or might lawfully be imported, any Kind of Wine or Wines, or any Liquor called or reputed Wine, upon Pain to forfeit for every ſuch Offence, the Sum of one hundred Pounds: And whereas the ſaid Penalty of one hundred Pounds inflicted by the ſaid recited Act of the thirtieth Year of his preſent Majeſty's Reign, on all Perſons ſelling Wine, or other Liquor called or reputed Wine, by Retail, without a Licence, in many Inſtances is found to be attended with great Inconvenience, and the greateſt Circumſtances of Hardſhip, and ſcarce ever to be recovered, on account of the largeneſs thereof; and which ſaid Penalty the Commiſſioners for Management of the ſaid Duties are not inveſted with any Power to mitigate:' Now thererefore, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the Commiſſioners for Management of the ſaid Duties, or any two of them, where they ſhall ſee Cauſe, to mitigate or leſſen the ſaid Penalty of one hundred Pounds already incurred, or hereafter to be incurred, by all or any Perſon or Perſons whatſoever, by virtue or in Conſequence of the ſaid recited Act of the thirtieth Year of his preſent Majeſty's Reign, as they in their Diſcretion, ſhall think fit; the reaſonable Coſts and Charges of the Officers and Informers, as well in making the Diſcovery, as in the Proſecution of the ſame, being always allowed over and above ſuch Mitigation; any thing contained in any former Act of Parliament to the contrary notwithſtanding.

The Commiſſioners are impowered to mitigate, at their Diſcretion, the 100 l. Penalty in the recited Clauſe;

but the Coſts and Charges of the Information and Proſecution, &c. are to be allowed over and above ſuch Mitigation.

'II. And whereas Doubts and Difficulties have ariſen on the ſaid recited Act of the thirtieth Year of his preſent Majeſty's Reign, whether Wine Merchants and other Perſons applying for a Number of Wine Licences at one Time, for enabling divers Perſons to ſell Wine by Retail, were or are intitled to the Benefit of the ſeveral Diſcounts, Drawbacks, and Allowances uſually made and allowed to Perſons paying for a Number of Stamps at the ſame Time, amounting to ten Pounds, and upwards:' Now therefore, for obviating ſuch Doubts and Difficulties for the future; Be it enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever paying for any Number of Wine Licences at one and the ſame Time, or at different Times, ſhall be intitled to any Diſcount, Drawback, or Allowance whatſoever, for or on account of ſuch Payment for any Number of Wine Licences whatſoever; but that the ſaid Duty impoſed by the ſaid in Part recited Act of the thirtieth Year of his preſent Majeſty's Reign on Wine Licences ſhall be paid by all Perſons applying for the ſame, clear of all Diſcounts, Drawbacks, and Allowances whatſoever; any thing contained in any former Act of Parliament to the contrary notwithſtanding.

No Diſcount or Drawback of the Duty on Wine Licences, to be allowed on taking out any Number thereof.

III. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons whatſoever licenſed, or to be licenſed, by virtue of the ſaid in Part recited Act of the thirtieth Year of his preſent Majeſty's Reign, to retail Wine, ſhall, by virtue of one Licence, keep more than one Place, Houſe, Shop Vault, Cellar, Warehouſe, or other Place, for ſelling or uttering Wine by Retail; and that every Retailer of Wine ſhall cauſe the Word WINE to be written or expreſſed in legible Characters, either on a Sign hung out, or in ſome viſible Place in or near the Door in the Front of his or her Houſe, Shop, Vault, Cellar, Warehouſe, or other Place, made uſe of for the retailing of Wine, to denote that ſuch Retailer is a Dealer in Wine, and ſubject and liable to take out a Licence for

One Licence to ſerve but one Houſe or Place.

Retailers to have the Word WINE, expreſſed on their Signs or Houſes, &c.

on Penalty of 10 l.

for the Retailing thereof; and if any Person or Persons shall presume to sell or utter Wine by Retail, without fixing or hanging out such Token as aforesaid, every Person so offending shall, for every such Offence, forfeit the Sum of ten Pounds, to be recovered in the same Manner as the Penalty inflicted on Persons for selling Wine by Retail without Licence is directed to be recovered; subject nevertheless to the like Power of Mitigation to be exercised by the Commissioners of Stamp Duties, as in this Act is before reserved and prescribed with regard to the Penalty for selling Wine by Retail without Licence.

subject however to Mitigation by the Commissioners.

Privileges of the two Universities reserved to them.

IV. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this or any former Act of Parliament, relating to Wine Licences, shall in any wise be prejudicial to the Privileges of the two Universities in that Part of *Great Britain* called *England*, or either of them, or to the Chancellors or Scholars of the same, or their Successors, but that they may use and enjoy such Privileges as they have heretofore lawfully used and enjoyed; any thing to the contrary thereof in any wise notwithstanding.

CAP. XX.

An Act for enforcing the Execution of the Laws relating to the Militia; and for removing certain Difficulties, and preventing Inconveniencies, attending or which may attend the same.

Preamble.

Act. 30 Geo. 2. c. 25. and 31 Geo. 2. c. 26. The recited Acts, and this Act, required to be put into speedy Execution in such Counties, &c. where little Progress has been made therein.

'WHEREAS certain Counties, Ridings, and Places, within that Part of *Great Britain* called *England*, have made some Progress in establishing the Militia, according to the Regulations and Directions of an Act passed in the thirtieth Year of his Majesty's Reign intituled, *An Act for the better Ordering of the Militia Forces in the several Counties of that Part of* Great Britain *called* England, and of an Act passed in the thirty-first Year of his Majesty's Reign, intituled, *An Act to explain, amend, and enforce the said Act*; but have not yet completed the same: And whereas, in certain other Counties, Ridings and Places, little Progress has been made therein; his Majesty's Lieutenants, and the Deputy Lieutenants, and all others within such Counties, Ridings and Places, are hereby strictly required speedily and diligently to put the said Acts, and this Act, in Execution.

A General Meeting to be held for appointing and regulating the Subdivision Meetings of the Deputy Lieutenants.

II. And, for removing certain Difficulties, and preventing Inconveniencies, attending or which may attend the Execution of the said Acts; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in every County, Riding and Place, within the Part of *Great Britain* aforesaid, it shall be lawful for his Majesty's Lieutenant together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Absence, of his Majesty's Lieutenant, for the Deputy Lieutenants, or any three or more of them, at a General Meeting to be held after reasonable Notice thereof given by his Majesty's Lieutenant, or by any two Deputy Lieutenants, to appoint Subdivisions of the Deputy Lieutenants within their respective Counties, Ridings and Places, and the Times and Places for their first Meetings, within the said Subdivisions; and also to change or alter such Subdivisions, or any Subdivision or Subdivisions now appointed therein, whenever they shall find it convenient so to do; any thing in the said Acts, or either of them, contained to the contrary notwithstanding.

Subdivision Meetings may be changed, as shall be found convenient.

When a sufficient Number to act shall not appear at any Subdivision Meeting, the Clerk is to give Notice of another Meeting to be held within 14 Days after.

III. And be it enacted, That if it shall happen that there shall not appear at any Subdivision Meeting, a sufficient Number of Deputy Lieutenants, and Justices of the Peace, to act, the Clerk of such Meeting shall, by Notice given in Writing to all the Deputy Lieutenants within such Subdivision, appoint another Meeting to be held within fourteen Days, at the same Place where such Meeting had been before appointed to be held, giving at least five Days Notice thereof.

Deputy Lieutenants and Justices are annually to cause the Lists described by Act 31 Geo. 2. to be returned to them in their Subdivision Meetings, at the Times and Places appointed at the General Meeting; and all other the Regulations, Provisions, and Directions of the said Act, subsequent thereto, and required to be observed in the Year 1758, are to be duly complied with, and executed as the Case shall require;

IV. And be it enacted, That the Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Justice of the Peace, or any one Deputy Lieutenant together with any two Justices of the Peace, in their several Subdivisions, shall annually cause the Lists of such Persons in the several Parishes, Tythings and Places within the same, as are in the said Act passed in the thirty-first Year of his Majesty's Reign described, to be made, and to be returned to them at their Meetings within the respective Subdivisions, on such Days, and at such Places, respectively, as his Majesty's Lieutenant together with any two or more Deputy Lieutenants, or on the Death or Removal, or in the Absence, of his Majesty's Lieutenant, any three or more Deputy Lieutenants, shall at a General Meeting appoint; and that in the ordering, making out, and disposing of such Lists, and Copies thereof, and also in all Particulars subsequent to such first Return so made, so much of the said last mentioned Act as relates to the Method to be observed in returning, amending, and disposing of the said Lists, and Copies thereof, and to the appointing, choosing, summoning, and inrolling the militia Men and their Substitutes, and administring the Oath therein directed to be taken, and to the punishing Persons refusing or neglecting to take the said Oath, or to provide Substitutes, and to the Exemption of certain Persons from serving in the Militia, and to the appointing General Meetings, and all Subdivision Meetings after the said first Subdivision Meetings, and is by the said Act required to be observed in the Year one thousand seven hundred and fifty-eight; shall be observed and executed, either in the Whole, or in Part, as the Case shall require, until all the Regulations, Provisions and Directions, therein and herein contained, and which relate

relate to the Purposes aforesaid, be fully completed and performed: And that thereafter the Method in the said Act and this Act prescribed for the Performance of all the Particulars here mentioned, shall be annually observed for and during the Continuance thereof.

and thereafter, the Method in this and the said Act prescribed is to be annually observed.

V. And be it enacted, That each Person liable to serve in the Militia having more than one Place of Residence, shall be deemed to be, and shall serve as, a Militia Man within the County, Riding or Place, where he shall have been first chosen by Lot.

Militia Man having more than one Place of Residence, to serve where he was first chosen.

VI. And be it enacted, That it shall be lawful for the Mayors, Bailiffs, Constables, Tythingmen, Headboroughs and other Chief Magistrates and Officers of Cities, Towns, Parishes, Tythings, Villages and other Places, within the Part of *Great Britain* aforesaid, and, in their Default or Absence, for any one Justice of the Peace inhabiting in or near to any such City, Town, Parish, Tything, Village or Place, and for no others, and they are hereby required to quarter and billet the Serjeants and Drummers serving in the Militia, in Inns, Livery Stables, Ale-houses, Victualling-houses, and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin, by Retail; the Occupiers whereof are hereby required to provide for such Serjeants and Drummers, at such Times for which no Provision has by Law been made for that Purpose, convenient Lodgings only.

Magistrates to quarter and billet Serjeants and Drummers in Inns, Livery Stables, and Ale-houses, &c.

Convenient Lodgings to be found them.

VII. Provided always, and be it enacted, That the Estates requisite for the Qualification of the Deputy Lieutenants, and Officers of the Militia, in the Isle of *Ely* in the County of *Cambridge*, shall be as follows; A Deputy Lieutenant shall be seised or possessed, either in Law or Equity, for his own Use and Benefit, in Possession of a Freehold, Copyhold or Customary Estate for Life, or for some greater Estate, or of an Estate for some long Term of Years, determinable on one or more Life or Lives, or of an Estate for a certain Term, originally granted for twenty Years or more, and renewable, over and above all Rents and Charges payable out of, or in respect of the same, in Manors, Messuages, Lands, Tenements or Hereditaments in *England*, *Wales* or the Town of *Berwick* upon *Tweed*, of the yearly Value of two hundred Pounds; a Captain shall be in like Manner seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred Pounds; or be Heir Apparent of a Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of two hundred Pounds; a Lieutenant or Ensign shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of fifty Pounds; or be Heir Apparent of a Person who shall be, in like Manner, seised or possessed of a like Estate as aforesaid, of the yearly Value of one hundred Pounds: One half of all which Estates respectively shall be situate or arising within the said Isle: And in case any Person shall act as a Deputy Lieutenant, or Officer of the Militia, in the said Isle, who shall not be respectively qualified as aforesaid, every such Person shall be subject and liable to the same Penalties and Forfeitures as any Person is subject and liable to for acting as a Deputy Lieutenant or Officer of the Militia, within any other Part of the said County of *Cambridge*, not being qualified according to the Directions of the said recited Acts; any thing therein contained to the contrary notwithstanding.

Qualifications of Officers in the Isle of Ely:

for a Deputy Lieutenant 200 l. per Ann.

for a Captain 100 l. per Ann.

for a Lieutenant or Ensign 50 l. per Ann.

A Moiety of all Estates to be situate or arising within the said Isle.

Penalty of acting where not qualified.

VIII. Provided always, and be it enacted, That this Act shall be and remain in Force, for and during the Continuance of the said recited Acts, and no longer.

Continuance of the Act.

See further 33 *Geo.* 2. *c.* 2, 22 & 24. *and* 2 *Geo.* 3. *c.* 20.

CAP. XXI.

An Act for applying the Money granted in this Session of Parliament, towards defraying the Charge of Pay and Cloathing for the Militia, from the thirty-first Day of *December* one thousand seven hundred and fifty-eight, to the twenty-fifth Day of *March* one thousand seven hundred and sixty.

'WHEREAS the Sum of ninety thousand Pounds has been granted to his Majesty, upon 'Account, towards defraying the Charge of Pay and Cloathing for the Militia, from the 'thirty-first Day of *December* one thousand seven hundred and fifty-eight to the twenty-fifth Day 'of *March* one thousand seven hundred and sixty: And whereas in pursuance of an Address of the 'House of Commons, his Majesty has advanced, for the Purposes aforesaid, the Sum of one thou-'sand three hundred and thirty-two Pounds ten Shillings: In order therefore that the said advanced 'Sum of one thousand three hundred and thirty-two Pounds ten Shillings may be made good and 'repaid to his Majesty, and that the Charge of Pay and Cloathing for the Militia may be duly 'and properly defrayed and satisfied;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same; That the Commissioners of his Majesty's Treasury, or any three or more of them, or the High Treasurer for the Time being, shall, out of the said Sum of ninety thousand Pounds, repay or cause to be repaid to his Majesty the said Sum of one thousand three hundred and thirty-two Pounds ten Sillings; for which said Sum of one thousand three hundred and thirty-two Pounds ten Shillings, such Person or Persons respectively as shall have received the same, or any Part thereof, for the Service of the Militia, shall account with the Receiver or Receivers General of the Land Tax for such County, Riding or Place, for the Service of the Militia whereof the said Sum, or any Part thereof, shall have been so advanced by his Majesty; and

Preamble.

Treasury to repay the 1,332 l. 10 s. advanced by his Majesty, in pursuance of the Address from the Commons.

The Money received to be accounted for to the Receivers General of the Land Tax.

Treaſury, upon Certificate that the Number of Officers and private Men required in a Regiment or Battalion, are inrolled, &c. are to iſſue Warrants to the Receivers General for Pay of the Militia, 4 Months in Advance.

that within fourteen Days after that his Majeſty's Lieutenant of any County, Riding or Place, within that Part of *Great Britain* called *England*, or in his Abſence, three Deputy Lieutenants, ſhall have certified to the Commiſſioners of his Majeſty's Treaſury, or High Treaſurer for the Time being, that ſuch Proportion of the Number of private Militia Men of any Regiment or Battalion of ſuch County, Riding or Place, has been choſen and inrolled; and that the like Proportion of the Number of the Commiſſion Officers of ſuch Regiment or Battalion have been appointed, and have taken out their Commiſſions, and entered their Qualifications, as is by Law required, before any Pay, Arms, Accoutrements or Cloathing, for the Militia, is allowed to be iſſued, the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the ſaid High Treaſurer for the Time being, ſhall iſſue a Warrant or Order, directed to the Receiver or Receivers General of the Land Tax for ſuch County, Riding or Place, to make the Iſſues or Payments following, (that is to ſay) The whole, or where his Majeſty has advanced any Part thereof, the remaining Sums required for the ſeveral Uſes herein after mentioned, (that is to ſay) For the Pay of the ſaid Militia for four Calendar Months in Advance, at the Rate of ſix Shillings a Day for each Adjutant; and at the Rate of one Shilling a Day for each Serjeant, with the Addition of two Shillings and Six-pence a Week for each Serjeant Major; and at the Rate of Six-pence a Day for each Drummer, with the Addition of Six-pence a Day for each Drum Major; and alſo at the Rate of one Shilling for each private Man, with the Addition of Six-pence to each Corporal, for every Day in which ſuch private Man or Coporal ſhall be reſpectively employed in the Militia; and alſo at the Rate of two Shillings for each Militia Man, for his March on the *Monday* and *Saturday* in *Whitſun Week*, to and from the Place of General Exerciſe; and alſo at the Rate of five Pence a Month for each private Man and Drummer, for defraying the contingent Expences of each Battalion of Militia; and alſo for half a Year's Salary for the Clerk of each Battalion of Militia, belonging to ſuch County, Riding or Place, at the Rate of fifty Pounds a Year; and alſo for the reſpective Allowances to the Clerk of the General Meetings, and Clerks of the ſeveral Subdiviſion Meetings, at the Rates following, (that is to ſay) To the Clerk of the General Meetings, at the Rate of five Pounds five Shillings for each Meeting; and to the ſeveral Clerks of the Subdiviſion Meetings, at the Rate of one Pound one Shilling for each Meeting: And alſo for the Cloathing of the Militia for ſuch County, Riding or Place, where the Militia hath not already been cloathed, at the Rate of one Pound ſix Shillings for each private Man and Drummer, and at the Rate of two Pounds ten Shillings for each Serjeant, with the Addition of one Pound one Shilling, for a ſecond Coat and Hat for each Serjeant.

The Rates of Pay to the Adjutant;

to Non-commiſſion Officers, and private Men;

to the Clerk of the Battalion or Regiment; and to the Clerks of the General or Subdiviſion Meetings:

Rates for Cloathing.

'II. And, for the more compleat Cloathing of the Militia of ſuch Counties, Ridings and Places, 'where the Militia has already been cloathed;' Be it enacted, That the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the ſaid High Treaſurer for the Time being, ſhall iſſue, and cauſe to be delivered to his Majeſty's Lieutenant of any County, Riding or Place, or to ſuch Perſon or Perſons as ſhall by ſuch his Majeſty's Lieutenant be authorized to receive the ſame, a Warrant or Order directed to the Receiver or Receivers General of the Land Tax for ſuch County, Riding or Place reſpectively, to pay to the Clerk of every Battalion of Militia already cloathed, for the additional Cloathing of the Militia for ſuch County, Riding or Place, at the Rate of five Shillings for each private Man and Drummer, and at the Rate of one Pound one Shilling for a ſecond Coat and Hat for each Serjeant.

Warrant to be delivered to the Lieutenant of every County, &c. where the Militia has been already cloathed, for Payment of the Rates for the additional Cloathing.

III. Provided always, and be it enacted, That the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the ſaid High Treaſurer for the Time being, ſhall iſſue a Warrant or Order, directed to the Receiver or Receivers General of the Land Tax for ſuch County, Riding or Place, within the Part of *Great Britain* aforeſaid, for which his Majeſty's Lieutenant, or in his Abſence, any three Deputy Lieutenants, ſhall have certified to the Purpoſe aforeſaid, and received the Cloathing for the Militia of their reſpective Counties, Ridings or Places, to make the Iſſues or Payments aforeſaid, without any new Certificate made for that Purpoſe: All which ſaid Sums of Money, or ſo much thereof as hath not been advanced by his Majeſty as aforeſaid, except ſuch as ſhall be due to the ſeveral Clerks of the Meetings aforeſaid, ſhall be paid by the ſaid Receiver or Receivers General of the Land Tax, into the Hands of the Clerk or Clerks of the Battalion or Battalions of Militia belonging to ſuch County, Riding or Place, upon his or their producing his or their Warrant of Appointment to ſuch Office, under the Hand and Seal of his Majeſty's Lieutenant for ſuch County, Riding or Place, according to the Number of Perſons hereby intitled to receive Pay, of which ſuch Battalion or Battalions ſhall have been appointed to conſiſt; and alſo within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid firſt Payment, to make a ſecond Payment for four Calendar Months in Advance; and alſo within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid ſecond Payment, to make a third Payment for four Calendar Months in Advance; and alſo within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid third Payment, to make a fourth Payment for four Calendar Months in Advance; for the Pay and contingent Expences of the Militia, and for the Allowances to the Battalion Clerk or Clerks aforeſaid, in the Proportions herein before mentioned: And the Receipts of ſuch Clerk or Clerks ſhall be a ſufficient Diſcharge to ſuch Receiver or Receivers General of the Land Tax, for the ſeveral Sums of Money ſo by him or them paid.

Warrants alſo to be iſſued for making the regular Payments and Iſſues, without new Certificates from the Lieutenants or Deputy Lieutenants for that Purpoſe.

The Money to be paid to the Clerks of the Battalions,

and 4 Months Pay in Advance, to be paid within 14 Days after the Expiration of every 3 Months.

Clerks Receipts to be a Diſcharge to the Receivers General.

IV. And

Clerk to pay 1 Month's Pay in Advance to the Adjutant, 14 Days to the Serjeant Major and Drum Major, and 2 Months in Advance to each Captain for his Company.

IV. And be it enacted, That the Clerk of each Battalion of Militia shall forthwith, after the Receipt of such Sums of Money as aforesaid, pay or cause to be paid one Calendar Month's Pay in Advance to the Adjutant, and fourteen Days Pay in Advance to the Serjeant Major and Drum Major of such Battalion respectively; and to the Captain or commanding Officer of each Company belonging to such Battalion, two Months Pay in Advance for his respective Company, and for the contingent Expences thereof; and so from Time to Time, so long as any Money on that Account shall remain in his Hands; which Pay the said Captain or commanding Officer is hereby required to distribute to each Person belonging to his Company, by this Act intitled to receive the same, as it shall become due; and shall once in every Year give in to the Clerk of the Battalion to which such Company shall belong, an Account of the several Payments he shall have made in pursuance of this Act, and shall pay back to the said Clerk the Surplus, if any, of the Monies by him from Time to Time received, and then remaining in his Hands; except the Money by this Act allowed for contingent Expences, for the Disposition whereof Provision is herein after made.

Captain to account yearly to the Clerk for the Pay of his Company, and pay over the Balance;

Money allowed for contingent Expences, excepted;

which is also to be accounted for annually, but the Balance to be applied to the general Use of the Battalion.

V. And be it enacted, That the said Money allowed for contingent Expences, shall once in every Year be accounted for by the Captain of each Company respectively, in Manner aforesaid; and the Balance thereof shall be by him paid into the Hands of the Clerk of the Battalion to which such Company shall belong, to be applied to the general Use of the said Battalion, as the Field Officers and Captains thereof, or the major Part of them, shall at a General Meeting direct.

Clerk to retain Money to make good his own Salary; and discharge the Cloathing Account.

VI. And be it enacted, That the said Clerk may and shall retain to his own Use, out of the Monies so by him received, such further Sums as shall compleat the Allowance herein before made for his Salary; and shall also pay and discharge such Sums of Money as shall be due and owing for, or on Account of, the Cloathing of the said Militia, not exceeding the Rates herein before mentioned, to such Person or Persons as shall produce an Order from his Majesty's Lieutenant, or from the commanding Officer of such Battalion, for that Purpose.

Allowance of 5l. 5s. to be paid to the Clerks of the General Meetings,

and of 1l. 1s. to the Clerks of the Subdivision Meetings, for each Meeting.

VII. And be it enacted, That the said Receiver or Receivers General of the Land Tax shall pay to the Clerk of the General Meetings his Allowance, or such Part thereof as hath not been satisfied out of the Money advanced by his Majesty as aforesaid, at the Rate of five Pounds five Shillings for each Meeting, upon his producing an Order or Orders for that Purpose from his Majesty's Lieutenant, or from three Deputy Lieutenants assembled at some General Meeting or Meetings; and shall also pay to each and every the Clerks of the Subdivision Meetings their several Allowances, or such thereof as have not been satisfied out of the Money advanced by his Majesty as aforesaid, at the Rate of one Pound one Shilling for each Meeting; upon his or their producing an Order or Orders from one or more Deputy Lieutenant or Deputy Lieutenants, assembled in the several Subdivision Meetings; which said Order shall be to the said Receiver or Receivers General of the Land Tax, a sufficient Discharge for the Payment of such Allowances, and be allowed in his or their Account.

Clerk of the Battalion to give Security:

The Bond to be lodged with the Receiver General; and on Non-performance of the Conditions to be put in Suit by him, who is to receive full Costs of Suit, and 5l. per Cent. of the Money recovered thereon.

VIII. Provided always, and be it enacted, That the Clerk of each Battalion of Militia shall give Security to his Majesty's Lieutenant of the County, Riding or Place, to which such Battalion shall belong, by a Bond to his Majesty in the Penalty of one half of the Sum required for the whole Year's Charge of the Battalion of Militia to which such Clerk shall belong, for duly answering and paying such Sums as he shall have from Time to Time received, and for duly accounting for the same, and for Performance of the Trust hereby in him reposed; which said Bond shall be lodged in the Hands of the Receiver or Receivers General of the Land Tax for the respective County, Riding or Place, who, in case the said Battalion Clerk shall not duly perform the Conditions comprized in the said Bond, shall and is hereby required forthwith to put the said Bond in Suit, in the Name of his Majesty, his Heirs and Successors; the full Costs and Charges of which Suit shall be paid by the said Battalion Clerk to the said Receiver or Receivers General of the Land Tax, who shall likewise be intitled to and receive, to his or their own Use, at the Rate of five Pounds *per Centum* out of all such Monies as shall be by him or them recovered thereon, and shall account for the Residue thereof with the proper Auditor of his Majesty's Revenue; the said Receiver or Receivers General of the Land Tax charging himself or themselves therewith, upon the next Account of the Land Tax to be by him or them passed.

Residue to be accounted for to the Auditor of the Exchequer.

Clerk of the Battalion to render an Account to the Receiver General of the Monies received and disbursed, with Vouchers for the same, and pay over the Balance;

the said Account to be transmitted to the Auditor.

IX. And be it enacted, That the Clerk of every Battalion of Militia, in every County, Riding and Place, within the Part of *Great Britain* aforesaid, shall between the twenty-fifth Day of *March* and the twenty-fifth Day of *June* in the Year one thousand seven hundred and sixty, deliver to the Receiver or Receivers General of the Land Tax for the County, Riding or Place, to which such Battalion shall belong, a fair Account in Writing of all Monies by him received and disbursed, for the Service of the preceding Year, in pursuance of this Act, with proper Vouchers for the same, and shall pay back to the said Receiver or Receivers General of the Land Tax any Surplus of such Monies that shall be then in his Hands; which said Accounts, signed by the said Battalion Clerk respectively, shall be transmitted, by the said Receiver or Receivers General of the Land Tax, into the Office of the proper Auditor of his Majesty's Revenue.

Lieutenant neglecting to take proper Security, or lodge the same with the Receiver General, is made answerable for any Loss of the publick Money.

X. And be it enacted, That in case his Majesty's Lieutenant of any County, Riding or Place, within the Part of *Great Britain* aforesaid, shall neglect to take such Security as aforesaid from the Clerk or Clerks of his or their respective Battalion or Battalions of Militia, or to deposit the same in the Hands of the Receiver or Receivers General of the Land Tax for the same

County.

County, Riding or Place, such his Majesty's Lieutenant shall be answerable to such Receiver or Receivers General of the Land Tax, for any Loss of Publick Monies sustained by the Default of such Clerk or Clerks.

Recovery of Penalties, &c.

XI. Provided always, and be it enacted, That all Penalties, all Costs and Charges of Suit, and all Sums of Money, for which any Person or Persons is or are by this Act made answerable, may and shall be recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Wager of Law or Protection, nor more than one Imparlance shall be allowed.

No Fee to be paid for filing Warrants for Payment of Money.

XII. Provided always, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid, for or upon account of any Warrant or Sum of Money, which shall be issued in relation to, or in pursuance of this Act.

CAP. XXII.

An Act for adding certain Annuities granted in the Year one thousand seven hundred and fifty-seven, to the Joint Stock of Three *per Centum* Annuities, consolidated by the Acts of the twenty-fifth, twenty-eighth, and twenty-ninth Years of his present Majesty's Reign; and for carrying the several Duties therein mentioned to the Sinking Fund; and for charging the Annuities on single Lives, granted in the Year one thousand seven hundred and fifty-seven, on the Produce of the said Fund.

Preamble, reciting Part of Act 30 Geo. 2. c. 19.

'WHEREAS in pursuance of an Act of Parliament made in the thirtieth Year of his present Majesty's Reign, intituled, *An Act for granting to his Majesty several Rates and Duties upon Indentures, Leases, Bonds, and other Deeds; and upon News Papers, Advertisements, and Almanacks; and upon Licences for retailing Wine; and upon Coals exported to Foreign Parts; and for applying for a certain Time, the Sums of Money arising from the Surplus of the Duties on Licences for retailing Spirituous Liquors; and for raising the Sum of three millions by Annuities, to be charged on the said Rates, Duties, and Sums of Money; and for making perpetual an Act made in the second Year of the Reign of his present Majesty, intituled,* An Act for the better Regulation of Attornies and Solicitors; *and for enlarging the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Solicitors; and also the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices*; several Persons, Bodies Politick or Corporate, have advanced and lent the Sum of three millions upon the Credit of the several Rates, Duties and Sums of Money by the said Act granted, for the Purchase of Annuities after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*, and redeemable by Parliament; and also of Annuities on single Lives, payable at the Receipt of the Exchequer in respect of the same: And whereas it is thought necessary that the said Principal Sum of three millions should be (with the Consent of the Proprietors thereof, to be signified within the Time herein after mentioned) added to, and made a Part of, the Joint Stock of three Pounds *per Centum* transferrable Annuities at the Bank of *England*; and that the Charges and Expences in respect thereof should be charged upon, and paid out of the Fund commonly called *The Sinking Fund*, until Redemption thereof by Parliament, in the same and like Manner as the Annuities aforesaid are paid and payable; and that the several Annuities on single Lives, payable at the Exchequer in respect of the aforesaid three millions, should likewise be charged upon, and made payable out of the Produce of the said Sinking Fund; and that the several Rates, Duties and Sums of Money, which by the said Act were made a Fund for Payment of the said three Pounds *per Centum* Annuities, as also of the several Annuities on single Lives, should be carried to and made a Part of the said Fund commonly called *The Sinking Fund*:' May it therefore please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *January* one thousand seven hundred and fifty-nine, the Principal Sum of three millions borrowed by virtue of the said before recited Act, carrying an Interest after the Rate of three Pounds *per Centum per Annum*, payable at the Bank of *England*, shall with the Consent of the Proprietors as aforesaid, be added to and made a Part of the Joint Stock of three Pounds *per Centum* transferrable Annuities at the Bank of *England*, consolidated by the Acts made in the twenty-fifth, twenty-eighth, and twenty-ninth Years of his present Majesty's Reign, and shall be transferrable at the Bank of *England*; and the Charges and Expences in respect thereof shall be charged upon, and paid out of the Fund commonly called *The Sinking Fund*, until Redemption thereof by Parliament, in the same and like Manner as the Annuities consolidated as aforesaid are paid and payable; any Thing in the said Act made in the thirtieth Year of his present Majesty's Reign to the contrary thereof in any wise notwithstanding.

The Sum of 3,000,000 l. borrowed by virtue of the recited Act, to be added by Consent of the Proprietors, to the Joint Stock of 3 l. per Cent. consolidated Annuities transferrable at the Bank; and to be paid out of The Sinking Fund:

And such as shall not enter their Dissent before 20 June 1759, to be deemed assenting thereto.

II. And be it further enacted by the Authority aforesaid, That such Proprietors who shall not, on or before the twentieth Day of *June* one thousand seven hundred and fifty-nine, signify their Dissent to such Consolidation as aforesaid, in Books to be opened at the Bank of *England* for that Purpose, shall be deemed and taken to assent thereto; any Thing to the contrary thereof in any wise notwithstanding.

III. And

III. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *January* one thousand seven hundred and fifty-nine, the several Annuities on single Lives by the said Act granted, payable at the Exchequer in respect of the aforesaid three millions, shall be charged upon, and made payable out of the Produce of the said Fund commonly called *The Sinking Fund*; any Thing to the contrary thereof in any wise notwithstanding. The Life Annuities thereupon to be also paid out of The Sinking Fund.

IV. And be it further enacted by the Authority aforesaid, That all the Monies which have arisen since the fifth Day of *January* one thousand seven hundred and fifty-nine, or that shall or may hereafter arise, of the Produce of the several additional Stamp Duties on Pamphlets and printed Papers, the additional Duty on Coals exported, the Surplus on the new Duty on Licences for retailing Wine, and the Surplus on the Duties on Licences for retailing Spirituous Liquors, which were made a Fund for Payment of three Pounds *per Centum per Annum*, at the Bank of *England*, on three millions borrowed by virtue of the said Act made in the thirtieth Year of the Reign of his present Majesty, towards the Supply of the Year one thousand seven hundred and fifty-seven, as also of the Annuities on single Lives, payable at the Receipt of the Exchequer in respect of the same, shall be carried to and made a Part of the Fund commonly called *The Sinking Fund*; and the same shall be deemed and taken to be Part of the said Sinking Fund, and shall be issued and applied to such Uses and Purposes as the several Exceſſes, Surpluſſes or Overplus Monies, composing the said Sinking Fund, are or may be issued and applied; any Thing in the said before recited Act to the contrary thereof in any wise notwithstanding. Produce of the additional Stamp Duties, the Duty on Coals exported, and Surplus of the new Duty on Wine Licences, and retailing Spirituous Liquors, granted by Act 30 Geo. 2. Life Annuities thereupon, to be made Part of The Sinking Fund, and applied accordingly.

CAP. XXIII.

An Act to continue several Laws therein mentioned, relating to the allowing a Drawback of the Duties upon the Exportation of Copper Bars imported; to the Encouragement of the Silk Manufactures; and for taking off several Duties on Merchandize exported, and reducing other Duties; to the Premium upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine; to the encouraging the Growth of Coffee in his Majesty's Plantations in *America*; to the securing the Duties upon Foreign made Sail Cloth, and charging Foreign made Sails with a Duty; and for enlarging the Time for Payment of the Duties omitted to be paid on the Indentures and Contracts of Clerks, Apprentices, or Servants; and also for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Sollicitors, and filing thereof.

'WHEREAS the Laws herein after mentioned, which have by Experience been found useful and beneficial, are near expiring:' May it therefore please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That a Clause in an Act made in the ninth and tenth Years of the Reign of his late Majesty King WILLIAM the Third, intituled, *An Act to settle the Trade to Africa*, for allowing during a limited Time, a Drawback of the Duties upon the Exportation of Copper Bars imported; and which Clause was to continue in Force for the Term of thirteen Years, and from thence to the End of the then next Session of Parliament; and which Clause, after the Expiration thereof was, by an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, revived and continued; and also a Proviso in the last mentioned Act contained, That no Drawback should be allowed on the Exportation of any Copper, but such as had been or should be imported from the *East Indies* and the Coast of *Barbary* only; and which said Clause and Proviso, by several subsequent Acts of the thirteenth Year of the Reign of his late Majesty King GEORGE the First, and of the fifteenth and twenty-sixth Years of the Reign of his present Majesty, were continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament; shall be and the same are hereby further continued, from the Expiration thereof, until the twenty-fourth Day of *June* one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament. Preamble. Clause in an Act 9 & 10 W. 3. c. 26. relating to a Drawback of the Duties upon Copper Bars, &c. and the Proviso in Act 12 Annæ, c. 18. relating thereto, 13 Geo. 1. c. 27. 15 Geo. 2. c. 35. 26 Geo. 2. c. 32. further continued to 24 June 1766.

II. And be it further enacted by the Authority aforesaid, That so much of an Act made in the eighth Year of the Reign of his late Majesty King GEORGE the First, for the Encouragement of the Silk Manufactures of this Kingdom; and for taking off several Duties on Merchandizes exported; and for reducing the Duties upon Beaver Skins, Pepper, Mace, Cloves, and Nutmegs imported, and for Importation of all Furs of the Product of the *British* Plantations, into this Kingdom only; and that the two Corporations of Assurance, on any Suits brought on their Policies, shall be liable only to single Damages and Costs of Suit; as relates to the Encouragement of the Silk Manufactures of this Kingdom, and to the taking off several Duties on Merchandizes exported; which was to continue in Force for three Years, from the twenty-fifth Day of *March* one thousand seven hundred and twenty-two, and from thence to the End of the then next Session of Parliament; Part of Act 8 Geo. 1. c. 15. relating to the Encouragement of the Silk Manufactures, further continued to 24 June 1766.

11 Geo. 1. c. 29.
2 Geo. 2. c. 28.
8 Geo. 2. c. 18.
15 Geo. 2. c. 35.
20 Geo. 2. c. 45.
26 Geo. 2. c. 32.

Parliament; and which by several subsequent Acts made in the eleventh Year of the Reign of his late Majesty King GEORGE the First, and in the second, eighth, fifteenth, twentieth, and twenty-sixth Years of the Reign of his present Majesty, hath been continued until the twenty-fourth Day of *March* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Paaliament; shall be and the same is hereby further continued from the Expiration thereof, until the said twenty-fourth Day of *June* one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament.

So much of the Act 2 Geo. 2. c. 35. &c. as relates to Premiums on Masts, Tar, and Pitch, &c. continued to 24 June 1766.

III. And be it further enacted by the Authority aforesaid, That so much of an Act made in the second Year of the Reign of his present Majesty, for the better Preservation of his Majesty's Woods in *America*, and for the Encouragement of the Importation of Naval Stores from thence; and to encourage the Importation of Masts, Yards, and Bowsprits, from that Part of *Great Britain* called *Scotland*; as relates to the Premiums upon Masts, Yards, and Bowsprits, Tar, Pitch, and Turpentine, which was to continue in Force from the twenty-ninth Day of *September* one thousand seven hundred and twenty-nine, for the Term of thirteen Years, and from thence to the End of the the then next Session of Parliament; and which by several subsequent Acts made in the thirteenth and twenty-fourth Years of his said Majesty's Reign, was further continued until the twenty-fifth Day of *December* one thousand seven hundred and fifty-one, and from thence to the End of the then next Session of Parliament; and which by another Act made in the twenty-fifth Year of the Reign of his said Majesty, was amended, and further continued until the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament; shall be and the same is hereby further continued from the Expiration thereof, until the said twenty-fourth Day of *June* one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament.

13 Geo. 2. c. 28.
24 Geo. 2. c. 52.
25 Geo. 2. c. 35.

Quantity of Tar in each Barrel intitled to Bounty, not to be less than 32 Gallons.

IV. Provided, That no Bounty shall be paid upon any Tar, unless each Barrel shall contain thirty-one Gallons and one Half; and that the Officers who survey such Barrel, shall not survey the same till the Water shall be all drawn off, and every Barrel filled up with Tar.

Act 5 Geo. 2. c. 24. for encouraging the Growth of Coffee, continued to 24 June 1766.

V. And be it further enacted by the Authority aforesaid, That an Act made in the fifth Year of the Reign of his present Majesty, for encouraging the Growth of Coffee in his Majesty's Plantations in *America*, which was to continue in Force from the twenty-fifth Day of *March* one thousand seven hundred and thirty-five, until the twenty-fifth Day of *March* one thousond seven hundred and thirty-nine, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts made in the eleventh, nineteenth, and twenty-fifth Years of his said Majesty's Reign, was further continued until the twenty-fifth Day of *March* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament; shall be and the same is hereby further continued from the Expiration thereof, until the said twenty-fourth Day of *June* one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament.

11 Geo. 2. c. 18.
19 Geo. 2. c. 23.
25 Geo. 2. c. 35.

Act 19 Geo. 2. c. 27. for securing the Duties on Foreign made Sail Cloth imported, &c. continued to 24 June 1766.

VI. And be it further enacted by the Authority aforesaid, That an Act made in the nineteenth Year of the Reign of his present Majesty, for the more effectual securing the Duties now payable on Foreign-made Sail Cloth imported into this Kingdom; and for charging all Foreign-made Sails with a Duty; and for explaining a Doubt concerning Ships being obliged, at their first setting out to Sea, to be furnished with one complete Set of Sails made of *British* Sail Cloth; which was to continue in Force from the twenty-fourth Day of *June* one thousand seven hundred and forty-six, for the Term of seven Years, and from thence to the End of the then next Session of Parliament; and which by another Act made in the twenty-sixth Year of the Reign of his present Majesty, was further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, and from thence to the End of the then next Session of Parliament; shall be and the same is hereby further continued from the Expiration thereof, until the said twenty-fourth Day of *June* one thousand seven hundred and sixty-six, and from thence to the End of the then next Session of Parliament.

26 Geo. 2. c. 32.

Refer to 8 *Ann.* c. 9. 9 *Ann.* c. 21. 6 *Geo.* 1. c. 11. 18 *Geo.* 2. c. 22. 20 *Geo.* 2. c. 45.

Further Time allowed to 1 Sept. 1759, for Payment of the Duties omitted to be paid on Articles of Indentures, and for tendering the same to be stamped.

'VII. And for the Relief of Persons who through Neglect or Inadvertency have omitted to pay 'the several Rates and Duties upon Money given, paid, contracted or agreed for, with or in relation to any Clerk, Apprentice or Servant, who hath been put or placed to or with any Master or Mistress, to learn any Profession, Trade or Imployment, and to have the Indenture, or other 'Writing which contains the Covenants, Articles, Contracts or Agreements, relating to the Service of any such Clerk, Apprentice or Servant, stamped within the Times by the several Acts 'of Parliament for those Purposes respectively limited, or who have neglected or omitted to insert 'and write in Words at Length, in any such Indenture, or other Witing as aforesaid respectively, 'the full Sum or Sums of Money received, or in any wise directly or indirectly given, paid, 'agreed, or contracted for, with or in relation to any such Clerk, Apprentice or Servant as aforesaid;' Be it further enacted, That upon Payment on or before the first Day of *September* one thousand seven hundred and fifty-nine, of the Rates and Duties neglected or omitted to be paid upon any Money given, paid, contracted, or agreed for, with or in relation to any Clerk, Apprentice or Servant as aforesaid, to such Person or Persons to whom the same ought to be paid, the Indenture or other Writing by which any such Clerk, Apprentice or Servant, was respectively put out as aforesaid, shall, on the same being tendered at the proper Place in the Stamp Office (where the same ought to have been stamped) during the Time of Office Hours, be stamped with the proper Stamp forthwith after every such Payment and Tender of every such respective Indenture or Writing

ting shall be there made; and every such Indenture, or other Writing as aforesaid, being so stamped, shall be good and available in Law and Equity, and may be given in Evidence in any Court whatsoever; and the several Clerks, Apprentices or Servants therein respectively named, shall be capable of following and exercising their respective intended Profession, Trade, Imployment or Business, as fully as if the Rates or Duties so neglected or omitted to have been paid, had been duly paid, and as if the full Sum or Sums of Money received or agreed to be paid as aforesaid, had been inserted and wrote in Words at Length in every such Indenture, or other Writing as aforesaid respectively; and that all and every Person and Persons who hath or have incurred any Penalty by any such Neglect or Omission as aforesaid, shall be acquitted and discharged of, from and against the same; any Thing in any former Act to the contrary hereof notwithstanding: And the Commissioners of his Majesty's Stamp Duty are hereby required, with all convenient Speed, after the passing this Act, to cause Notice of this Clause to be published in the *London Gazette*, in such Manner as they shall think fit.

Indentures, on Payment of the Duties, and stamping thereof, declared to be valid, &c.

and the Parties acquitted of the Penalty.

Notice of this Clause to be published in the Gazette.

'VIII. And whereas some Persons have omitted to cause Affidavits to be made, and afterwards 'to be filed in the proper Offices, of the actual Execution of several Contracts in Writing entered 'into by them, to serve as Clerks to Attornies or Solicitors, within the Time in which the same 'ought to have been done, and many Infants, and others, may thereby incur certain Disabilities:' For preventing whereof, and for relieving such Persons; Be it likewise enacted by the Authority aforesaid, That every Person who hath neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, and who on or before the first Day of *September* one thousand seven hundred and fifty-nine, shall cause one or more Affidavit or Affidavits to be made, and afterwards to be filed, in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed and discharged from and against all Penalties, Forfeitures, Incapacities and Disabilities, in or by any Act or Acts of Parliament mentioned and incurred, or to be incurred, for or by reason of any such Neglect or Omission, in not causing such Affidavit or Affidavits to be made and filed, in such Manner as the same ought to have been; and every such Affidavit and Affidavits so to be made, and which shall be duly filed, on or before the said first Day of *September* one thousand seven hundred and fifty-nine as aforesaid, shall be as effectual to all Intents and Purposes, as if made and filed within the respective Times the same ought, by the Laws now in Being for that Purpose, to have been so made and filed.

Further Time allowed to 1 Sept. 1759, for making and filing Affidavits of the Execution of Contracts to serve as Clerks to Attornies, &c.

CAP. XXIV.

An Act to amend an Act made in the last Session of Parliament, for repealing the Duty granted by an Act made in the sixth Year of the Reign of his late Majesty on Silver Plate, and for granting a Duty on Licences to be taken out by all Persons dealing in Gold or Silver Plate, by permitting the Sale of Gold or Silver Plate in small Quantities without Licence; and by granting a Duty instead of the Duty now payable upon Licences to be taken out by certain Dealers in Gold or Silver Plate; and also a Duty upon Licences to be taken out by Pawnbrokers dealing in Gold or Silver Plate, and Refiners of Gold or Silver.

'WHEREAS by an Act made in the last Session of Parliament, intituled, *An Act for repealing the Duty granted by an Act made in the sixth Year of the Reign of his late Majesty, on Silver Plate made, wrought, touched, assayed, or marked in* Great Britain; *and for granting a Duty on Licences, to be taken out by all Persons dealing in Gold or Silver Plate; and for discontinuing all Drawbacks upon Silver Plate exported; and for more effectually preventing Frauds and Abuses in the Marking or Stamping of Gold or Silver Plate*; it was enacted, That in lieu of the Duty thereby repealed, there should, from and after the fifth Day of *July* one thousand seven hundred and fifty-eight, be paid unto his Majesty, his Heirs and Successors, a Duty of forty Shillings for every Licence to be taken out in Manner therein after mentioned, by each Person trading in, selling or vending Gold or Silver Plate, and by the said Act such Licences were directed to be taken out annually; and it was also thereby further enacted, That all Persons using the Trade of selling or vending Gold or Silver Plate, or any Goods or Wares composed of Gold or Silver, or any Goods or Wares in which any Gold or Silver was or should be manufactured, and also all Persons employed to sell any Gold or Silver Plate, or any such Goods or Wares aforesaid, at any Auction or Publick Sale, or by Commission, should respectively be deemed Traders in, Sellers or Venders of Gold or Silver Plate, within the Intent and Meaning of the said Act, and should take out a Licence for the same: And whereas so much of the said last recited Clause, as directs that every Person trading in, selling or vending Gold or Silver Plate, or any Goods or Wares composed of Gold or Silver, or any Goods or Wares in which any Gold or Silver was or should be manufactured, should take out a Licence for that Purpose, has been found detrimental to the Toy and Cutlery Trades of this Kingdom: And your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, are therefore desirous that all Persons may be permitted to trade in, sell or vend any Goods or Wares in which the Gold or Silver shall not exceed the respective Quantities herein after mentioned, without being obliged to take out a Licence

Preamble, reciting Clause in Act 31 Geo. 2. c. 32.

Refer to 28 *Ed.* 1. *st.* 3. *c.* 20. 2 *H.* 6. *c.* 14. 4 *H.* 7. *c.* 2. 18 *Eliz. c.* 15. 8 & 9 *W.* 3. *c.* 8.

'cence for that Purpose, and in lieu thereof, to grant unto your Majesty a Duty upon such Li-
'cences as are herein after mentioned; and therefore do most humbly beseech your Majesty, that
'it may be enacted,' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *July* one thousand seven hundred and fifty-nine, no Person or Persons whatsoever shall be subject or liable to take out any Licence for or in respect of his, her or their trading in, vending or selling, any Quantity of Gold not exceeding two Penny Weights in any one separate and distinct Ware or Piece of Goods, or any Quantity of Silver not exceeding Five Penny Weights in any one separate and distinct Ware or Piece of Goods; but that all Persons may, from time to time, after the said fifth Day of *July* one thousand seven hundred and fifty-nine, trade in, vend or sell any Ware or Piece of Goods, in which the Gold or Silver shall not exceed the respective Quantities aforesaid, without being subject in respect thereof to any Penalty for not having taken out a Licence, or paid the Duty granted by the said Act made in the last Session of Parliament; any Thing in the said Act contained to the contrary notwithstanding.

Traders in or Venders of small Gold and Silver Wares, exempted from taking out a Licence for the same;

'II. And in order to make good any Deficiency which may happen in the Produce of the said 'Duty, by reason of the Exemption aforesaid;' Be it further enacted by the Authority aforesaid, That there shall from and after the said fifth Day of *July* one thousand seven hundred and fifty-nine, be paid unto his Majesty, his Heirs and Successors, a Duty of five Pounds for every Licence to be taken out by each Trader in, Vender or Seller of Gold or Silver Plate, or of any Goods or Wares in which any Gold or Silver is or shall be manufactured, who shall trade in, vend or sell any Piece of Plate or Goods, or any Ware in which the Gold or Silver shall be of the respective Weights herein after mentioned, or of any greater Weight, and by all Pawnbrokers trading in, vending or selling Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured, and all Refiners of Gold or Silver.

but such as shall trade in or vend larger Quantities, as also Pawnbrokers and Refiners to take out a Licence, for which they are to pay 5 l.

III. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July* one thousand seven hundred and fifty-nine, no Person or Persons whatsoever, who now or at any Time or Times hereafter, doth, do or shall trade in, vend or sell any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured, shall presume by him, her or themselves, or by any other Person or Persons whatsoever employed by him, her or them, for his, her or their Benefit, either publickly or privately, to trade in, vend or sell any Piece of Plate or Goods, or any Ware in which the Quantity of Gold shall be of the Weight of two Ounces or upwards, or in which the Quantity of Silver shall be of the Weight of thirty Ounces or upwards, unless he, she or they shall have first paid a Duty of five Pounds for a Licence, which shall have been taken out in the Manner required by the said Act made in the last Session of Parliament; and every Person who shall so trade in, vend or sell any such Piece of Plate or Goods, or Ware as aforesaid, shall pay the like Duty of five Pounds for every Licence which shall be taken out in each Year, in pursuance of the said Act, instead and in lieu of the Duty of forty Shillings thereby granted; any Thing in the said Act contained to the contrary notwithstanding: And if any Person or Persons trading in, vending or selling Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured, shall after the said fifth Day of *July* one thousand seven hundred and fifty-nine presume or offer to trade in, vend or sell any such Piece of Plate or Goods, or any such Ware as aforesaid, without first taking out a Licence, for which the said Duty of five Pounds shall have been paid, and renewing the same Licence, and making the like Payment yearly as aforesaid, he, she or they shall respectively forfeit and lose, for every such Offence, the Sum of twenty Pounds.

What Quantity of Gold or Silver Wares shall subject the Traders in or Venders thereof, to take out a Licence.

20 l. Penalty for not taking out such Licence,

and renewing the same yearly.

IV. And be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July* one thousand seven hundred and fifty-nine, no Pawnbroker or Pawnbrokers shall presume, by him, her or themselves, or by any other Person or Persons whatsoever imployed by him, her or them, for his, her or their Benefit, either publickly or privately, to trade in, vend or sell any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; nor shall any Person or Persons presume, either by him, her or themselves, or by any other Person or Persons whatsoever imployed by him, her or them, for his, her or their Benefit, to use or practise the Trade or Business of a Refiner of Gold or Silver, without first taking out a Licence, in such Manner as Persons using the Trade of selling or vending Gold or Silver Plate are, by the said Act made in the last Session of Parliament, required to take out Licences; and every such Pawnbroker, and also every such Refiner of Gold or Silver, shall take out a fresh Licence in every Year, in such Manner as Persons using the Trade of selling or vending Gold or Silver Plate are by the said Act required to do: And for the more effectual inforcing the taking out of the said Licences, and Recovery of the Duty herein after directed to be from time to time paid upon the taking out thereof, every such Pawnbroker and Refiner of Gold or Silver respectively shall be deemed, for the Purposes of this Act, to use the Trade of selling or vending Gold or Silver Plate; any Thing in the said former Act contained to the contrary notwithstanding: And every such Pawnbroker as aforesaid, and also every such Refiner of Gold or Silver, shall respectively pay a Duty of five Pounds for every Licence which shall be taken out by each such Pawnbroker or Refiner; and which said Duty of five Pounds shall be paid in each Year at the Times when such Licences are taken out, and to such Person or Persons, and in such Manner, as the Duty of forty Shillings granted by the said Act is thereby directed to be paid: And if after the said fifth Day of *July* one thousand seven

Pawnbrokers and Refiners, deemed Traders in and Venders of Gold and Silver Wares,

and liable to take a Licence,

and renew the same yearly;

for which 5 l. is to be paid;

hundred and fifty-nine any Pawnbroker shall presume or offer to trade in, vend or sell any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; or if any Person shall presume or offer to use or practise the Trade or Business of a Refiner of Gold or Silver, and such Pawnbroker or Person respectively shall not have first taken out a Licence, for which the said Duty of five Pounds shall have been paid, or shall not have renewed the same Licence, and made such Payment yearly as aforesaid; every such Pawnbroker and Person shall respectively, for every such Offence, forfeit and lose the Sum of twenty Pounds.

on Penalty of forfeiting 20 l.

V. Provided always, and be it further enacted by the Authority aforesaid, That if at any Time or Times, any Person or Persons who shall have taken out a Licence in the Manner prescribed by the said former Act, and have paid, in respect thereof, the said Duty of forty Shillings, shall before the Expiration of such Licence, produce the same, and pay the further Sum of three Pounds to any Person or Persons authorized by virtue of the said former Act, to grant Licences (all which Persons are hereby required to accept such Payment, and to indorse a Memorandum thereof, without Fee or Reward, upon the Licence so produced) every Person paying such additional Sum of three Pounds may, and is hereby impowered, from the Time of the Payment thereof, and during the Continuance of the Remainder of the Term of the said Licence, to trade in, vend or sell any Gold or Silver Plate, or any Goods or Wares in which any Gold or Silver is or shall be manufactured; or to use or practise the Trade or Business of a Refiner of Gold or Silver, in such Manner as any other Person who shall have paid the Duty of five Pounds upon the original granting of any Licence is by this Act impowered to do; any thing herein before contained to the contrary notwithstanding.

Licences taken out under the former Act, upon Payment of the additional Sum of 3 l. to be good for the subsisting Term thereof.

VI. Provided always, That Persons in Partnership, and carrying on their Trade or Business in one House, Shop or Tenement only, shall not be obliged to take out more than one Licence in any one Year for the carrying on such Trade or Business: And that no Licence which shall be granted by virtue of this Act, shall authorize or impower any Person or Persons to whom the same may be granted, and who shall sell Gold or Silver Plate in Shops, to trade in, sell or vend such Gold or Silver Plate in any other Shop or Place, except in such Houses or Places thereunto belonging wherein he, she or they shall inhabit and dwell at the Time of granting such Licence, or in Booths or Stalls at Fairs or Markets.

Persons in Partnership, carrying on Trade or Business in one House only, &c. not liable to take out more than one Licence.

Licence to serve but for one Shop or House,

Booths and Stalls at Fairs or Makets excepted.

VII. And be it further enacted by the Authority aforesaid, That all Prosecutions for Recovery of Penalties and Forfeitures incurred for Offences committed against this Act, shall and may be heard and determined, and such Penalties and Forfeitures recovered, levied and applied, and in case of want of sufficient Distress whereon to levy the same, the Offender shall be imprisoned, in such and the same Manner, and with the same Powers and Authorities, as are prescribed, given and appointed in the said Act made in the last Session of Parliament with respect to Prosecutions for, and the recovering, levying and applying of, the Penalties and Forfeitures incurred for Offences committed against the said Act, and to the Imprisonment of the Party or Parties offending until Satisfaction shall be made.

Penalties and Forfeitures to be recovered and applied, as by the Act of 31 Geo. 2. is prescribed.

VIII. Provided always, and it is hereby enacted, That the several Penalties and Forfeitures of twenty Pounds, created and inflicted by the said recited Act, and this present Act, may be mitigated by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture, may be mitigated by any Law or Laws of Excise; any thing in the said recited Act, or this present Act, to the contrary in any wise notwithstanding.

Mitigation of Penalties,

IX. And be it further enacted by the Authority aforesaid, That all the Monies which shall arise by the Duty hereby directed to be paid upon Licences (the necessary Charges of raising and accounting for the same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, together with the Monies arising by the Duty on Licences granted by the said Act made in the last Session of Parliament; and shall be applied to such Uses and Purposes, and in such Manner, as the Monies arising by the Duty granted by the said Act are thereby made applicable, and to and for no other Use or Purpose whatsoever.

Duties to be paid into the Exchequer;

and to be applied as the Duties under the former Act are directed.

X. And be it further enacted by the Authority aforesaid, That the said Act made in the last Session of Parliament (except such Parts thereof as are varied or altered by this Act) shall continue in full Force and Effect, and the Provisions and Powers therein contained (except as aforesaid) shall extend, and are hereby extended to, and shall operate and be executed, with respect to this Act, and to all Matters and Things to be done in pursuance thereof, in as full and and ample Manner, to all Intents and Purposes, as if the said Provisions and Powers were, with such Variations and Alterations, herein specially repeated and re-enacted; any thing in this Act contained to the contrary notwithstanding.

The recited Act, except where altered by this Act, continued and enforced.

CAP. XXV.

An Act to explain and amend an Act made in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual Manning his Majesty's Navy*; and for the better Prevention of Piracies and Robberies by Crews of private Ships of War.

Preamble.

'WHEREAS repeated Complaints have of late been made of divers outragious Acts of Piracy and Robbery, committed on board great Numbers of Ships, more particularly by the Crews of small Ships, Vessels or Boats, being or pretending to be *English* Privateers: And whereas it is of the utmost Importance to the Honour of this Nation, to detect and bring to Justice Persons who (in Violation of the Laws of Nations in general, and of this Kingdom in particular) have been, or shall be guilty of such Piracies and Robberies: And whereas by a Clause in an Act of Parliament passed in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual Manning his Majesty's Navy*, It is amongst other Things, enacted, That the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Person or Persons by him or them impowered and appointed, shall, at the Request of any Owner or Owners of any Ship or Vessel, giving such Bail and Security as have been usually taken upon granting Commissions or Letters of Marque (except only for the Payment of the Tenths of the Value of Prizes which shall be taken, to the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral for the Time being) cause to be issued forth, in the usual Manner, one or more Commission or Commissions to any Person or Persons whom such Owner or Owners shall nominate to be Commander, or in case of Death, successively Commanders of such Ship or Vessel, for the attacking, surprizing, seizing and taking, by and with such Ship or Vessel, or with the Crew thereof, any Place or Fortress upon the Land, or any Ship or Vessel, Goods, Ammunition, Arms, Stores of War or Merchandize, belonging to, or possessed by any of his Majesty's Enemies, in any Sea, Creek, Haven or River: And whereas it is apprehended that most of the Acts of Piracy and Robbery complained of aforesaid, have arisen from the Obligation on the said Lord High Admiral, or the said Commissioners for executing the Office of Lord High Admiral, at such Request as aforesaid, to grant such Commissions to the Commanders of all Ships or Vessels, of what Burthen soever, without Distinction;' To Remedy which Inconveniency, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *June* in the Year of our Lord one thousand seven hundred and fifty-nine, so much of the said recited Clause in the above-mentioned Act of Parliament, passed in the twenty-ninth Year of the Reign of his present Majesty, as directs the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Person or Persons by him or them impowered and appointed, at the Request of any Owner or Owners of any Ship or Vessel giving such Bail and Security as therein is mentioned, to cause to be issued forth, in the usual Manner, one or more Commission or Commissions to any Person or Persons whom such Owner or Owners shall nominate to be Commander, or, in case of Death, successively Commanders of such Ship or Vessel, for the Purposes in the said recited Clause mentioned, shall be, and the same is hereby declared and enacted to be absolutely repealed and made void.

Clause in Act 29 Geo. 2. c. 34.

For former Laws concerning Seamen refer to
2 *R.* 2. *st.* 1. *c.* 4.
5 *El. c.* 5.
7 & 8 *W.* 3. *c.* 21.
8 & 9 *W.* 3. *c.* 23.
9 & 10 *W.* 3. *c.* 41.
2 *Ann. c.* 6.
4 & 5 *Ann. c.* 19.
10 *Ann. c.* 17.
1 *Geo.* 1. *c.* 25.
8 *Geo.* 1. *c.* 24.
3 *Geo.* 2. *st.* 2. *c.* 9.
3 *Geo.* 2. *c.* 14.
2 *Geo.* 2. *c.* 7 & 36.
6 *Geo.* 2. *c.* 25.
8 *Geo.* 2. *c.* 29.
11 *Geo.* 2. *c.* 30.
13 *Geo.* 2. *c.* 3, 4 & 17.
14 *Geo.* 2. *c.* 38.
17 *Geo.* 2. *c.* 34.
18 *Geo.* 2. *c.* 31.
20 *Geo.* 2. *c.* 38.
22 *Geo.* 1. *c.* 52.
24 *Geo.* 2. *c.* 47.
28 *Geo.* 2. *c.* 16.

So much of the recited Clause, as directs the Admiralty, upon Application and Security given, to grant Commissions to Privateers repealed.

Admiralty to grant Commissions, upon Owners, &c. giving such Bail and Security as is herein after-mentioned.

II. And be it further enacted by the Authority aforesaid, That the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Person or Persons by him or them impowered and appointed, shall from and after the said first Day of *June* one thousand seven hundred and fifty-nine, at the Request of any Owner or Owners of any Ship or Vessel, giving such Bail and Security as is herein after mentioned and expressed, cause to be issued forth one or more Commission or Commissions to any Person or Persons whom such Owner or Owners shall nominate to be Commander, or in case of Death, successively Commanders of such Ship or Vessel, for the attacking, surprizing, seizing and taking, by and with such Ship or Vessel, or with the Crew thereof, any Place or Fortress upon the Land, or any Ship or Vessel, Goods, Ammunition, Arms, Stores of War or Merchandize, belonging to, or possessed by any of his Majesty's Enemies, upon the Land, or in any Sea, Creek, Haven or River; and that such Ship or Ships, Vessel or Vessels, or any Goods, Ammunition, Arms, Stores of War, and Merchandizes whatsoever, with all their Furniture, Tackle and Apparel, so to be taken, by or with such private Owner or Owners Ship or Vessel, according to such last-mentioned Commission or Commissions (being first adjudged lawful Prize in any of his Majesty's Courts of Admiralty) shall wholly and entirely belong to, and be divided between and among, the Owner and Owners of such Ship or Vessel, and the several Persons which shall be on board the same, and be aiding and assisting to the taking thereof, in such Shares and Proportions as shall be agreed on with the Owner or Owners of such Ship or Vessel as shall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattels of such Owner or Owners, and the Persons that shall be intitled thereto by virtue of such Agreements among themselves;

Prizes to belong solely to, and be divided among the Owners and Captors, as shall be agreed between them;

selves; and that neither his Majesty, his Heirs or Successors, or any Admiral, Vice Admiral, Governor or other Person, commissioned by, or claiming under, his Majesty, his Heirs or Successors, or any Person or Persons whatsoever, other than the Owner or Owners of such Ship or Vessel, being the Captor of such Prize Ship or Vessel, Goods, Ammunition, Arms, Stores of War, and Merchandizes, and the Persons claiming under him or them, shall be intitled to any Part or Share thereof (except as to the Customs and Duties mentioned in the said Act of the twenty-ninth Year of his Majesty's Reign); any Custom, Statute, or other Law to the contrary notwithstanding.

reserving only the Customs and Duties payable by Act 29 Geo. 2.

III. Provided nevertheless, and it is hereby further enacted, That no such Commission as aforesaid shall be issued forth or granted to any Person or Persons by virtue of this Act, unless the Ship or Vessel for which the same shall be granted in *Europe*, shall be of the Burthen of one hundred Tons, and carry ten Carriage Guns, being three Pounders, and forty Men at the least; or unless the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral, or any three or more of them, or any Person or Persons by him or them impowered and appointed, shall, in their Discretion, think fit to grant the same to any Ship or Vessel of inferior Force or Burthen, the Owners or Owners of such Ship or Vessel giving such Bail and Security as is herein after mentioned and expressed.

No Commission to be granted to Vessels, in Europe, under 100 Tons Burthen, 10 Guns and 40 Men; unless the Admiralty shall think fit; the Owners giving Bail and Security as herein after mentioned.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, at any Time or Times hereafter, to revoke and make void, by any Order or Orders in Writing under his or their Hand or Hands, any Commission or Commissions which hath, have been, or shall be issued forth to any Person or Persons who hath, have been or shall be nominated Commander or Commanders of any Ship or Vessel, either by virtue of the said Act of the twenty-ninth Year of the Reign of his present Majesty, or this present Act.

Admiralty may revoke any former or future Commissions;

V. Provided nevertheless, That the Secretary of the Admiralty for the Time being shall, with all convenient Speed, after any and every such Commission shall be so revoked, cause Notice thereof in Writing to be forthwith sent to the Owner or Owners, or Agent or Agents, or Surety or Sureties, or some one of them of the Ship or Vessel named or described in such Order of Revocation: And in case such Ship or Vessel shall be in the Chanel, the said Order of Revocation shall be effectual to supersede and annul the said Commission, at the Expiration of twenty Days from and after such Notice given as aforesaid or sooner, if Notice shall be actually given in Writing by the Secretary of the Admiralty to the Captain or Commander thereof; and in case such Ship or Vessel shall be in the Northern Seas, at the Expiration of thirty Days; and in case such Ship or Vessel shall be to the Southward of *Cape Finisterre*, or in the *Mediterranean*, at the Expiration of six Weeks; and in case such Ship or Vessel shall be in *North America* or the *West Indies*, at the Expiration of three Months; and in case such Ship or Vessel shall be in the *East Indies*, at the Expiration of six Months: And any Commander or Commanders, Owner or Owners, Agent or Agents, Surety or Sureties, of any such Ship or Vessel, whereof such Commission or Commissions issued or to be issued forth as aforesaid shall be so revoked, may complain thereof to his Majesty in Council, within thirty Days next after the Secretary of the Admiralty for the Time being shall cause Notice thereof to be given as aforesaid; and the Determination of his Majesty in Council, touching every such Complaint, shall be final.

of which Notice is to be forthwith sent to the Ship's Owners, Agents or Sureties.

Times limited for Order of Revocation to take Place, viz.

If the Vessel be in the Channel;

or Northern Seas;

if to the South of Cape Finisterre, or in the Mediterranean;

in North America, the West Indies or East Indies.

Complaint may be made to the King in Council of such Revocation.

The Council's Determination to be final;

VI. Provided always, That in case any such Order of Revocation shall be superseded, such Commission shall be deemed and taken to have continued in Force; and all Prizes taken by virtue thereof shall belong to, and be the Property of, such Owners and Captors, in such Manner as the same would have been in case such Order of Revocation had not been made.

and if the Order shall be superseded, the Commission to stand good.

VII. Provided also, That no Person shall be liable to be punished for doing, before he shall have received personal Notice of such Order of Revocation, any Matter or Thing which he might have lawfully done under the Authority of such Commission, in case such Order of Revocation had not been made.

None liable to Punishment before personal Notice received of such Order of Revocation.

VIII. And be it further enacted by the Authority aforesaid, That before the granting or issuing of any Commission in pursuance of this Act, such Bail and Security shall be taken as have been usual upon the granting or issuing of Commissions for private Ships of War; and that, previous to the taking of such Bail and Security, the Persons who propose to be bound, and give such Security, shall severally make Oath before the Judge of the High Court of Admiralty of *England*, or his Surrogate, or other Person or Persons by such Judge or Surrogate lawfully commissioned, that at the Time of their being sworn, they are respectively worth more Money than the Sum for which they are then to be bound, over and above all their just Debts: And moreover, the Marshal of the said High Court of Admiralty for the Time being, or his Deputy, or the Person or Persons so commissioned as aforesaid, is or are hereby required and directed to make diligent Enquiry into, and satisfy himself or themselves of the Sufficiency of such Bail and Security, and make a Report thereof to the said Judge, or his Surrogate, before any such Commission shall be granted or issued.

Usual Bail and Security to be taken,

the Parties making Oath of their Qualification;

and the Marshal satisfying himself as to the Sufficiency thereof.

IX. And be it further enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty-nine, all and every Person and Persons who shall apply to the Lord High Admiral, or the Commissioners for executing the Office of Lord High Admiral for the Time being, in order to obtain any Commission to be granted or issued forth in pursuance of this Act, shall make every such Application in Writing, and therein set forth a particular, true, and exact

Persons applying for Commissions, to make Application in Writing,

and set forth a Description of the Vessel, &c.

exact Deſcription of the Ship or Veſſel for which ſuch Commiſſion is requeſted, ſpecifying the Burthen of ſuch Ship or Veſſel, and the Number and Nature of the Guns on Board the ſame, to what Place belonging, and the Name or Names of the principal Owner or Owners of ſuch Ship or Veſſel, and the Number of Men intended to be put on Board the ſame (all which Particulars ſhall be inſerted in ever Commiſſion to be granted or iſſued in purſuance of this Act); and that every Commander of a Private Ship or Veſſel of War, for which a Commiſſion ſhall be granted or iſſued in purſuance of this Act, ſhall produce ſuch Commiſſion to the Collector, Cuſtomer, or Searcher for the Time being, of his Majeſty's Cuſtoms, reſiding at, or belonging to, the Port from whence ſuch Ship or Veſſel ſhall be firſt fitted out, or to the lawful Deputy or Deputies of ſuch Collector, Cuſtomer, or Searcher; and the ſaid Collector, Cuſtomer, or Searcher, or his or their lawful Deputy or Deputies, ſhall, as ſoon thereafter, as conveniently may be, without Fee or Reward, inſpect and examine ſuch Ship or Veſſel, ſo as to aſcertain the Burthen thereof, and the Number of Men, and Number and Nature of the Guns on Board the ſame: And if ſuch Ship or Veſſel ſhall thereupon be found to be of ſuch Burthen, and be manned and armed according to the Tenor of the Deſcription inſerted in ſuch Commiſſion as aforeſaid, or be of a greater Burthen or Force than ſhall be mentioned in ſuch Commiſſion, then ſuch Collector, Cuſtomer, or Searcher, or his or their lawful Deputy or Deputies, ſhall, and he or they is and are hereby required immediately, upon the Requeſt of the Commander of ſuch Ship or Veſſel, to give a Certificate thereof in Writing under his or their Hand or Hands *gratis*, to ſuch Commander; which Certificate ſhall be deemed a neceſſary Clearance, before ſuch private Ship or Veſſel ſhall be permitted to ſail from that Port; and if the Commander of any Ship or Veſſel for which any Commiſſion ſhall have been granted or iſſued in purſuance of this Act, ſhall depart with ſuch Ship or Veſſel from ſuch Port of Clearance, before he hath received ſuch Certificate, or ſhall depart from any ſuch Port, or proceed upon a Cruize, with a Force inferior to the Force ſpecified in ſuch Commiſſion, or required by this Act; in every ſuch Caſe, the Commiſſion for ſuch Ship or Veſſel ſhall from thenceforth be abſolutely null and void; and the Commander ſo offending, being convicted thereof before any Court of Admiralty, ſhall be impriſoned without Bail or Mainprize, for ſuch Space as the ſaid Court ſhall direct, not exceeding one Year for any one Offence.

the Particulars thereof to be inſerted in the Commiſſion;

which Commiſſion is to be produced to the Collector or other Officer of the Port,

who is to examine the Ship, and ſee how far ſhe agrees, in all Reſpects, with the ſaid Deſcription;

and if ſhe agrees thereto, or be of a greater Force or Burthen,

is to grant a Certificate which ſhall be a Clearance to ſuch Veſſel.

Penalty of departing without ſuch Clearance.

or with a Force inferior to that ſpecified in the Commiſſion.

X. And be it further enacted by the Authority aforeſaid, That if any Collector, Cuſtomer, or Searcher of his Majeſty's Cuſtoms, or his or their lawful Deputy or Deputies, ſhall grant a Certificate for any Ship or Veſſel which ſhall not be of the Burthen and Force ſpecified in the Commiſſion granted to the Commander or Commanders thereof, or of greater Burthen and Force than ſhall be mentioned in ſuch Commiſſion, he ſhall, for ſuch Offence, forfeit his ſaid Office, and be for ever after incapable of holding any Office in the Cuſtoms, and ſhall alſo forfeit the Sum of one hundred Pounds, to be recovered by any Perſon or Perſons who will ſue for the ſame, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, in which no Eſſoir, Protection, Wager, of Law, or more than one Imparlance, ſhall be allowed; and one Moiety of the ſaid Penalty of one hundred Pounds, when recovered, ſhall be paid to the Informer or Informers, and the other Moiety to the Treaſurer for the Time being to the Corporation for the Relief and Support of ſick, maimed, and diſabled Seamen, and of the Widows and Children of ſuch as ſhall be killed, ſlain, or drowned, in the Merchants Service, for the Uſe of ſuch Corporation; or where ſuch Forfeitures ſhall be incurred in any of the Out-ports in which a Corporation is eſtabliſhed, or ſhall hereafter be eſtabliſhed, for the Purpoſes aforeſaid, then the Moiety of ſuch Penalty ſhall be paid to the Truſtees for the Uſe of the Corporation ſo eſtabliſhed.

Collector, &c. granting a falſe Certificate,

to forfeit his Office, and 100*l.*

Recovery and Application thereof.

XI. Provided always, That the Number of Tons ſo to be certified, be aſcertained according to the Rules laid down by an Act paſſed in the eighth Year of the Reign of her late Majeſty Queen ANNE, intituled, *An Act for making a convenient Dock or Baſon at* Liverpool, *for the Security of all Ships trading to or from the ſaid Port of* Liverpool.

Tonage to be aſcertained according to the Rules preſcribed by Act 8 Anne.

XII. And be it further enacted by the Authority aforeſaid, That in caſe at any Time or Times after the firſt Day of *June* one thouſand ſeven hundred and fifty-nine, any Commander or Commanders of any private Ship or Ships, or Veſſel or Veſſels of War, duly commiſſioned by virtue of the ſaid Act of the twenty-ninth Year of his Majeſty's Reign, or this Act, ſhall agree with the Commander or Commanders, or other Perſon or Perſons, of or belonging to any Neutral or other Ship or Ships, Veſſel or Veſſels (except thoſe of his Majeſty's declared Enemies, for the Ranſom of any ſuch Neutral or other Ship or Ships, Veſſel or or Veſſels, or the reſpective Cargo or Cargoes thereof, or any Part thereof, after the ſame ſhall have been taken as Prize, and ſhall, in purſuance of any ſuch Agreement or Agreements, actually quit, ſet at liberty, or diſcharge any ſuch Prize or Prizes, inſtead of bringing the ſame into ſome Port or Ports belonging to his Majeſty's Dominions; that then all and every of the Commander and Commanders of ſuch private Ship or Ships, or Veſſel or Veſſels of War, who ſhall agree for any ſuch Ranſom (except as aforeſaid) and ſhall quit, ſet at liberty, or diſcharge any ſuch Prize or Prizes in Manner aforeſaid, ſhall be deemed, adjudged, and taken to be guilty of Piracy, Felony, and Robbery; and he, they, and every of them, being duly convicted thereof in the Manner herein before mentioned, ſhall have and ſuffer ſuch Pains of Death, Loſs of Lands, Goods and Chattles, as Pirates, Felons and Robbers upon the Seas ought to have and ſuffer according to the Laws now in Being.

Privateers agreeing for the Ranſom of Neutral Ships made Prizes,

and diſcharging them without bringing them into Port,

deemed guilty of Piracy; and to ſuffer Death and Confiſcation of Goods, &c.

XIII. Provided

XIII. Provided always, and be it further enacted, That it shall be lawful for the Commander of any private Ship of War, upon the Capture of any Neutral Ship or Vessel which by any Law or Treaty shall be liable only to the Forfeiture of such Contraband Goods as shall be on Board thereof, to receive such Goods from such Ship or Vessel, in case the Commander thereof is willing to deliver the same; and the Commander of such private Ship of War may thereupon quit, set at liberty, or discharge, such Neutral Ship or Vessel; any thing herein before contained to the contrary notwithstanding: And if any Person or Persons shall purloin or embezzle any such Contraband Goods before Condemnation thereof, every such Person shall be subject to such Pains and Forfeitures as are inflicted by Law upon Persons purloining or embezzling Goods out of any captured Ship.

Privateers may take Contraband Goods from on Board Neutral Ships, with Consent of the Commanders, and set the Vessels at Liberty.

Penalty of embezzling the same.

XIV. And be it further enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty-nine, all Books, Papers, and Writings, found in any Ship or Vessel taken as Prize, shall, without Delay, be brought into the Registry of the Court of Admiralty wherein such Ship or Vessel may be proceeded against, in Order to Condemnation; but that such only of the said Books, Papers, and Writings shall be made use of and translated, as shall be agreed or insisted upon by the Proctors of the several Parties, Captors, or Claimants, or in case of no Claim, by the Captor or Register, to be necessary for ascertaining the Property of such Ship or Vessel, and the Cargo thereof.

All Papers, &c. found on Board Prize Vessels, to be brought into the Registry of the Admiralty;

but such only as shall be thought necessary by the Proctors to be translated and made use of, &c.

XV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *June* one thousand seven hundred and fifty-nine, no Judge, Register, or Deputy Register, Marshal, or Deputy Marshal, or any other Officer whatsoever, of or belonging to any Court of Admiralty or Vice Admiralty in *Great Britain* or *Ireland*, or in any of his Majesty's Colonies or Plantations in *America*, or elsewhere, nor any Person or Persons practising either as Advocate, Proctor, or otherwise, in any such Court or Courts, shall be concerned or interested, directly or indirectly, as Owner, Part Owner, Sharer, or Adventurer, in any private Ship or Ships, or Vessel or Vessels of War whatsoever, having any Commission or Commissions as aforesaid: And in Case any such Judge, Register, Deputy Register, Marshal, Deputy Marshal, or other Officer, Advocate, or Proctor whatsoever, shall, notwithstanding this Act, be directly or indirectly concerned or interested as aforesaid; such Judge, Register, Deputy Register, or Marshal, Deputy Marshal, or other Officer respectively, shall, for such Offence (being thereof lawfully convicted, either upon an Information or on Indictment) absolutely forfeit his Office and Employment in and belonging to any such Court of Admiralty or Vice Admiralty, of what Kind or Nature soever such Office or Employment may happpen to be, and shall also forfeit and pay to the Use of his Majesty, his Heirs and Successors, the Sum of one hundred Pounds; and every such Advocate or Proctor respectively shall for such last mentioned Offence (being thereof lawfully convicted in Manner aforesaid) be from thenceforth absolutely disqualified, and rendered for ever incapable of practising either as an Advocate or Proctor in any of his Majesty's Courts of Admiralty or Vice Admiralty whatsoever.

No Officer of the Court of Admiralty,

or Advocate, &c. of the Court, to be any ways interested in Privateers;

on Forfeiture of his Employment, and 100*l.*

and Advocate, &c. to be disqualified from practising in the said Courts.

XVI. And be it further enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty-nine, no Register or Deputy Register, nor any Marshal or Deputy Marshal, of or belonging to any of his Majesty's said Courts of Admiralty or Vice Admiralty whatsoever, shall either directly or indirectly, by himself or themselves, or by any Agent or Agents, or other Person or Persons whatsoever, act or be concerned in any Manner, either as an Advocate or Proctor in any Cause, Matter, or Business whatsoever, that shall be depending in any such Court or Courts of Admiralty or Vice Admiralty to which such Register, Deputy Register, Marshal or Deputy Marshal shall then belong; and that every Register, Deputy Register, Marshal or Deputy Marshal who shall be guilty of such Offence (being thereof lawfully convicted, either upon an Information or Indictment, shall from thenceforth absolutely forfeit his respective Office and Employment of Register, Deputy Register, Marshal, or Deputy Marshal in and belonging to the same Court.

Registers and Marshals of the Court disqualified from acting as Advocates or Proctors,

on Forfeiture of their respective Offices.

XVII. And be it further enacted by the Authority aforesaid, That all and every Commission and Commissions which have been issued forth or granted in pursuance of the aforesaid Act of Parliament made and passed in the twenty-ninth Year of his present Majesty's Reign to the Commander or Commanders of any private Ship or Ships, or Vessel or Vessels of War in *Europe*, such Ship or Ships, Vessel or Vessels, not being respectively of the Burthen of one hundred Tons, and carrying each ten Carriage Guns, being three Pounders, and forty Men at the least (except such Ships or Vessels of an inferior Burthen or Force whose Commissions shall be respectively confirmed by any Order in Writing under the Hand or Hands of the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain*, or any three or more of them, or any Person or Persons by him or them impowered and appointed) shall from and after the first Day of *July* one thousand seven hundred and fifty-nine, be null and void; and the same, and every of them, is and are hereby accordingly enacted and declared to be absolutely revoked and made null and void to all Intents and Purposes whatsoever.

Commissions heretofore granted to Vessels of inferior Force and Burthen, them this Act allows,

except such as shall be confirmed by the Admiralty;

are revoked and declared void.

XVIII. Provided always, That every such Confirmation of any Commission as aforesaid, shall be made and granted without Fee or Reward.

Confirmation of Commissions to be granted without Fee.

'XIX. And, to the end that the Owners of such Ships or Vessels, not being under fifty or above 'one hundred Tons, whose Commissions are by this Act made void, which, since the twenty-se- 'venth Day of *May* one thousand seven hundred and fifty-six, have constantly served as private 'Ships of War to the Time of such Revocation, may not be injured thereby;' It is hereby further enacted,

Where the Commissions of inferior Vessels are vacated by Revocation,

His Majesty to appoint Persons to adjust the Claims of the Owners for Damages;

and the Sums certified by them, to be paid out of the next Supplies.

enacted, That it shall and may be lawful for his Majesty, under his Royal Sign Manual, to appoint such Person or Persons as his Majesty shall think fit to receive and adjust the Claims of such Owners, for any Loss or Damage they may respectively sustain by reason of the Revocation of any of the said Commissions hereby made void; and the Sums which shall by such Person or Persons, so appointed by his Majesty, be certified to be due on such Claims, shall be paid out of the next Aids to be granted in Parliament.

A Session of the Court of Admiralty to be held in March and October yearly.

'XX. And, for the more speedy bringing of Offenders to Justice, and to prevent the Inconve-'niencies occasioned by want of frequently holding a Session of Admiralty for the Trial of Offences 'committed on the High Seas;' Be it further enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty-nine, a Session of *Oyer* and *Terminer* and Gaol Delivery, for the Trial of Offences committed upon the High Seas within the Jurisdiction of the Admiralty of *England*, shall be held twice at the least in every Year; that is to say, In the several Months of *March* and *October* in each Year, at *Justice Hall* in the *Old Bailey*, *London*; except at such Times as the Sessions of *Oyer* and *Terminer* and Gaol Delivery for the City of *London* and County of *Middlesex* shall be appointed to be there held; or in such other Place, within that Part of *Great Britain* called *England*, as the Lord High Admiral of *Great Britain*, or the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, shall by any Letter or Order in writing under their Hands directed to the Judge of the High Court of Admiralty in *England* for the Time being appoint.

Commissioners of the Court, and Justices of the Peace, impowered to take Informations of Piracy, &c.

and, if they see Cause, to apprehend and commit the Offenders;

XXI. And be it further enacted by the Authority aforesaid, That from and after the first Day of *June* one thousand seven hundred and fifty-nine, it shall and may be lawful, not only to and for any one or more of the Commissioners for the Time being, named in the Commission of *Oyer* and *Terminer* for the trying of Offences committed within the Jurisdiction of the Admiralty of *England*, but also to and for any one or more of the Justices of the Peace for the Time being of any County, Riding, Division, or Place, within that Part of *Great Britain* called *England*, and they are hereby respectively authorized and impowered, from time to time, to take any Information or Informations of any Witness or Witnesses in Writing upon Oath, touching any Piracy, Felony, or Robbery, done or committed, or charged to have been done or committed, in or upon the Sea, or in any Haven, River, Creek, or Place, where the Admiral or Admirals hath or have Power, Authority, or Jurisdiction; and thereupon (if such Commissioner or Commissioners, or Justice or Justices of the Peace respectively shall see Cause) by any Warrant or Warrants under his or their Hand and Seal, or Hands and Seals, to cause the Person or Persons accused in such Information or Informations to be apprehended and committed to the Gaol of the County or Place wherein the same Information or Informations shall be taken, there to remain until discharged by due Course of Law.

and to oblige the Prosecutors and Evidences to enter into Recognizances, to appear and prosecute;

and on Refusal, to commit them.

XXII. And it is hereby further enacted, That such of the said Commissioners, or Justices of the Peace, who shall cause any such Person or Persons to be committed as is last mentioned, shall, and he or they is or are hereby respectively required at the same Time to oblige all and every such other Person or Persons whom such Commissioner or Commissioners, or Justice or Justices of the Peace shall judge necessary to prosecute and give Evidence against the Person or Persons who shall be so committed as aforesaid, to enter into one or more Recognizance or Recognizances to his Majesty, in a sufficient Penalty for his, her or their appearing at the then next Session of *Oyer* and *Terminer*, and Gaol Delivery, to be held for the Jurisdiction of the Admiralty of *England*, there to prosecute and give Evidence against the Person or Persons who shall be committed as aforesaid: And if any Person shall refuse to enter into such Recognizance to prosecute or give Evidence as shall be required, he, she or they so refusing shall be committed by any such Commissioner or Commissioners, Justice or Justices, to the Gaol of the County or Place in which the Person so refusing shall be, until the next Sessions of Admiralty shall be held, or such Persons shall enter into such Recognizance as shall be required as aforesaid; which Recognizance or Recognizances, together with the Information or Informations taken touching the Offence or Offences wherewith the Person or Persons to be committed as aforesaid shall be charged, the said Commissioner or Commissioners, or Justice or Justices of the Peace, before whom the same shall be taken, shall and they are hereby respectively required to transmit with all convenient Speed to the Register for the Time being of the High Court of Admiralty of *England*, to be by him forthwith laid before the Judge for the Time being of the same Court, and afterwards to be kept among the Records of that Court.

Recognizances and Informations to be transmitted to the Register of the Court, to be laid before the Judge, and kept among the Records.

The Marshal, Sheriffs, and other Peace Officers, are to obey and execute all Precepts and Orders of the Commissioners and Justices.

XXIII. And be it further enacted by the Authority aforesaid, That the Marshal of the Admiralty for the Time being, and his Deputy or Deputies, and all Sheriffs, Bailiffs, Stewards, Constables, Headboroughs, Tythingmen, Keepers of Gaols and Prisons, and all other Officers whatsoever, for keeping of the Peace (as well within Liberties as without) shall, and they, and every of them, are hereby respectively authorized and required, from time to time, diligently to execute, perform and obey all such Precept and Precepts, Warrant and Warrants, and other Order and Orders, as shall at any Time or Times hereafter be made, directed, issued, or given to them or any of them respectively, by any one or more of the said Commissioners named in the Commission of *Oyer* and *Terminer*, or Justices of the Peace, by virtue or in pursuance of this Act, touching any of the Matters or Things herein contained.

Where an Appeal shall be interposed from the Sentence of the Court, concerning Goods taken as Prize,

XXIV. And be it further enacted by the Authority aforesaid, That in case any Appeal shall be interposed from a Sentence given in any Admiralty Court, concerning any Goods and Effects which may hereafter be seized or taken as Prize, in pursuance of the aforesaid Act of Parliament of the

twenty-ninth Year of his Majesty's Reign, or of this Act; that then and in such Case, the Judge of such Court of Admiralty shall and may, at the Request, Costs and Charges, either of the Captor or Claimant, or of the Claimant only, in Cases where the Privilege is reserved in Favour of the Claimant by any Treaty or Treaties subsisting between his Majesty and Foreign Powers, make an Order to have such Capture appraised, unless the Parties shall otherwise agree upon the Value thereof, and an Inventory taken, and then take Security for the full Value thereof, and thereupon cause such Capture to be delivered to the Party giving such Security, in like Manner as by the said former Act such Judge ought or could have done, before Sentence given, notwithstanding such Appeal: And if there shall be any Difficulty or Objection to the giving or taking of Security, the said Judge shall, at the Request of either of the Parties, order such Goods and Effects to be entered, landed, and sold by publick Auction, as Prize Goods now are, under the Care and Custody of the proper Officers of the Customs, and under the Direction and Inspection of such Persons as shall be appointed by the Claimants and Captors; and the Monies arising by such Sale shall be deposited in the Bank of *England*, or in some publick Securities, and in the Names of such Trustees as the Captors and Claimants shall jointly appoint, and the Court shall approve, for the Use and Benefit of the Parties who shall be adjudged to be intitled thereto: And if such Security shall be given by the Claimants, then it is hereby also enacted, That such Judge shall give such Capture a Pass, to prevent it's being taken again by his Majesty's Subjects in its destined Voyage.

The Capture may be appraised, and upon Security given, be delivered to the Party;

and if there shall be any Difficulty or Objection to the giving or taking Security, the Judge may order the Goods to be landed and sold by Auction,

and the Money to be deposited in the Bank, &c. If Security be given by the Claimants, Judge to give the Capture a Pass.

XXV. Provided always, and be it further enacted by the Authority aforesaid, That this Act shall continue in Force during the present War with *France*, and no longer.

Act to be in Force during the present War with France.

See further 33 *Geo.* 2. *c.* 19. *and* 2 *Geo.* 3. *c.* 16.

CAP. XXVI.

An Act for applying a Sum of Money granted in this Session of Parliament towards carrying on the Works for fortifying and securing the Harbour of *Milford* in the County of *Pembroke*; and to amend and render more effectual an Act of last Session of Parliament, for applying a Sum of Money towards fortifying the said Harbour.

'WHEREAS by an Act passed in the thirty-first Year of his present Majesty's Reign, intituled, *An Act for applying a Sum of Money granted in this Session of Parliament towards carrying on the Works for fortifying and securing the Harbour of* Milford *in the County of* Pembroke; it was enacted, That out of all or any the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-eight, there should and might be issued and applied any Sum or Sums of Money, not exceeding the Sum of ten thousand Pounds, towards carrying on the Works for fortifying and securing the Harbour of *Milford* in the County of *Pembroke*: And whereas a further Sum of Money is necessary for that Purpose:' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That out of all or any the Aids or Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-nine, there shall and may be issued and applied any Sum or Sums of Money not exceeding the Sum of ten thousand Pounds, towards carrying on the Works for fortifying and securing the Harbour of *Milford* in the County of *Pembroke*.

Preamble, reciting a Clause in Act 31 Geo. 2. c. 38.

10,000 l. to be issued out of the Supplies granted for the Year 1759, towards fortifying the Harbour of Milford.

'II. And whereas by the said recited Act the Principal Officers of his Majesty's Ordnance, and the Justices of the Peace for the County of *Pembroke* for the Time being, are appointed Commissioners for putting the said Act in Execution; And whereas it may be inconvenient at this Time for the said Principal Officers of his Majesty's Ordnance to give their constant Attendance to such Commission;' Be it therefore further enacted by the Authority aforesaid, That the Principal Officers of his Majesty's Ordnance, and the Justices of the Peace for the County of *Pembroke* for the Time being, together with *William Skinner* Esquire chief Engineer, and the chief Engineer for the Time being, *David Watson*, *John Henry Bastide*, *Charles Hubert Herriot*, and *Thomas Walker*, Esquires, shall be, and they are hereby appointed Commissioners for putting the said recited Act and this present Act in Execution.

Commissioners for putting this Act in Execution.

'III. And whereas by the Direction of the said Principal Officers of his Majesty's Ordnance, Surveys and Plans have been made of proper Places for erecting Fortifications in the said Harbour of *Milford*: And whereas *Pater-Church-Point*, *West-Lanyon-Point*, and *Neyland-Point*, within the said Harbour, have been reported by the Engineers employed for that Purpose to be the most proper and best situated Places for fortifying the interior Parts of the said Harbour;' Be it therefore further enacted by the Authority aforesaid, That Fortifications shall be erected on or near the said several Points called *Pater-Church-Point*, *West-Lanyon-Point*, and *Neyland-Point*, under the Direction of the Master General and principal Officers of his Majesty's Ordnance for the Time being, or any Person or Persons that he or they, or any three or more of them shall appoint to carry on such Work, as soon as the Lands necessary for building thereof shall be set out, described and purchased,

Fortifications to be erected on the Places here mentioned, under Direction of the Master General and other Officers of the Ordnance.

chaſed, in the Manner directed in the ſaid recited Act; and that in the mean Time all proper and neceſſary Materials ſhall be provided for carrying on the ſaid Fortifications.

Commiſſioners impowered to appoint and pay Secretaries, and other proper Officers under them.

IV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, to appoint proper Secretaries, Clerks, Aſſiſtants, or other Officers, for the more effectual carrying the ſaid recited Act and this preſent Act into Execution; and that the neceſſary Expences and Charges attending the ſame ſhall be paid out of the Monies thereby and hereby granted.

Account of the Application of the Monies to be laid before Parliament.

V. And be it further enacted by the Authority aforeſaid, That an Account of the Application of the Monies hereby appropriated towards carrying on the Works for fortifying and ſecuring the ſaid Harbour, ſhall be laid before both Houſes of Parliament, within twenty Days after the opening of every Seſſion of Parliament.

Charges of obtaining this Act to be firſt paid out of the Monies granted.

VI. And be it further enacted by the Authority aforeſaid, That all ſuch Coſts and Charges as ſhall be incurred in obtaining this Act, ſhall be in the firſt Place paid out of the Monies hereby granted.

CAP. XXVII.

An Act for continuing, amending, explaining, and making more effectual, an Act made in the nineteenth Year of his preſent Majeſty's Reign, intituled, *An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of* Weſtminſter, *and that Part of the Duchy of* Lancaſter *adjoining thereto, and the ſeveral Pariſhes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and ſuch Part of the Pariſh of Saint* Andrew, Holborn, *as lies in the County of* Middleſex.

Preamble, reciting Act 19 Geo. 2. c. 35. *For former Laws concerning Coals refer to* 9 H. 5. ſt. 1. c. 10. 16 & 17 Car. 2. c. 2. 30 Car. 2. c. 8. 6 & 7 W. 3. c. 18. 9 & 10 W. 3. c. 13. 10 & 11 W. 3. c. 21. 8 Ann. c. 4. 9 Ann. c. 6, 22 & 28. 12 Ann. ſt. 2. c. 9 & 17. 5 Geo. 1. c. 9. 6 Geo. 1. c. 4. 3 Geo. 2. c. 26. 4 Geo. 2. c. 30. 10 Geo. 2. c. 32. 11 Geo. 2. c. 15. 13 Geo. 2. c. 21. 14 Geo. 2. c. 41. 17 Geo. 2. c. 35. 22 Geo. 2. c. 37. 23 Geo. 2. c. 26. 30 Geo. 2. c. 19.

WHEREAS by an Act made and paſſed in the nineteenth Year of the Reign of his preſent Majeſty, intituled, *An Act more effectually to prevent the Frauds and Abuſes committed in the Admeaſurement of Coals within the City and Liberty of* Weſtminſter, *and that Part of the Dutchy of* Lancaſter *adjoining thereto, and the ſeveral Pariſhes of Saint* Giles in the Fields, *Saint* Mary le Bon, *and ſuch Part of the Pariſh of Saint* Andrew, Holborn, *as lies in the County of* Middleſex; it was enacted, That from and after the twenty-fourth Day of *September* one thouſand ſeven hundred and forty-ſix, there ſhould be erected and continued within the City and Liberty of *Weſtminſter*, one publick Office, to be called by the Name of *The Land Coal Meters Office for the City and Liberty of* Weſtminſter; and which ſhould, from time to time, be managed by two Perſons to be nominated and appointed by his Majeſty, his Heirs and Succeſſors, and to be called and known by the Name of *The Principal Land Coal Meters for the City and Liberty of* Weſtminſter; and divers Fees, Rules, Orders, Powers, Authorities, Penalties, Puniſhments, Forfeitures and Proviſions were thereby given, granted, made, eſtabliſhed, preſcribed and directed to be levied and inflicted reſpectively, for the better inforcing and carrying the ſaid Act into Execution for the Purpoſes therein mentioned; and which were to continue and be in Force for three Years, from the twenty-fourth Day of *September* one thouſand ſeven hundred and forty-ſix, and to the End of the then next Seſſion of Parliament: And it was thereby, amongſt other Things enacted and provided, That if the Driver of any Cart loaded with Coals, or any Perſon belonging thereto, or imployed therewith, ſhould deliver or ſuffer to be delivered or taken from ſuch Cart, any Coals under his Care, otherwiſe than to or for the Uſe of the Owner or Owners thereof, and ſhould be convicted of ſuch Offence, he ſhould for every ſuch Offence forfeit and pay the Sum of five Pounds: And it was thereby further enacted and provided, That if any Perſon or Perſons ſhould be diſſatisfied with, or think himſelf or herſelf aggrieved by or in the Meaſure of any Coals, under or by virtue of the ſaid Act, the ſame Coals ſhould, either upon acquainting the Seller of ſuch Coals, or the Carman driving or leading the ſame, at any Time during the Delivery thereof, and before the Carman ſhould be diſcharged thereof by the Conſumer, or his, her or their Agent or Agents, be remeaſured either in the Preſence of a Sea Coal Meter, from the Sea Coal Meters Office in the City of *London*, or one of the Meters or their Agents, appointed in purſuance of the ſaid Act, for which there ſhould be paid four Pence for every Chaldron, and no more; and in caſe the Coals ſo to be remeaſured, ſhould not amount to the Meaſure for which they were originally ſold and meaſured, the Sellers of ſuch Coals are thereby reſpectively made liable to the Penalties and Puniſhments thereby inflicted, to be recovered and applied in Manner therein mentioned; and that from and after Notice ſhould have been given in Writing of any ſuch Diſſatisfaction or Grievance as aforeſaid, to the Seller of ſuch Coals, or to the Carman leading or driving the ſame, and whilſt ſuch Coals ſhould ſo remain in their or either of their Poſſeſſion or Power, ſuch Seller or Carman, in whoſe Poſſeſſion or Power ſuch Coals ſhould be at the Time of ſuch Notice, ſhould not leave or depart from the Cart in which ſuch Coals ſhould have been laden, but that he and they ſhould remain with the ſame, and take all poſſible Care both of the Coals and Cart, till a Meter or Meters, appointed in purſuance of the ſaid Act, could be procured to remeaſure ſuch Coals; and they are thereby reſpectively required, from time to time, with all convenient Speed, on Notice for that Purpoſe to be delivered or left at the ſaid Office in Writing in any of the Office Hours, to attend for that Purpoſe: And whereas the ſaid Act of Parliament (having by Experience been found uſeful and beneficial within the City and Liberty of *Weſtminſter*, and the other Places and

'Limits therein mentioned) was, by three subsequent Acts, one of the twenty-third, another of the twenty-fourth, and another of the thirty-first Year of the Reign of his present Majesty, further continued until the twenty-fourth Day of *June* one thousand seven hundred and fifty-nine: And whereas it would be of great Service to the Inhabitants of the City and Liberty of *Westminster*, and the said several Parts and Places of the County of *Middlesex*, that the said Act should, under certain Restrictions be further continued; and in case proper Provisions were made for obviating Mischiefs and Abuses which were not foreseen, and not sufficiently provided for by the said former Act, the same would be still of greater Benefit and Advantage to the said Inhabitants, and more effectually answer the Purposes thereby intended:' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if the Driver of any Cart loaded with Coals, or any Person belonging thereto or imployed therewith, shall deliver or suffer to be delivered or taken from such Cart, any Coals under his Care, otherwise than to or for the Use of the Owner or Owners thereof, and shall be lawfully convicted in such Manner as in the said Act is mentioned; he shall for every such Offence be publickly whipt, or committed to the House of Correction, there to remain without Bail or Mainprize for the Space of three Months.

23 *Geo.* 2. *c.* 26.
24 *Geo.* 2. *c.* 57.
31 *Geo.* 2. *c.* 35.

Carter, &c. fraudulently delivering, or suffering Coals to be taken from his Cart, to be publickly whipt, and committed for three Months.

II. And it is hereby further enacted, That in case any Person or Persons shall be dissatisfied with, or think himself or herself aggrieved by or in the Measure of any Coals, under or by virtue of the said former Act, and such Coals shall be remeasured in pursuance or under the Authority of the said Acts, and shall upon such remeasuring fall short of, and be deficient of the true Quantity or Measure, at or for which the same were originally contracted for, sold and measured; then and in such Case, the Principal Coal Meter or Coal Meters shall, for every Bushel which the said Coals so to be remeasured shall fall short of or be deficient in the true Quantity or Measure so originally contracted for, sold and measured, forfeit and pay the Sum of forty Shillings; to be recovered and applied in such and the same Manner as the pecuniary Penalties inflicted and directed to be levied by the first mentioned Act are thereby ordered, directed and appointed, to be levied, recovered and applied respectively.

And if Coals upon Remeasurement, shall fall short of the Quantity they were originally sold and measured for,

the Principal Coal Meters to pay 40 *s.* for every Bushel wanting of the Measure.

III. And it is hereby further enacted, That if any Labouring Coal Meter shall deliver a Ticket to any Person or Persons for any Quantity of Coals, without having been present at, and seen the measuring of the whole Quantity thereof specified and expressed in such Ticket, in every such Case the Principal Coal Meters shall forfeit and pay the Sum of five Pounds; to be recovered and applied in such Manner as the pecuniary Penalties, inflicted and directed to be levied by the first mentioned Act, are thereby ordered, directed and appointed to be levied, recovered and applied respectively: And every Labouring Coal Meter so offending, upon Complaint thereof made unto any one or more Justice or Justices of the Peace for the City and Liberty of *Westminster*, or for the said County of *Middlesex*, and upon due Proof made to his or their Satisfaction, shall be committed to the House of Correction, there to remain and bept to hard Labour, for any Time not exceeding thirty Days; and shall be for ever rendered incapable of acting as a Labouring Coal Meter under this Act.

Labouring Coal Meter delivering Tickets for Coals which he was not present at the measuring of, to be committed to hard Labour for 30 Days, and incapacitated; and the Principals to forfeit 5 *l.*

'IV. And whereas by an Act passed in the third Year of his present Majesty's Reign, it was 'therein enacted, That all Coals should be carried to the respective Buyers, within the Limits 'therein mentioned, in Linen Sacks, sealed and marked with white Paint in Oil at *Guildhall*, *London*, or at the Exchequer Office at *Westminster*, by the proper Officer there; which Sacks shall be 'full four Feet and two Inches in Length, and six and twenty Inches in Breadth after they shall be 'made: And whereas it has been found by Experience that these Dimensions have not been quite 'sufficient, by reason of the great shrinking of the Sacks from Wet, and other Causes;' Be it therefore enacted, That from and after the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, all Sacks made use of for the Carriage of Coals within the Limits mentioned in the aforesaid Act shall be full four Feet four Inches in Length, and full twenty-six Inches in Breadth after they are made; nor shall any of less Dimensions be sealed or marked at the above mentioned Offices: And if any Person or Persons dealing in or selling Coals within the Limits aforesaid, shall use or cause to be used Sacks of any less Dimensions than the Dimensions herein before directed, every such Person shall for every such Offence forfeit the Sum of forty Shillings, to be recovered, levied and applied, in such Manner as the pecuniary Penalties inflicted and directed to be levied by the said Act of the nineteenth Year of his present Majesty's Reign, are thereby directed and appointed to be levied, recovered and applied respectively.

Clause in Act 3 Geo. 2. *c.* 26.

Sacks to be 4 Feet 4 Inches long, and 26 Inches broad.

40 *s.* Penalty on using Sacks of less Dimensions.

V. And for the more effectually preventing any Frauds by false Admeasurement of Coals; It is hereby further enacted, That if any Person imployed as a Labouring Coal Meter shall suffer any Coal Sacks to be made use of for the Carriage of Coals, being less than four Feet in Length, and full two Feet in Breadth withinside the Sack, or shall neglect to attend and perform his Duty at the Wharfs, as in the said Act of the nineteenth Year of his present Majesty's Reign is directed, he shall for every such Offence forfeit the Sum of forty Shillings; to be recovered, levied and applied, in such and the like Manner as the pecuniary Penalties inflicted and directed to be levied by the said Act of the nineteeth Year of his present Majesty's Reign, are thereby directed and appointed to be levied, recovered and applied respectively.

Labouring Coal Meter using Sacks of less Dimensions than here allowed, or neglecting his Duty,

forfeits 40 *s.*

Application thereof.

Justices upon Application and Complaint in any of the Cases aforesaid, to summon and examine the Parties;

and upon Proof of the Offence, to commit the Offender.

VI. And it is hereby further enacted, That such Justice or Justices as aforesaid, upon every such Complaint so to him or them made in the Cases afore-mentioned, is and are hereby authorised and required to call and summon the Parties before him or them, and to hear and examine every such Complaint upon Oath, or upon Affirmation of such Witness or Witnesses as shall be of the People called *Quakers* (and which Oath or Affirmation such Justice or Justices is and are hereby respectively impowered and required to administer and take) and upon due Proof of such Offence as aforesaid to his or their Satisfaction, to grant a Warrant or Warrants under his or their Hand and Seal or Hands and Seals, for the Commitment of such Offender or Offenders to the House of Correction, there to remain and be dealt with as aforesaid.

Provisions relating to the Fee for the Admeasurement of Coals, or Punishment of Dealers or Carters, to take Place in such Cases only, where a Meter shall have attended the Admeasurement at the Buyer's Desire.

VII. Provided always, and it is hereby further enacted by the Authority aforesaid, That from and after the Commencement of this Act, none of the Provisions made by the said former Act of the nineteenth Year of the Reign of his present Majesty, or by this present Act, relating to the Payment of any Sum or Sums of Money for or on Account of the Admeasurement or Inspection of the Admeasurement of Coals, or to the Punishment of any Dealer in Coals, or Carter, on account of sending, carrying or leading Coals from any Wharf or Place within the Limits aforesaid, shall take Place and be in Force, except in such Cases only where the Buyer of such Coals shall have signified, by Notice in Writing, to one of the Principal Coal Meters, or one of the Labouring Coal Meters, his or her Desire to have the Attendance of a Coal Meter to inspect the Admeasurement of his or her Coals, and where a Coal Meter shall pursuant to such Notice, attend and actually inspect the Admeasurement of the whole Quantity of such Coals; any Thing contained in the said recited Act, or this Act, to the contrary thereof in any wise notwithstanding.

The Powers, &c. of 19 Geo. 2.

except where altered by this Act, to be in Force during the Continuance of this Act.

VIII. And it is hereby further enacted and declared, That the said Act made in the nineteenth Year of the Reign of his present Majesty, and continued by the subsequent Acts herein before mentioned and referred to, and all the Powers, Penalties, Forfeitures, Remedies, Provisions, Rules, Orders, Directions, Clauses, Matters and Things, given, granted, ordered, appointed, prescribed, inserted and contained in and by the said Acts respectively, or any of them, which are now in Force (other than so far forth as the same, or any of them respectively, are varied, altered, explained, rendered unnecessary, or otherwise provided for by the Force of this present Act) shall be exercised, practised, used, inforced and put in Execution, during the Continuance, and for the Purposes of this present Act, in as full, extensive and beneficial Manner, to all Intents and Purposes, as if the said Powers, Penalties, Forfeitures, Remedies, Provisions, Rules, Orders, Directions, Clauses, Matters and Things were particularly expressed, and again enacted in the Body of this present Act: And also that this Act shall take Effect, continue and be in Force from the said twenty-fourth Day of *June* one thousand seven hundred and fifty-nine, for and during the further Term of seven Years then next insuing, and from thence to the End of the then next Session of Parliament; and shall be deemed, adjudged, and taken to be a Publick Act, and be judicially taken Notice of as such by all Judges, Justices and other Persons whatsoever.

Commencement and Continuance of this Act.

Publick Act.

CAP. XXVIII.

An Act for Relief of Debtors with respect to the Imprisonment of their Persons; and to oblige Debtors, who shall continue in Execution in Prison beyond a certain Time, and for Sums not exceeding what are mentioned in the Act, to make Discovery of, and deliver upon Oath, their Estates for their Creditors Benefit.

Preamble.

For former Laws relating hereto refer to 1 *Ed.* 3. *st.* 1. *c.* 7. 43 *El. c.* 2. 19 *Car.* 2. *c.* 4. 2 *Geo.* 2. *c.* 22. 3 *Geo.* 2. *c.* 27. 8 *Geo.* 2. *c.* 24. 14 *Geo.* 2. *c.* 34. 21 *Geo.* 2. *c.* 33. Act 22 & 23 *Car.* 2. *c.* 20.

WHEREAS many Persons suffer by the Oppression of inferior Officers in the Execution of Process for Debt, and the Exaction of Gaolers to whom such Debtors are committed: For Remedy whereof, it may be reasonable not only to inforce the Execution of the Laws now in Being against such Oppressions and Exactions, more especially several Clauses in a Statute made at a Parliament held in the twenty-second and twenty-third Years of the Reign of King CHARLES the Second (intituled, *An Act for the Relief and Release of poor distressed Prisoners for Debt*) but likewise to make some further Provisions for the Ease and Relief of Debtors who shall be willing to satisfy their Creditors to the utmost of their Power;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That no Sheriff, Under Sheriff, Bailiff, Serjeant at Mace, or other Officer or Minister whatsoever, shall at any Time or Times hereafter convey or carry, or cause to be conveyed or carried any Person or Persons by him or them arrested, or being in his or their Custody by virtue or colour of any Action, Writ, Process or Attachment, to any Tavern, Ale-house, or other Publick Victualling or Drinking House, or to the Private House of any such Officer or Minister, or of any Tenant or Relation of his, without the free and voluntary Consent of the Person or Person so arrested or in Custody; nor charge any such Person or Persons with any Sum of Money for any Wine, Beer, Ale, Victuals, Tobacco, or any other Liquor or Things whatsoever, save what he, she or they shall call for of his, her or their own free Accord; nor shall cause or procure him, her or them, to call or pay for any such Liquor or Things, except what he, she or they shall particularly and freely ask for; nor shall demand, take or receive, or cause to be demanded, taken or received, directly or indirectly, any other or greater Sum or Sums of Money than is or shall be by Law allowed to be taken

Officer may not carry his Prisoner to any Tavern or other Publick House, without his Consent;

nor charge him for Liquor or other Things, other than such as he shall freely and particularly called for; nor demand for Caption or Attendance, any other than his legal Fee;

or

or demanded for any Arrest or Taking, or for detaining, or waiting till the Person or Persons so arrested or in Custody shall have given an Appearance or Bail, as the Case shall require, or agreed with the Person or Persons at whose Suit or Prosecution he, she or they shall be taken or arrested, or until he, she or they shall be sent to the proper Gaol belonging to the County, Riding, Division, City, Town or Place where such Arrest or Taking shall be; nor shall exact or take any Reward, Gratuity or Money for keeping the Person or Persons so arrested or in Custody out of Gaol or Prison; nor shall carry any such Person to any Gaol or Prison within four and twenty Hours from the Time of such Arrest, unless such Person or Persons so arrested shall refuse to be carried to some safe and convenient Dwelling House of his, her or their own Nomination or Appointment, within a City, Borough, Corporation, or Market Town, in case such Person or Persons shall be there arrested; or within three Miles from the Place where such Arrest shall be made, if the same shall be made out of any City, Borough, Corporation, or Market Town, so as such Dwelling House be not the House of the Person arrested, and be within the County, Riding, Division or Liberty, in which the Person under Arrest was arrested; and then and in any such Case it shall be lawful to and for any such Sheriff, or other Officer or Minister, to convey or carry the Person or Persons so arrested, and refusing to be carried to such safe and convenient Dwelling House as aforesaid, to such Gaol or Prison as he, she or they may be sent to, by virtue of the Action, Writ or Process against him, her or them.

nor exact any Gratuity Money; nor carry his Prisoner to Gaol within 24 Hours after his Arrest, unless he shall refuse to be carried to some safe House of his own Appointment within some City or Town, if arrested there, or within three Miles thereof.

II. And be it further enacted by the Authority aforesaid, That no Sheriff, Under Sheriff, Bailiff, Serjeant at Mace, or other Officer or Person, shall at any Time or Times hereafter, take or receive any other or greater Sum or Sums for one or more Nights Lodging, or for a Day's Diet, or other Expences of any Person or Persons under Arrest, on any Writ, Action, Attachment or Process, other than what shall be allowed as reasonable in such Cases by some Order or Orders already made, or which shall hereafter be made by the Justices of the Peace at some General or Quarter-Sessions which shall be held for the County, Riding, Division, City, Town or Place where such Arrest or Taking shall be, who are hereby authorised and required, with all convenient Expedition, to make some Standing Order or Orders for ascertaining such Charges and Expences within their respective Counties, Ridings, Divisions, Cities, Towns and Jurisdictions, if the same hath or have not already been there made; and if any such Order or Orders hath or have been there already made, such Justices for the Time being, at their respective General or Quarter-Sessions, are hereby authorised and required to vary or alter the same, from time to time, as they shall see Occasion; and also are hereby required to cause a Copy of every such Order, and of every Variation or Alteration thereof, signed by the Clerk of the Peace of every such County, Riding, Division, City, Town or Place respectively, to be put and kept up in some conspicuous Place in the Sessions House, or some other proper Place, of every such respective County, Riding, Division, City, Town or Place as such Justices shall order, so as the same may be there seen and examined as Occasion may require.

Nor may Officer take for the Lodging, Diet, and other Expences of such Prisoner, more than shall be allowed in such Cases, by an Order of the Justices in their General or Quarter-Sessions, which Order they are required to make with all Expedition;

a Copy whereof is to be hung up in some conspicuous Part of the Sessions House, or other proper Place.

III. And to the Intent that no Person may suffer by reason of his Ignorance of the Provisions made by this Act, Be it further enacted by the Authority aforesaid, That all and every Sheriff, Under Sheriff, and Bailiff of any Liberty, and also the respective Secondaries and Clerk Sitters in the respective Compters in *London*, and all other Persons intrusted with the Execution of Process, or who shall enter any Actions, or make any Warrant or Warrants, or any Writ or Process, in order to have the same executed, shall deliver a printed Copy of the several Clauses contained in this Act relating to Bailiffs, Serjeants, and other Officers and Persons who shall be imployed under them respectively to execute any Writ, Process or Attachment, or who shall arrest any Person on any Action which shall be entered, or otherwise, within their respective Sheriffwicks or Jurisdictions, to every such Bailiff, Serjeant, Officer, and other Person, and shall make it Part of the Condition of every Security or Bond which shall be given or made to any such Sheriff or Under Sheriff, or Bailiff of any Liberty, by any Bailiff, Serjeant at Mace, or other Officer or Person, who shall be imployed or intrusted to execute any such Writ or Process as aforesaid under him, them, or any of them, that every such Bailiff, Serjeant at Mace, or Officer, and other Person respectively, shall and will shew and deliver a Copy of the said Clauses to every Person he shall arrest by virtue of any Process, Action, Writ or Attachment, or under any Warrant made out thereon, and carry or go with to any Publick or other House where any Liquor shall be sold; and also shall and will permit every such Person who shall be so arrested, or any Friend of him or her, to read over the same Clauses, before any Liquor, Meat or Victuals shall be at any such Publick or other House called for, or brought to any such Person who shall be so under Arrest there; and in case any Bailiff, Serjeant at Mace, or other Officer or Person, shall in any respect offend in the Premisses, every such Offence, besides the Breach of the Condition of every such Security Bond, shall be accounted and deemed a Misdemeanor in the Execution of the Process or Action on which any such Person was arrested, and shall be punishable as such by virtue of this Act.

Sheriffs and the Secondaries of the Compters, to deliver printed Copies of these Clauses to Bailiffs and other Officers imployed in the Execution of Writs, &c.

and make it a Part of the Condition of the Bond to be given by them, that they shall shew and deliver a Copy of the said Clauses to the Prisoner, if carried to a Publick House, and permit him or his Friend to read over the same, before any Liquor or Victuals be brought or called for.

Officer offending in the Premisses, besides the Breach of Covenant, liable to be punished for a Misdemeanor.

IV. And be it further enacted by the Authority aforesaid, That every Sheriff, Under Sheriff, Bailiff of any Liberty, Gaoler and Keeper of any Prison or Gaol, and other Person and Persons, to whose Custody or Keeping any one hath been, or hereafter shall be arrested, taken, committed or charged in Execution by virtue of any Writ, Process or Action, or Attachment, shall at all Times hereafter permit and suffer every such Person and Persons, during his, her and their respective Continuance under Arrest or in Custody, or in Execution for any Debt, Damages, Costs, or Contempt, at his, her and their free Will and Pleasure, to send for, or have brought to him, her or them, at seasonable Times in the Day-time, any Beer, Ale, Victuals, or other necessary Food, from

Sheriffs and Gaolers to allow Debtors in Custody to send for, or have brought to them, Victuals and Beer from what Place they shall think fit;

and to have and uſe ſuch Bedding and Linen, &c. as they ſhall think fit, or ſhall be ſupplied with, without purloining or detaining thereof, or obliging them to pay for the ſame.

from what Place he, ſhe or they ſhall think fit, or can have the ſame; and alſo to have and uſe ſuch Bedding, Linen, or other neceſſary Things, as he, ſhe or they ſhall have Occaſion for and think fit, or ſhall be ſupplied with, during his, her or their Continuance under any ſuch Arreſt or Commitment, without purloining or detaining the ſame, or any Part thereof, or inforcing or requiring him, her or them, to pay for the having or uſing thereof, or putting any Manner of Reſtraint or Difficulty upon him, her or them, in the uſing thereof, or relating thereto; and no ſuch Priſoner or Priſoners ſhall pay any thing in reſpect thereof to any ſuch Sheriff, Under Sheriff, Bailiff of any Liberty, Gaoler, Keeper, or other Perſon as aforeſaid.

The L. C. Juſtices of the King's Bench, Common Pleas and Exchequer, with the Mayor and two Aldermen of London, for the Priſons within the ſaid City; and the L. C. Juſtices, and L. C. Baron, with three Juſtices of the Peace for Middleſex and Surry, for the Priſons in the ſaid Counties;

to meet and ſettle a Table of the Fees to be taken by the reſpective Gaolers thereof;

and to vary the ſame as they ſhall ſee Occaſion;

and Juſtices at their General or Quarter Seſſions of the Peace, to make like Tables of Fees to be taken by the Gaolers within their reſpective Juriſdictions.

V. And be it further enacted by the Authority aforeſaid, That the Lord Chief Juſtice of the Court of *King's Bench*, the Lord Chief Juſtice of the Court of *Common Pleas*, and the Lord Chief Baron of the Court of *Exchequer*, for the Time being, or any two of them, together with the Mayor and two of the Aldermen, or with three of the Aldermen of the City of *London* without the Mayor for the Time being, for and in reſpect of the Gaols and Priſons within the ſaid City of *London*; and the ſaid Lords Chief Juſtices, and Lord Chief Baron, or any two of them, with three Juſtices of the Peace of the Counties of *Middleſex* and *Surry* reſpectively, for and in reſpect of the Gaols and Priſons in the ſaid Counties of *Middleſex* and *Surry* reſpectively; are hereby reſpectively required, with all convenient Speed, to meet, from Time to Time, at ſuch Place as they ſhall think fit and appoint, and there to ſettle and eſtabliſh a Table of the Rates and Fees which ſhall be allowed to be taken by any Gaoler or Keeper in *London*, or in the ſeveral Counties of *Middleſex* and *Surry*, where the ſame hath not been already eſtabliſhed; and where the ſame hath been already eſtabliſhed, they are hereby reſpectively authorized to meet together as aforeſaid, and vary the ſame from Time to Time as they ſhall ſee Occaſion; and the Juſtices of the Peace of every other County, Riding, Diviſion, City and Place, for and in reſpect of the Gaols and Priſons in each other reſpective County, Riding, Diviſion, City, Town and Place, are hereby reſpectively authorized and required, at any General or Quarter Seſſion of the Peace to be held for ſuch County, Riding, Diviſion, City, Town or Place reſpectively, with all convenient Speed, to ſettle and eſtabliſh a Table of the reſpective Rates and Fees, which ſhall be allowed to be taken by any Gaoler or Keeper within their reſpective Juriſdictions, where the ſame hath not been already ſettled and eſtabliſhed, and where the ſame hath been already ſettled and eſtabliſhed, then to vary and alter the ſame, from Time to Time, as there ſhall be Occaſion; and that the reſpective Tables of ſuch Fees, which ſhall be ſo made, varied or altered, for or in reſpect of the ſeveral Gaols and Priſons within the City of *London*, and Counties of *Middleſex* and *Surry* aforeſaid, ſhall be ſigned from Time to Time, by the ſaid Lords Chief Juſtices, and Lord Chief Baron, or two of them, and the Mayor and two Aldermen of the ſaid City of *London*, or by three Aldermen of the ſaid City of *London* without the Mayor, and by three Juſtices of the Peace of the Counties of *Middleſex* and *Surry* reſpectively, within their reſpective Juriſdictions, by whom the ſame ſhall be reſpectively made, varied or altered; and that the Tables of ſuch Fees, which ſhall be made or altered or varied, for or in reſpect of the reſt of the ſaid Gaols and Priſons, ſhall from Time to Time, be ſigned by three or more of the Juſtices of the Peace who ſhall ſo make, or vary, or alter the ſame at any ſuch General or Quarter Seſſion of the Peace as aforeſaid, and ſhall be afterwards reviewed and confirmed or moderated, within that Part of *Great Britain* called *England*, by the Judges of Aſſize, and if within the Principality of *Wales*, or County Palatine of *Cheſter*, by the Juſtices of Great Seſſions reſpectively, at the next Aſſizes or Great Seſſions, which ſhall be held in the reſpective Counties, within their ſeveral Circuits next after the making, or varying, or altering of any ſuch Table of Fees; and the ſame ſhall be afterwards ſigned by the reſpective Judges of Aſſize, or Juſtices of Great Seſſions, who ſhall reſpectively review, confirm or moderate the ſame, and three or more Juſtices of the Peace of ſuch reſpective County, Riding, Diviſion, City, Town or Place, under their reſpective Hands, for and in reſpect of the reſpective Gaols and Priſons within their reſpective Circuits, Counties, Ridings, Diviſions, Cities, Towns or Juriſdictions.

Tables of the Fees for London, Middleſex and Surry Gaols, to be ſigned by the Perſons making or altering the ſame:

Thoſe for other Places to be ſigned by 3 Juſtices at the Quarter Seſſions;

and to be reviewed, confirmed or moderated, by the Judges of Aſſize, or Juſtices of Great Seſſions, within their reſpective Circuits,

and be afterwards ſigned by them.

Rules and Orders for the better Government of the Gaols and Priſoners therein, to be made by the reſpective Courts in Weſtminſter Hall, for the Gaols belonging to ſuch Courts;

and by the L. C. Juſtices, and L. C. Baron, with the Mayor and two Aldermen, for thoſe within London;

and by the L. C. Juſtices and L. C. Baron, with three Juſtices of the Peace for thoſe in Middleſex and Surry;

and by 3 Juſtices of the Peace for thoſe in any other County, &c.

VI. And be it alſo enacted by the Authority aforeſaid, That proper Rules and Orders for the better Government of the reſpective Gaols and Priſons in that Part of *Great Britain* called *England*, and of the Priſoners who are or ſhall be therein, where ſuch Rules and Orders have not already been made, ſhall, with all convenient Speed, be made by the ſeveral Courts in *Weſtminſter Hall*, for and in reſpect of the ſeveral Gaols or Priſons belonging to ſuch Courts reſpectively; and by the ſaid Lords Chief Juſtices, and Lord Chief Baron, or any two or more of them, together with the Mayor and two Aldermen of the ſaid City of *London*, or three or more Aldermen of the ſaid City of *London* without the ſaid Mayor, for and in reſpect of the Gaols and Priſons within the ſaid City of *London*; and by the ſaid Lords Chief Juſtices, and Lord Chief Baron, or any two of them, for the Time being, together with three or more Juſtices of the Peace, for and in reſpect of the Gaols and Priſons within the ſaid Counties of *Middleſex* and *Surry*; and by three or more Juſtices of the Peace of each County, Riding or Diviſion, City, Borough, Town Corporate or Place, for and in reſpect of the Gaols and Priſons within their reſpective Counties, Ridings, Diviſions, Cities, Boroughs, Towns Corporate or Places, at ſome General or Quarter Seſſions as aforeſaid; and the ſame ſhall afterwards be reviewed, and may be altered, if thought neceſſary, by the Judge or Judges of Aſſize, or Juſtice or Juſtices of Great Seſſions reſpectively, at the next Aſſizes or Great Seſſions which ſhall be held by them reſpectively, within their ſeveral Circuits, after the making or altering of any ſuch

These to be afterwards reviewed, and may be altered by the Judges of Aſſize, and Juſtices of Great Seſſions reſpectively.

Rules

Rules or Orders; and where any Rules or Orders for regulating or governing any ſuch Gaols or Priſons have already been made, or hereafter ſhall be made, the ſame may, at all Times hereafter, be enlarged, altered or amended, as there ſhall be Occaſion, by the reſpective Courts in *Weſtminſter Hall*, and other the Perſons for the Time being reſpectively authorized by this Act to make and alter the ſame: And after every making, enlarging, altering or amending thereof, all ſuch Rules or Orders ſo enlarged, altered or amended, ſhall be ſigned by the Judges of each reſpective Court in *Weſtminſter Hall*, where any ſuch Rules or Orders ſhall be made, enlarged, altered or amended, for and in reſpect of the Priſons and Priſoners belonging to the ſaid Courts reſpectively; and in reſpect to the other Gaols or Priſons, or the Priſoners therein, by the reſpective Perſons for the Time being, hereby before authorized to make, and review or alter ſuch Rules or Orders within their reſpective Juriſdictions as aforeſaid: And Duplicates of every ſuch Table of Fees which ſhall be made, enlarged, altered or varied, and of all Rules or Orders which ſhall be hereafter made for regulating any Gaol or Priſon in purſuance of this Act, belonging to the ſaid reſpective Courts in *Weſtminſter Hall*, ſhall be entered and inrolled on Record in every ſuch reſpective Court, by the proper Officer thereof, without any Fee to be paid for the ſame; and a like Duplicate of every ſuch Table of Fees, Rules or Orders, which ſhall be ſo made, varied, altered or amended, and which ſhall concern or relate to any other Gaol or Priſon, or the Priſoners therein, in that Part of *Great Britain* called *England*, ſhall, from Time to Time, with all convenient Speed after the making or altering, enlarging or varying thereof, be tranſmitted to the reſpective Clerks of the Peace of the ſeveral Counties, Ridings, Diviſions, Cities or Places, in or for which the ſame ſhall be made, altered, enlarged or varied, and ſhall be by every ſuch reſpective Clerk of the Peace, entered or regiſtered on the Rolls of the reſpective Seſſions without Fee; and every ſuch Clerk of the Peace ſhall cauſe another Copy thereof to be hung up in the Court where every Aſſize, Great Seſſions or Quarter Seſſions of the Peace for every ſuch County, Riding, Diviſion, City or Place reſpectively, within his Juriſdiction, ſhall be held, there to remain and be inſpected as Occaſion ſhall require; and ſhall alſo cauſe another Copy thereof to be tranſmitted to every Gaoler or Keeper of any Priſon, within the Juriſdiction of any ſuch reſpective Clerk of the Peace; and every ſuch Gaoler or Keeper ſhall forthwith, after the Receipt of any ſuch Table of Fees, Rules or Orders, cauſe the ſame to be hung up in ſome open or publick Room or Place, and in a conſpicuous Manner, in his Gaol or Priſon; and it ſhall be incumbent on every ſuch Gaoler or Keeper, to take care that the ſame ſhall, from Time to Time, be kept up there and preſerved, ſo as that the Priſoners in his Gaol or Priſon may have free and eaſy Reſort thereto, at ſeaſonable Times in the Day-time, as Occaſion ſhall require, without paying any thing for the ſame.

Rules to be enlarged, altered or amended as there ſhall be Occaſion;

and to be duly ſigned.

Duplicates of ſuch Orders, and Tables of Fees, to be enrolled, and entered upon Record in the proper Courts;

and Copies thereof to be hung up in all Courts of Aſſize, Great Seſſions and Quarter Seſſions; and tranſmitted to the reſpective Gaolers, and kept hung up in ſome publick Room of each Priſon.

VII. And be it further enacted by the Authority aforeſaid, That the ſeveral Courts of Record in *Weſtminſter Hall* aforeſaid ſhall hereafter, in every *Michaelmas* Term, appoint ſome Day in ſuch Term, to inquire whether ſuch Table of Fees, and ſuch Rules or Orders as aforeſaid, are hung up, and remain publick, and eaſy to be reſorted to, in the ſeveral Priſons to the ſaid Courts reſpectively belonging, and whether the ſame be duly complied with and obſerved; and ſhall cauſe eight Days Notice to be given in every ſuch *Michaelmas* Term, to the Priſoners in every of the reſpective Priſons belonging to the ſaid reſpective Courts in *Weſtminſter Hall*, of the Time appointed for ſuch Inquiry, and ſhall inform themſelves touching the ſame in the beſt Manner they can, and ſupply and redreſs whatever they ſhall find neglected or tranſgreſſed.

Courts in Weſtminſter Hall to enquire annually whether ſuch Tables of Fees and Orders are duly hung up and complied with, and to give Notice to the Priſoners of the Time appointed for ſuch Inquiry.

VIII. And be it alſo enacted by the Authority aforeſaid, That the Judges and Juſtices of Aſſize, Gaol Delivery, and Great Seſſions as aforeſaid reſpectively, within their reſpective Juriſdictions, ſhall, at all Aſſizes and Seſſions of Gaol Delivery and Great Seſſions as aforeſaid, which ſhall hereafter be held by them, make Inquiry whether ſuch Table of Fees, and Rules or Orders as aforeſaid, are hung up, and remain publick, to be reſorted to in the ſeveral Gaols or Priſons within their reſpective Juriſdictions, and whether the ſame be duly complied with and obſerved; and ſhall inform themſelves touching the ſame in the beſt Manner they can, and ſupply and redreſs whatever they ſhall find neglected or tranſgreſſed relating thereto, and ſhall expreſsly give in Charge to every Grand Jury impanelled and ſworn before them reſpectively, to make Inquiries concerning the ſame.

Judges and Juſtices of Aſſize, &c. to make a like Inquiry;

and ſupply and redreſs what ſhall be neceſſary;

and charge the Grand Jury to make Inquiries therein.

IX. And be it further enacted by the Authority aforeſaid, That the ſeveral Courts of *King's Bench*, *Common Pleas* and *Exchequer*, Judges of Aſſize, and Juſtices of Great Seſſions, and Juſtices of the Peace within their reſpective Juriſdictions, and all Commiſſioners for charitable Uſes, do, from Time to Time, uſe their beſt Endeavours and Diligence to examine after and diſcover the ſeveral Gifts, Legacies and Bequeſts, beſtowed or given for the Benefit or Advantage of the poor Priſoners in the ſeveral Gaols or Priſons within their reſpective Juriſdictions; and they are hereby ſeverally authorized, within their reſpective Juriſdictions; to ſend for, and cauſe to be brought before them reſpectively any Deeds, Wills, Writings, Books of Account and Papers, as they ſhall receive Information of to be in the Cuſtody of any Perſon within their reſpective Juriſdictions, and to concern the Premiſſes; and alſo may ſummon, and cauſe to come before them reſpectively, any Perſon or Perſons who they ſhall have any juſt Reaſon to apprehend may be able to make any Diſcovery concerning the ſame; and they are hereby authorized, within their reſpective Juriſdictions, to examine any ſuch Perſon or Perſons on Oath, in order to get at a true Diſcovery thereof, and to order and ſettle the Payment, Recovery and Receipt of any ſuch Gifts, Legacies or Bequeſts, when ſo diſcovered and aſcertained, in ſuch eaſy and expeditious Manner and Way as ſhall be thought proper by them reſpectively, that the Priſoners for the future may not be defrauded, but may, without Delay

Courts at Weſtminſter, Judges of Aſſize, Juſtices of Peace, and Commiſſioners for charitable Uſes, impowered to enquire concerning Bequeſts to poor Priſoners,

to ſend for any Papers and Perſons that may give Inſight therein,

and to ſettle the Payment, Recovery and Receipt of ſuch Bequeſts.

Delay, receive the full Benefit of all such Gifts, Legacies and Bequests, according to the true Intent of the respective Donors thereof.

Table of Benefactions to be transmitted to, and registered by the Clerks of the Peace,

X. And be it further enacted by the Authority aforesaid, That a List or Table of such Gifts, Legacies and Bequests, for the Benefit of the Prisoners in every Gaol or Prison respectively as aforesaid, shall, after every settling thereof, be transmitted by the Persons hereby authorized to settle the same, unto the Clerks of the Peace of the respective Counties or Places and shall be registered by them respectively, in the Manner Tables of Fees and Orders are herein before directed to be registered by them respectively, without any Fee to be paid for the same; and that a List or Table of such Gifts, Legacies and Bequests, shall be fairly written and transmitted, by order of such Persons as aforesaid, to the Gaoler or Keeper of every Gaol or Prison to which the Gifts, Charities or Bequests therein contained relate, and forthwith after the Receipt thereof shall be hung up by the Gaoler or Keeper, who shall receive the same, in a conspicuous Manner in some publick Place in his Gaol or Prison, and where the Prisoners in such Gaol or Prison may have free and easy Resort thereto, as Occasion may require, without Fee; and it shall be the Duty of every such Gaoler or Keeper, to take Care that every such Lists or Table of Gifts which shall be transmitted to any such Gaol or Prison, or a true Copy thereof, shall, from Time to Time thereafter, be kept hung up as aforesaid in his respective Gaol or Prison.

and also to the Gaolers of the Prisons to which the same relate,

and be hung up in some publick Place of such Prisons.

Where Gaolers, Bailiffs or others, shall be guilty of Extortion or other Abuses, the Court, &c. upon Petition of the Prisoners, is to examine into the same in a summary Way;

XI. And, for the more speedy punishing Gaolers, Bailiffs and others employed in the Execution of Process, for Extortion, or other Abuses in their respective Offices and Places, Be it further enacted by the Authority aforesaid, That upon the Petition, in Term Time, of any Prisoner or Person being, or having been, under Arrest or in Custody, complaining of any Exaction or Extortion by any Gaoler, Bailiff or other Officer or Person, in or employed in the keeping or taking Care of any Gaol or Prison or other Place, where any such Prisoner or Person under, or having been under, Arrest or in Custody, by any Process or Action, is or shall have been carried, or in respect of the arresting or apprehending any Person or Persons, by virtue of any Process, Action or Warrant, or of any other Abuse whatsoever committed or done in their respective Offices or Places, unto any of his Majesty's Courts of Record at *Westminster*, from whence the Process issued, by which any Person who shall so petition was arrested, or under whose Power or Jurisdiction any such Gaol, Prison or Place is; or in Vacation Time, to any Judge of any such Courts at *Westminster*, from whence any such Process so issued; or to the Judges of Assize, or Justices of Great Sessions, in their respective Circuits; or to the Judge or Judges of any other Court of Record, where any Prisoner or Person being, or having been, under Arrest or in Custody, was arrested or in Custody by Process issued out of, or Action entered in, any such other Court of Record within that Part of *Great Britain* called *England*; and if within the Principality of *Wales*, or County Palatine of *Chester*, then to the Justices at some Great Sessions to be holden for the County in the Principality of *Wales*, or for the County Palatine of *Chester*, where any such Prisoner or Person being, or having been under Arrest of in Custody, was arrested or in Custody, in the said Principality of *Wales*, or County Palatine of *Chester*; every such Court, Judges of Assize, and Justices of Great Sessions, and Judge and Judges of all inferior Courts of Record, are hereby authorized and required respectively, within their several Jurisdictions, to hear and determine the same in a summary Way, and to make such Order thereupon for redressing the Abuses which shall, by any such Petition, be complained of, and for punishing such Officer or Person complained against, and for making Reparation to the Party or Parties injured, as they shall think just, together with the full Costs of every such Complaint; and all Orders and Determinations which shall be thereupon made by any of the said Courts, or any of the said Judges, Justices of Assize, Justices of Great Sessions, Judge or Judges of any such inferior Court as aforesaid respectively, in such summary Way as is herein prescribed, shall have the same Effect, Force and Virtue, and Obedience thereunto may be inforced by the respective Courts, Judges, Justices of Assize, Justices of Great Sessions, Judge or Judges of any such inferior Court, by Attachment, or in any other Manner, as other Orders of the said respective Courts, Judges, Justices of Assize and Great Sessions, Judge or Judges of inferior Courts of Record, may be inforced.

and make such Order thereupon, for redressing the Abuse, and punishing the Offender, as they shall think just;

and may inforce Obedience to such Orders.

Gaoler to take no other Fees than what shall be allowed in the authenticated Table of Fees,

XII. And be it further enacted by the Authority aforesaid, That no Gaoler or Keeper of any Gaol or Prison, or other Person thereto belonging, shall demand, take or receive, directly or indirectly, of any Prisoner or Prisoners, for Debt, Damages, Costs or Contempt, any other or greater Fee or Fees whatsoever for his, her or their Commitment, or coming into Gaol, Chamber Rent there, Release or Discharge, than what shall be mentioned or allowed in the List or Table of Fees which is or shall be settled, inrolled and registered as aforesaid; and that every Sheriff, Under Sheriff, Bailiff of any Liberty, Bailiff, Serjeant at Mace, Gaoler and other Officer and Person as aforesaid, who shall in any wise offend against this Act, shall, for every such Offence against this present Act (over and above such Penalties or Punishments as he or they shall be liable unto by the Laws now in Force) forfeit and pay to the Party thereby aggrieved the Sum of fifty Pounds, to be recovered with treble Costs of Suit, by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection or Wager of Law, or more than one Imparlance shall be allowed.

and Sheriffs and other Officers offending against this Act, to forfeit 50*l.* (exclusive of other Penalties) to the Party aggrieved.

XIII. And for the Ease and Relief of Prisoners who shall be charged in Execution for any Sum or Sums of Money not exceeding in the whole the Sum of one hundred Pounds, and who shall be willing to satisfy their respective Creditors so far as they are able; Be it further enacted by the

Authority aforeſaid, That from and after the fifteenth Day of *June* one thouſand ſeven hundred and fifty-nine, if any Perſon or Perſons ſhall be charged in Execution for any Sum or Sums of Money not exceeding in the Whole the Sum of one hundred Pounds, or on which Execution or Executions there ſhall at any Time remain due, as ſhall be made appear by Oath, a Sum or Sums of Money not amounting to above the ſaid Sum of one hundred Pounds, and ſhall be minded to deliver up to his, her or their Creditor or Creditors who ſhall ſo charge him, her or them in Execution, all his, her or their Eſtate and Effects, for or towards the Satisfaction of the Debt or Debts wherewith he, ſhe or they ſhall ſo ſtand charged; it ſhall and may be lawful to and for any ſuch Priſoner, before the End of the firſt Term which ſhall be next after any ſuch Priſoner ſhall be charged in Execution by his Creditor or Creditors, to exhibit a Petition to any Court of Law, from whence the Proceſs iſſued upon which any ſuch Priſoner was or were taken and charged in Execution as aforeſaid, or to the Court into which any ſuch Priſoner ſhall be removed by *Habeas Corpus*, or ſhall be charged in Cuſtody, and ſhall remain in the Priſon thereof, certifying the Cauſe or Cauſes of his, her or their Impriſonment; and not only ſetting forth in every ſuch Petition a juſt and true Account of all the Real and Perſonal Eſtate which he, ſhe or they ſo petitioning, or any Perſon or Perſons in Truſt for him, her or them, is, was, or were intitled to at the Time of his, her or their ſo petitioning, and of all Incumbrances and Charges (if any there be) affecting any ſuch Real or Perſonal Eſtate of the Perſon or Perſons ſo petitioning, but alſo a juſt and true Account of all the Real and Perſonal Eſtate which any ſuch Priſoner or Priſoners, or any Perſon or Perſons in Truſt for him, her or them, or for his, her or their Uſe, was or were intereſted in, or intitled to, at the Time of his, her or their firſt Impriſonment, in the Action in which ſuch Perſon is charged in Execution, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, to the beſt of the Belief of every ſuch Priſoner or Priſoners, and ſo far as his, her or their reſpective Knowledge extends concerning the ſame; and likewiſe a juſt and true Account of all Securities wherein any Part of the Eſtates of any ſuch Priſoner or Priſoners conſiſts, and of all the Deeds, Evidences, Writings, Books, Bonds, Notes, and Papers, concerning the ſame or relating thereto; and the Names and Places of Abode of the Witneſſes to all Securities, Bonds, or Notes, and where they are to be reſpectively met with, ſo far as his, her or their Knowledge extends concerning the ſame: And before any ſuch Petition from any ſuch Priſoner or Priſoners ſhall be received by any ſuch Court, every ſuch Priſoner or Priſoners ſhall give or leave, or cauſe to be given or left, unto and for all and every the Creditor or Creditors at whoſe Suit any ſuch Priſoner or Priſoners ſhall ſtand charged in Execution as aforeſaid, or his, her or their Executors or Adminiſtrators, and at his, her or their uſual Place of Abode, or to or for his, her or their Attorney or Agent laſt employed in any ſuch Action, Suit, Cauſe or Cauſes, in caſe any ſuch Creditor or Creditors, his, her or their Executors or Adminiſtrators, cannot be met with, but not otherwiſe, fourteen Days at leaſt before any ſuch Petition ſhall be preſented and received, a Notice in Writing, ſigned with the proper Name or Mark of every ſuch Priſoner or Priſoners, importing therein, That ſuch Priſoner or Priſoners as aforeſaid, doth or do intend to petition the Court from whence the Proceſs iſſued, upon which he, ſhe or they ſtand charged in Execution, or into the Priſon to which any ſuch Priſoner ſhall have been removed by *Habeas Corpus*, or ſhall ſtand charged in Execution on any Judgment, recovered on any Bill or Declaration filed or delivered in any ſuch Court; and alſo ſetting forth in every ſuch Notice or Writing, a true Copy of the Account or Schedule, including the whole Real and Perſonal Eſtate of the Perſon or Perſons ſo deſigning to petition, which he, ſhe or they doth or do intend to deliver into any ſuch Court (other than and except the neceſſary Wearing Apparel and Bedding of the Priſoner or Priſoners, and his, her or their Family, and the Tools or Inſtruments of his, her or their Trade or Calling, not exceeding ten Pounds in Value of the Whole); and an Affidavit of the due Service of every ſuch Notice ſhall be delivered with every ſuch Petition, at the Time of preſenting thereof, and openly read in the Court to which any ſuch Petition ſhall be addreſſed: And if ſuch Court ſhall thereupon be ſatisfied of the Regularity of every ſuch Notice, ſuch Petition ſhall be received, and ſuch Court ſhall thereupon, by Order or Rule of the ſame Court, cauſe the Priſoner or Priſoners ſo petitioning to be brought up to ſuch Court, on ſome certain Day in ſuch Order or Rule to be ſpecified, and the Creditor, or ſeveral Creditors, at whoſe Suit any ſuch Priſoner or Priſoners ſhall ſtand charged in Execution as aforeſaid, his, her or their Executors or Adminiſtrators, to be ſummoned to appear perſonally, or by his, her or their Attorney in ſuch Court, at ſome certain Day to be ſpecified in ſuch Rule or Order for that Purpoſe: And if any Creditor or Creditors of any ſuch Priſoner or Priſoners, who ſhall be ſo ſummoned, his or her Executors or Adminiſtrators, ſhall appear in Perſon, or by his, her or their Attorney; or if any ſuch Creditor or Creditors, his, or her Executors or Adminiſtrators, ſhall refuſe or neglect to appear in Perſon, or by his, her or their Attorney, then upon Affidavit of the due Service of ſuch Rule or Order on him, her or them, or his, her or their Attorney, if any ſuch Creditor or Creditors, his, her or their Executors or Adminiſtrators, cannot be met with, ſuch Court ſhall in a ſummary Way examine into the Matter of every ſuch Petition, and hear what can or ſhall be alledged on either Side for or againſt the Diſcharge of any ſuch Priſoner or Priſoners who ſhall ſo petition; and upon ſuch Examination every ſuch Court is hereby required to adminiſter or tender to the Priſoner or Priſoners reſpectively who ſhall ſo petition, and give ſuch previous Notice thereof as herein before is directed, an Oath to the Effect following: That is to ſay,

Debtor charged in Execution for any Sum or Sums not exceeding 100*l.* &c.

may exhibit a Petition to the Court,

certifying therein the Cauſes of his Impriſonment,

with a Schedule of his Real and Perſonal Eſtate at the Time,

and Charges affecting the ſame,

and alſo the State of his Effects at the Time of his firſt Impriſonment,

and the Securities, Bonds, Notes, and Books, relating thereto,

with the Names and Places of Abode of the Witneſſes.

14 Days previous Notice of ſuch intended Petition to be given to the Creditor, or his Attorney, at whoſe Suit he is charged in Execution;

with a Copy of the Schedule he intends to deliver into Court.

Affidavit of the due Service of ſuch Notice to be delivered at the ſame Time with the Petition into Court, and read openly;

and a Rule to be made, upon receiving the Petition, for bringing the Priſoner into Court, and ſummoning the Creditor, &c.

and the Creditor appearing or not appearing thereto,

Oath being made of the due Service of the Rule,

the Court to examine into the Matter of the Petition in a ſummary Way;

and adminiſter the Oath following to the Priſoner.

The Oath,

'I *A. B.* do swear, in the Presence of Almighty God, That the Account by me set forth in the 'my Petition presented to this Honourable Court, doth contain a full and true Account of the 'Real and Personal Estate, Debts, Credits and Effects whatsoever, which I, or any in Trust for 'me at the Time of my first Imprisonment in this Action, or at any Time since had, or was in 'any Respect intitled to, in Possession, Reversion or Remainder (except the Wearing Apparel and 'Bedding of or for me and my Family, and the Tools or Instruments of my Trade or Calling, 'not exceeding ten Pounds in Value in the Whole) and also an Account how much of my Real 'and Personal Estate, Debts, Credits or Effects, hath since been disposed of, released or discharged, 'and how, to whom, and on what Consideration, and for what Purpose, and how much thereof I 'or any Person or Persons in Trust for me have, or at the Time of my presenting my said Petition to 'this Honourable Court had, or which I am or was, or any Person in Trust for me, or for my 'Use, is any ways interested in or intitled to, in Possession, Reversion, Remainder or Expectancy, 'and also a true Account of all Deeds, Writings, Books, Papers, Securities, Bonds, and Notes 'relating thereto, and where the same respectively now are, to the best of my Knowledge and Be-'lief, and what Charges are now affecting the Real Estate I am now seised of or intitled to *(if any 'such Prisoner or Prisoners shall be then seised of any Real Estate)* and that I have not, at any Time 'before or since my Imprisonment, directly or indirectly sold, leased, assigned, mortgaged, pawned, 'or otherwise disposed of, or made over in Trust for myself, or otherwise than is mentioned in such 'Account, any Part of my Messuages, Lands, Tenements, Estates, Goods, Stock, Money, Debts, 'or other Real or Personal Estate, whereby to have or accept any Benefit, Advantage, or Profit, to 'myself or my Family, or with any View, Design, or Intent to deceive, injure or defraud any of 'my Creditors to whom I am indebted.'

So help me God.

Court may thereupon order an Assignment to be made, on the Back of the Petition, of the Prisoner's Estate and Effects, and conveyed to the Creditor, &c.

And in case any Prisoner or Prisoners as aforesaid shall in open Court take the said Oath, such Court in which any such Oath as aforesaid shall be taken, may then immediately order the Messuages, Lands, Tenements, Goods and Effects contained in such Account, or so much of them as may be sufficient to satisfy the Debt or Debts wherewith any such Prisoner or Prisoners shall stand charged in Execution, and the Fees due to the Warden, Marshal, or Keeper of the Gaol or Prison from which any such Prisoner was brought, to be, by a short Indorsement on the Back of such Petition, and to be signed by the Prisoner, assigned and conveyed to the Creditor or Creditors who shall have charged any such Prisoner in Execution (if more than one) his, her or their Heirs, Executors, Administrators and Assigns, for the Benefit of him, her or them, who shall have so charged any such Prisoner in Execution (subject nevertheless to all prior Incumbrances affecting the same); and the Estate, Interest or Property of all Messuages, Lands, Goods, Debts, Estates and Effects which shall belong to any such Prisoner, shall by such Assignment and Conveyance as aforesaid, be vested in the Person or Persons to whom such Assignment and Conveyance shall be made, according to the Estate and Interest such Prisoner or Prisoners had therein respectively; and the Creditor or Creditors to whom any such Assignment and Conveyance shall be made, shall and may take Possession of, and sue in his, her or their Name or Names for the Recovery thereof, in like Manner as Assignees of Commissioners of Bankrupts can or may sue for the Recovery of the Estates and Effects of Bankrupts which shall be assigned and conveyed to them; and no Release of any such Prisoner or Prisoners, his or her Executors or Administrators, or any Trustee for him, her or them, subsequent to such Assignment and Conveyance, shall be pleadable, or be allowed of in Bar of any Action or or Suit which shall be commenced by any such Assignee or Assignees of any such Prisoner or Prisoners, for the Recovery of any of his, her or their Estate or Effects; and upon every such Assignment and Conveyance being executed by any such Prisoner or Prisoners, he, she or they shall be discharged out of Custody by Rule or Order of such Court, which shall be petitioned by any such Prisoner; and such Rule or Order being produced to, and a Copy thereof being left with, any such Sheriff, Gaoler or Keeper of any Prison as aforesaid, shall be a sufficient Warrant to him to discharge every such Prisoner or Prisoners, if charged in Execution, or detained for the Causes mentioned in his, her or their respective Petition, and no other: And every such Sheriff, Gaoler or Keeper is hereby required, on having such Order produced to him, and a Copy thereof left with him, to discharge and set at Liberty forthwith every such Prisoner and Prisoners who shall be ordered as aforesaid to be so discharged, without taking any Fee, or detaining him, her or them in respect of any Demand of any such Sheriff, Warden, Marshal, Gaoler, or Keeper, for or in respect of Chamber Rent or Lodging, or otherwise; or for or in respect of any Fees theretofore claimed or due to any such Sheriff, Gaoler, or Keeper, or any employed by or under him or them: And no such Sheriff, Gaoler or Keeper shall afterwards be liable to any Action of Escape, or other Suit or Information on that Account, or for what he shall do in pursuance of this Act; and the Person or Persons to whom the Estate and Effects of any such Prisoner or Prisoners shall be assigned and conveyed, shall with all convenient Speed sell and dispose of the Estates and Effects of every such Prisoner which shall be so assigned and conveyed, and shall divide the net Produce of all such Estates and Effects amongst the Creditors of every such Prisoner and Prisoners, if more than one, who shall have charged any such Prisoner in Execution, before the Time of such Prisoner's Petition to be discharged shall have been presented, rateably and in Proportion to their respective Debts; but in case the Person or Persons at whose Suit any such Prisoner or Prisoners stood charged in Execution as aforesaid, shall

the same to be subject to prior Incumbrances.

Creditor may thereupon take Possession and sue in like Manner as Assignees of Commissioners of Bankrupts;

and no Release of the Prisoner, subsequent to such Assignment, may be pleaded in Bar of any such Action.

Court thereupon to make a Rule for Discharge of the Prisoner;

and the Sheriff or Gaoler, being served with a Copy thereof, to set the Prisoner at Liberty.

Sheriff not liable to Action of Escape thereupon.

Assignee to make Sale of the Estate and Effects of the Prisoner,

and make a Dividend accordingly amongst the other Creditors.

But if the Creditor shew Cause of disbelieving the Prisoner's Oath,

not

not be satisfied with the Truth of any such Prisoner's Oath, and shall either personally, or by his, her or their Attorney, if he, she or they cannot personally attend, and Proof shall be made thereof to the Satisfaction of any such Court as aforesaid, desire further Time to inform him, her or themselves of the Matters contained therein, any such Court may remand any such Prisoner or Prisoners, and direct him her or them, and the Person or Persons dissatisfied as aforesaid with such Oath, to appear either in Person, or by his, her or their Attorney, on some other Day to be appointed by such said Court, some Time at furthest within the first Week of the Term next following the Time of such Examination, but sooner if any such Court shall so think fit; and all Objections which shall be made as to the Insufficiency in Point of Form against any Prisoner's Schedule of his Estates and Effects, shall be only made the first Time any such Prisoner shall be brought up; and if at such second Day which shall be appointed, the Creditor or Creditors dissatisfied with such Oath shall make Default in appearing, either in Person, or by his, her or their Attorney, or in case he, she or they shall appear, if he, she or they shall be unable to discover any Estate or Effects of the Prisoner omitted in the Account set forth in such his or her Petition; then and in any such Case such Court shall, by Rule or Order thereof, immediately cause the said Prisoner or Prisoners to be discharged, upon such Prisoner or Prisoners executing such Assignment and Conveyance of his or her Estates and Effects, in Manner as Assignments and Conveyances of Prisoners Estates and Effects are herein before directed to be made, unless such Creditor or Creditors who shall have charged any such Prisoner or Prisoners in Execution as aforesaid, his, her or their Executors or Administrators, doth or do insist upon such Prisoner or Prisoners being detained in Prison, and shall agree by Writing signed with his, her or their Name or Names, Mark or Marks, or under the Hand of his, her or their Attorney, in case any such Creditor or Creditors, his, her or their Executors or Administrators shall be out of *England*, to pay and allow weekly a Sum not exceeding two Shillings and four Pence, as any such Court shall think fit, unto the said Prisoner, to be paid every *Monday* in every Week, so long as any such Prisoner shall continue in Prison in Execution at the Suit of any such Creditor or Creditors; and in every such Case, every such Prisoner and Prisoners shall be remanded back to the Prison or Gaol from whence he, she or they was or were so brought up, there to continue in Execution; but if any Failure shall at any Time be made in the Payment of the weekly Sum which shall be ordered by any such Court to be paid to any such Prisoner, such Prisoner, upon Application in Term Time to the Court where the Suit in which any such Prisoner shall be charged in Execution was commenced, or shall have been carried on, or in the Prison of which Court any such Prisoner shall stand committed on any *Habeas Corpus*, or in Vacation Time, to any Judge of any such Court, may by the Order of any such Court or Judge be discharged out of Custody on every such Execution; Proof being made before such Court or Judge on Oath of the Nonpayment for any Week of the Sum of Money ordered and agreed to be weekly paid; but every such Prisoner and Prisoners, before he, she or they shall be so discharged out of Custody by any such Rule or Order, shall execute an Assignment and Conveyance of his, her or their Estates and Effects, in Manner herein before directed: And if any Prisoner who shall petition or apply for his or her Discharge under this Act, shall refuse to take the said Oath herein before directed to be taken, or taking the same shall afterwards be detected before any such Court or Judge of Falsity therein, or shall refuse to execute such Assignment and Conveyance of his, her or their Estates and Effects as aforesaid, as herein before is required to be made by him, her or them respectively, he, she or they shall be presently remanded and continue in Execution.

and desire further Time for Information, the Court is to remand the Prisoner back to a further Day.

Objections to the Form of the Schedule, to be made at the first Time the Prisoner is brought up.

Creditor not appearing the second Day, or not making a further Discovery;

Court to make a Rule for Discharge of the Prisoner;

unless the Creditor insist upon his Detention, and covenant to allow him 2 s. 4 d. per Week;

but upon Failure at any Time in the Payment thereof, the Prisoner upon Application to the Court to be discharged,

upon executing such Assignment and Conveyance as aforesaid.

Prisoner refusing to take the Oath, or being detected of Falsity therein, or refusing to execute an Assignment, &c. of his Estate, to be continued in Execution.

XIV. Provided always, and be it further enacted, That where more Creditors than one shall charge any Prisoner or Prisoners in Execution, and shall desire to have such Prisoner or Prisoners detained in Prison, each and every such Creditor and Creditors shall only respectively pay such weekly Sum of Money, not exceeding one Shilling and six Pence a Week, on every *Monday* in every Week to or for such respective Prisoner, as the Court before whom any such Prisoner or Prisoners shall be brought up to be discharged shall at the Time of his, her or their being remanded, on such Note for the Payment of the weekly Sum ordered to be paid being given, direct or appoint.

Where more Creditors than one insist on the Prisoner's Detention, they are to pay him each not exceeding 1 s. 6 d. per Week.

XV. And be it further enacted by the Authority aforesaid, That from and after the said fifteenth Day of *June* one thousand seven hundred and fifty-nine, where any Prisoner or Prisoners shall be charged in Execution in any County Gaol, or in any other Gaol or Prison above the Space of twenty Miles distant from *Westminster Hall*, or the Court or Courts out of which the Execution or Executions shall be issued out against any such Prisoner or Prisoners, then upon Petition being made by any such Prisoner or Persons to the Court from whence any such Execution against any such Prisoner or Prisoners issued, or in the Prison of which Court any such Prisoner shall be and stand charged in Execution, in the like Form and Manner as the Petitions herein before mentioned of Prisoners are directed to be made, and on an Affidavit to the Purport as Affidavits are herein before directed to be made in the Case of Prisoners in Gaol not above twenty Miles distant from the Court out of which the Execution against such Prisoner issued, being made and left with such Petition, such Court (on being satisfied with the Truth of such Affidavit) is hereby authorised and required to make a Rule or Order to cause the Prisoner or Prisoners so petitioning, to be brought to the next Assizes which shall be holden for the County or Place where he, she or they shall be imprisoned, if the same shall be within that Part of *Great Britain* called *England*; and if within the Principality of *Wales*, or County Palatine of *Chester*, then to cause such Prisoner or Prisoners to be brought to the next Great Sessions to be holden for the County in *Wales*, or County Palatine of *Chester*, in which

Prisoner charged in Execution in County and other Gaols, distant from Westminster, to proceed in like Manner by Petition and Affidavit;

and the Court to make a Rule thereupon for his being brought up to the next Assizes, &c.

1s. per Mile to be paid to the Gaoler for his Expences out of the Prisoner's Estate;

or by the Treasurer of the County.

any such Prisoner or Prisoners shall be imprisoned; and the Expence of bringing every such Prisoner to any such Assizes, not exceeding one Shilling a Mile, shall be paid to the Gaoler, Keeper, or Officer, who shall bring any such Prisoner to any such Assizes or Great Sessions, in Obedience to any such Rule or Order as aforesaid served on him, out of every such Prisoner's Estate or Effects, if the same shall be sufficient to pay such Expence; and if not, then such Expence shall be paid by the Treasurer of the County, Riding, Division or Place in which any such Prisoner shall be imprisoned, out of the Stock of the County, Riding, Division or Place, as the same shall be allowed, directed or ordered, by any such Court from which any such Execution shall have been issued against any such Prisoner or Prisoners, or in the Prison of which any such Prisoner shall be, by one or more of the Judge or Judges of Assize, Justice or Justices of Great Sessions: And the Creditor, or several Creditors, his, her or their Executors or Administrators, at whose Suit any such Prisoner or Prisoners shall stand charged in Execution as aforesaid, shall by Rule or Order of the Court from whence the Process issued, be summoned to appear at the said next Assizes or Great Sessions, if such Creditor or Creditors, his, her or their Executors or Administrators can be met with; and if not, then the Attorney last imployed for such Creditor or Creditors shall be summoned to appear there; and a Copy of every such Rule or Order shall be served on every of such Creditor or Creditors, his, her or their Executors or Administrators, or be left at his, her or their Dwelling-house or usual Place of Abode, or with his, her or their Attorney last imployed as aforesaid, fourteen Days at least before the holding of any such Assizes or Great Sessions; and on an Affidavit of such Service thereof being laid before the Judge or Judges of Assize, Justice or Justices of Great Sessions as aforesaid, such Judge or Judges of Assize, Justice or Justices of Great Sessions respectively, on being satisfied with the Truth of such Affidavit, is and are hereby required to appoint a Time for hearing the Matter upon every such Petition as aforesaid, on some certain Day and Time, on the Crown Side of every such Court or Great Sessions, during such Assizes or Great Sessions; and upon the Appearance there of the Creditor or Creditors who shall be summoned in pursuance of this Act, his, her or their Executors or Administrators, or in Default of the Appearance, either in Person or by Attorney, of the Party or Parties who shall have been summoned so to appear, then on Proof of his, her or their being duly served with the Notice hereby required to be given, and a Copy of the Account of the Real and Personal Estate of the Prisoner or Prisoners desiring to be discharged being comprised in such Notice, and also of the Rule of such Court for his, her or their Appearance at such Assizes or Great Sessions, having been duly served as herein before is directed, the Judge or Judges of such Assizes or Great Sessions respectively, as the Case shall happen to be, shall there in a summary Way, examine into the Matter of every such Petition, and hear what can or shall be alledged on either Side, for or against the Discharge of the Prisoner or Prisoners so petitioning; and upon every such Examination such Judge and Judges of Assize and Great Sessions respectively, or any one of them, is and are hereby impowered and required respectively, within their respective Jurisdictions, to administer or tender to every such Prisoner, the same Oath as herein before is directed and appointed to be taken by any Prisoner, before the Judges of the Court out of which the Process, upon which any such Prisoner was taken in Execution, issued; and such said Judge or Judges of Assize, Justice or Justices of Great Sessions respectively, or any one of them, is and are hereby respectively authorised and required to make such Order in the Premisses as to him or them shall seem meet, and to proceed in the same Manner concerning the Discharge of any Prisoner or Prisoners in any Prison within their respective Jurisdictions, and to give the same Judgment, Relief and Directions relating thereto, as any Court out of which any Process shall issue against any such Prisoner as aforesaid, is herein before impowered and directed to do: And every Order which shall be made in the Premisses by any such Judge or Judges of Assize or Great Sessions, shall be as valid and effectual as if the same had been made in the Court out of which the Process issued on which any such Prisoner was charged in Execution; and the same shall be made a Record of the Proceedings at such Assizes or Great Sessions, as the Case shall happen to be, and a Copy thereof shall from thence be transmitted to the Court from whence the Execution against the Prisoner or Prisoners discharged issued, or was awarded, signed by the Judge or Judges of Assize or Great Sessions to be a Record of the said Court, and to be kept as such amongst the other Records thereof.

Creditors to be summoned,

and a Copy of the Rule served on them;

and upon Affidavit made of such Service, the Court to appoint a Time for hearing the Matter of the Petition;

and the Creditors appearing thereto, or not,

Proof being made of their being duly served with the Notice, and Copy of the Schedule of the Prisoner's Estate, the Court to proceed therein in a summary Way;

and administer the Oath to the Prisoner;

and make such Order in the Premisses as shall seem meet, and proceed as aforesaid concerning the Prisoner's Discharge.

Order to stand good, and be entered upon Record.

'XVI. And whereas it sometimes happens that Persons who are Prisoners in Execution in Gaol 'for Debt or Damages, will rather spend their Substance in Prison, than discover and deliver up 'the same towards satisfying their Creditors their just Debts, or so much thereof as such Substance 'will extend to pay;' Be it therefore further enacted, That if any Prisoner now committed to any Prison or Gaol, and charged in Execution for any Debt or Damages not exceeding the Sum of one hundred Pounds, besides Costs of Suit, shall not, on or before the twenty-ninth Day of *September* one thousand seven hundred and fifty-nine, make Satisfaction to the Creditor or Creditors, his, her or their Executors or Administrators, at whose Suit any such Prisoner shall be so charged in Execution for such Debt or Damages, and the Costs of such Suit; or if any Prisoner, who after the said fifteenth Day of *June* one thousand seven hundred and fifty-nine shall be committed or charged in Execution in any Prison or Gaol, for any Debt or Damages not exceeding the Sum of one hundred Pounds, besides Costs of Suit, shall not within three Months next after every such Prisoner, after the said fifteenth Day of *June* one thousand seven hundred and fifty-nine, shall be committed or charged in Execution as aforesaid, make Satisfaction to his, her or their Creditor or Creditors, who shall charge any such Prisoner in Execution as aforesaid, his, her or their Executors or Administrators

Prisoner refusing to deliver up his Estate and Effects to satisfy his Creditors,

nistrators for such Debt, Damages and Costs; then and in any of the said Cases, any such Creditor or Creditors, his, her or their Executors or Administrators, is and are hereby authorised and impowered to require every such respective Prisoner or Prisoners, on giving twenty Days Notice in Writing to him or her respectively, that such Creditor or Creditors, his, her or their Executors or Administrators, design to compel any such Prisoner to give in to the Court at Law, from which the Writ or Process issued on which any such Prisoner is or shall be charged in Execution as aforesaid, or into the Court in the Prison of which any such Prisoner hath been or shall be removed by *Habeas Corpus*, or shall remain or be charged in Execution, within the first seven Days of the Term which shall next insue the Expiration of the said twenty Days, in respect to any Prisoner charged in any of the Prisons belonging to any of the Courts in *Westminster Hall*; and at the second Court which shall be held by any such other Court of Record after the Expiration of the said twenty Days, in respect to any Prisoner charged in any Prison belonging to any such other Court; and where any such Prisoner is or shall be charged in Executoin, in any County Gaol, or other Gaol or Prison, above the Space of twenty Miles distant from *Westminster Hall*, or the Court or Courts out of which the Writ or Process on which any such Prisoner is or shall be so charged in Execution issued, or shall issue; then to give in upon Oath, at the Assizes or Great Sessions as aforesaid, and on the Crown Side thereof, which shall be held for the County or Place in the Prison of which any such Prisoner shall be, next after the Expiration of such twenty Days from the Time of giving any such Notice as aforesaid to any such Prisoner, a true Account in Writing, and to be signed with the proper Name or Mark of every such Prisoner, of all the Real and Personal Estate of such Prisoner, and of all Incumbrances affecting the same, to the best of the Knowledge and Belief of such Prisoner, in order that the Estate and Effects of such Prisoner may be devested out of him or her, and may by the Court, Judge or Judges, Justice or Justices as aforesaid, be ordered to be assigned and conveyed, in Manner and for the Purposes herein after declared: And every such Creditor or Creditors as aforesaid, who shall require any such Prisoner to be brought up as aforesaid, for the Purpose aforesaid, shall also give twenty Days like Notice in Writing, of such his, her or their Intention, to require any such Prisoner to be brought up as aforesaid, to discover and deliver up his or her Estate as aforesaid, to all and every other Creditor and Creditors of every such Prisoner, at whose Suit any such Prisoner shall be detained or charged in Custody in any such Gaol or Prison, if such Prisoner shall be there detained in Custody, or charged in Execution at the Suit of any other Creditor or Creditors besides the Creditor or Creditors giving such Notice as aforesaid, if such other Creditor or Creditors can be found out or met with, and if not, then to the several Attornies last imployed in the respective Actions or Suits, in which any such Prisoner or Prisoners shall be so detained or charged in Custody by any such other Creditor or Creditors of such Prisoner; and shall likewise give a like Notice in Writing to the Sheriff or Sheriffs, Gaoler or Keeper of the Gaol or Prison in which any such Prisoner or Prisoners shall be detained in Custody, or committed or charged in Execution as aforesaid, of such his or her Intention to have any such Prisoner so brought up, and to require such Sheriff or Sheriffs, Gaoler or Gaolers respectively, to bring up every such Prisoner accordingly: And every such Notice which shall be so given to any such Sheriff or Sheriffs, Gaoler or Gaolers, shall be so given to him or them respectively, twenty Days at least before the Time appointed for any such Prisoner to be so brought up; and thereupon every such Sheriff or Sheriffs, Gaoler or Keeper respectively, to whom any such Notice as aforesaid shall be so given, shall at the Costs of such Creditor or Creditors, his, her or their Executors or Administrators, cause every such Prisoner to be brought, as by such Notice in Writing shall be required, to such Court, Assizes or Great Sessions as aforesaid, together with a Copy or Causes of his or her respective Detainer or Detainers there; and if any such Sheriff or Sheriffs, Gaoler or Keeper, on any such Notice in Writing being given to him or them as aforesaid, and Tender being made to him or them, by or on the Behalf of any such Creditor or Creditors aforesaid, of reasonable Charges, not exceeding one Shilling a Mile, to bring up the Prisoner or Prisoners required as aforesaid to be so brought up to any such Court, Assizes, or Great Sessions as aforesaid, shall neglect or refuse to bring there the Prisoner or Prisoners so required to be brought there as aforesaid, and at the Time he or she shall be so required to be brought there, together with a Copy of his, her or their Detainer or Detainers in any such Gaol or Prison; every such Sheriff and Sheriffs, Gaoler and Keeper, who shall so offend in the Premisses, shall for every such Offence forfeit and pay the Sum of twenty Pounds, to be recovered by the Party aggrieved by Action of Debt, Bill or Information, in any of his Majesty's Courts of Record at *Westminster*, if any such Offence shall be committed out of the said Principality of *Wales*, or County Palatine of *Chester*; and if any such Offence shall be committed in the Principality of *Wales*, or County Palatine of *Chester*, then in some Court of Record in the said Principality of *Wales*, or County Palatine of *Chester*, within the Jurisdiction of which any such Offence shall be so committed, together with Treble Costs of Suit.

Creditors may compel such Prisoner to be brought up and deliver into Court a Schedule of his Estate and Effects, and the Incumbrances affecting the same, upon Oath; giving the Prisoner 20 Days Notice of such Intention;

in order that his Estate and Effects may be devested out of him, and assigned and conveyed as herein after directed.

Like Notice to be given of such Intention to the other Creditors;

and also to the Sheriff and Gaoler,

requiring them to bring up such Prisoner;

who is to be brought accordingly at the Costs of the Creditors,

with a Copy of his Detainer.

Sheriff or Gaoler making Default in the Premisses, after due Notice given, and Tender of reasonable Charges,

forfeit 20 l. to the Party aggrieved,

with Treble Costs of Suit.

XVII. And be it further enacted by the Authority aforesaid, That every Prisoner charged, or who shall be charged, in Execution as aforesaid, and who in pursuance of this Act shall, at the Desire of any of his, her or their Creditor or Creditors, his, her or their Executors or Administrators, be brought up to any such Court, Assizes or Great Sessions as aforesaid, shall, on Proof being there first made of such Notices as are herein before directed to be given having been given, deliver in there in open Court, upon Oath, within the Time herein before for that Purpose prescribed, a full, true and just Account, Disclosure and Discovery, in Writing, of the whole of his or her Real and Personal Estate, and of all Books, Papers, Writings and Securities, relating thereto, and also of all Incumbrances

Prisoner, upon Proof of due Notice as aforesaid having been given him, is to deliver in, upon Oath, to the Court a Schedule of his Estate and Effects, and signed by him;

Incumbrances then affecting the same, and the respective Times when made, to the best of his or her Knowledge and Belief (other than and except the necessary Wearing Apparel and Bedding of such Prisoner, and his or her Family, and the necessary Tools or Instruments of his or her respective Trade or Calling, not exceeding the Value of ten Pounds in the whole) which Account shall be subscribed with the proper Name or Mark of the Prisoner respectively who shall so deliver in the same; and on the delivering in of any such Account, the Estate and Effects of every such Prisoner shall be assigned and conveyed by such Prisoner respectively, by a short Indorsement on the Back of every such Account as shall be so delivered in, to such Person or Persons as the Court, Judge or Judges, Justice or Justices, in which, or to whom, any such Account shall be so given in, shall order or direct, in Trust, and for the Benefit of the Creditor or Creditors who shall have required any such Prisoner to be brought up as aforesaid, and of such other Creditor or Creditors (if any) of every such respective Prisoner at whose Suit or Suits any such Prisoner shall be charged in Custody, or in Execution in any such Prison or Gaol, and who shall, by any Memorandum or Writing to be signed by such Creditor or Creditors respectively, before any such Conveyance or Assignment shall be made, consent to any such Prisoner's being discharged out of Gaol or Prison, at his, her or their Suit or Suits, and also agree to take or accept a proportionable Dividend of such Prisoner's Estate and Effects, with the Creditor or Creditors who shall have required any such Prisoner to be brought up as aforesaid; and if there shall be no other Creditor or Creditors as aforesaid of such Prisoner, or there being any such, if such other Creditor or Creditors as aforesaid shall not agree in Writing to discharge such Prisoner, and accept such proportionable Dividend as aforesaid of the Estate and Effects of any such Prisoner; then in Trust for the Creditor or Creditors only who shall require any such Prisoner to be brought up for the Purpose aforesaid: And by such Assignment and Conveyance as aforesaid, all the Prisoner's Estate and Effects shall be vested in the Creditor or Creditors to whom the same shall be assigned and conveyed in Trust as aforesaid; and if any Overplus shall remain of any such Prisoner's Estate, after Payment of the Debt, or Damages and Costs, which shall be due to any Creditor or Creditors respectively at whose Suit or Suits any such Prisoner as aforesaid shall, in pursuance of this Act, be discharged out of Gaol or Prison, on delivering up his or her Estate and Effects as aforesaid, and all reasonable Charges expended in or by Means of getting in of the Estate or Effects, the same shall be paid to such Prisoner, his or her Executors, Administrators or Assigns: And upon every such Discovery, Assignment and Conveyance, being made and executed by any such Prisoner, to the Satisfaction of the Court, Judge or Judges of Assize, Justice or Justices of Great Sessions, before whom the same shall be respectively made, every such Prisoner and Prisoners shall, by such Court, Judge or Judges, Justice or Justices, be discharged and set at Liberty, in the Actions and Charges, at the Suit of the Creditor or Creditors, his, her or their Executors or Administrators, who shall require any such Prisoner to be so brought up, and also in the Actions and Charges of every other Creditor of any such Prisoner, his, her or their Executors or Administrators, who shall sign any such Consent as aforesaid, for any such Prisoner's Discharge, with the same Benefit of making use of such his or her Discharge, as is herein before provided for Prisoners seeking, and who shall obtain, their Discharge, under the Provisions contained in the former Part of this Act; and no greater Fee than two Shillings and six Pence in the whole, shall be paid or taken for any such Discharge, by all or any Officer or Officers of any such Courts, Assizes or Great Sessions; and no Stamp shall be necessary on any such Assignment and Conveyance as aforesaid, or any Rule or Order, which shall be made for any such Discharge; but all the future Effects of every such Prisoner (other than and except the necessary Wearing Apparel and Bedding of such Prisoner, and his or her Family, and the necessary Tools or Instruments of his or her respective Trade or Calling) shall be and remain liable to satisfy his or her Debts, if the same shall not be fully paid from his or her Estate which shall be assigned and conveyed as aforesaid; and no Advantage shall be had or taken in any Action or Suit which shall be hereafter commenced against any such Prisoner, his or her Heirs, Executors or Administrators, for that the Cause of Action did not accrue within six Years next before the commencing of any such Action or Suit, unless such Prisoner was intitled to take such Advantage before he or she stood charged in Custody by virtue of the original Suit or Action; and in any such Case, the same may be pleaded by any such Prisoner, his or her Heirs, Executors or Administrators: And if any Prisoner charged, or who shall be charged, in Execution, in any Prison or Gaol, and who shall be required as aforesaid to be brought up to any such Court, Assizes, or Great Sessions as aforesaid, shall neglect or refuse to deliver in and subscribe such just and true Account of his or her whole Estate and Effects in any such Court, or at any such Assizes, or Great Sessions as aforesaid, as the case may happen to be, within the Time herein before limited or appointed for the doing thereof, or within sixty Days then next following, without offering and making appear some just Excuse for every such Neglect or Refusal, to be allowed of by the Court, Judge or Judges of Assize, Justice or Justices of Great Sessions as aforesaid, or who shall refuse to assign or convey his or her Estate and Effects, according to the Order of any such Court, Judge or Judges, Justice or Justices as aforesaid; he or she so offending in any of the said Cases, and who shall be convicted of any such Offence upon any Indictment found against him or her, shall thereupon have Judgment for Transportation pronounced against him or her, and shall be transported, according to the Laws made and now in Force for Transportation of Felons, to some of his Majesty's Colonies or Plantations in *America*, for the Term of seven Years: And if any such Prisoner shall deliver in any false or untrue Account of his or her Estate or Effects, or shall designedly conceal, and not insert in the

and is to assign and convey the same in Trust, for the Benefit of his Creditors,

they agreeing to his Discharge,

and to accept a proportionable Dividend of his Effects;

but if any shall refuse to agree thereto, then the same to be in Trust, for the Creditors only requiring the Prisoner to be brought up for the Purpose aforesaid.

Overplus remaining after all Charges, to be paid to the Prisoner.

Prisoner complying, to the Satisfaction of the Court, to be set at Liberty;

paying for his Discharge Fees 2 s. 6 d.;

Future Effects of the Prisoner liable to Debts unsatisfied;

and no Advantage to be taken of the Statute of Limitation, unless he was intitled thereto before he stood charged in Custody on the Original Suit.

Prisoner neglecting or refusing to deliver in a Schedule of his Estate and Effects,

or to make an Assignment and Conveyance thereof,

to be transported for 7 Years;

and delivering in a false Account,

Account he or she shall deliver in and subscribe as aforesaid, any Books, Papers, Securities or Writings, relating to his or her Estate and Effects, with Intent to defraud his or her Creditor or Creditors, and shall be thereof convicted on any Indictment found against him or her in respect thereof; he or she so offending and being convicted as aforesaid thereof, shall suffer the Pains and Penalties which by Law are to be inflicted on any Person convicted of wilful Perjury.

to suffer the Pains and Penalties of wilful Perjury.

XVIII. Provided also, and be it further enacted by the Authority aforesaid, That if any Person who shall take any Oath as by this Act is required to be taken, shall, upon any Indictment for Perjury, be convicted by his, her or their own Confession, or by Verdict of twelve lawful Men; the Person so convicted shall suffer the Pains and Forfeitures which by Law are to be inflicted on any Person convicted of wilful Perjury; and shall likewise be liable to be taken on any Process *de novo*, and charged in Execution for the said Debt, in the same Manner as if he or she had not been discharged, or not taken or charged in Execution before, and shall never after have the Benefit of this Act; any thing herein before contained to the contrary notwithstanding.

Persons convicted of Perjury, to suffer in like Manner;

and be liable to be taken on a Process de novo, and charged in Execution for the Debt;

and never have the Benefit of this Act.

XIX. Provided likewise, and it is hereby further enacted, That if the Effects of any Prisoner or Prisoners, which shall be assigned and conveyed in pursuance of this Act, shall not extend to satisfy the whole Debt due to the Creditors as aforesaid of the Prisoner who shall be so discharged, and the Fees due to the Warden, Marshal or Gaoler, from any such Prisoner; then such Warden, Marshal or Gaoler, shall only receive a proportionable Dividend from such Prisoners Estate, in respect of such Fees, *pro Rata* with the other Creditors as aforesaid of such Prisoner or Prisoners.

If the Prisoner's Effects shall not satisfy his Debt, and Warden's Fees, &c.

Warden to receive only a proportional Dividend with the other Creditors.

XX. Provided further, and be it hereby also enacted, That the Prisoner or Prisoners who shall be so discharged by virtue of this Act, shall never after be arrested for the same Debt or Debts; nor shall any Action of Debt be brought against him, her or them, on any such Judgment, unless he, she or they shall, under this Act, be convicted of wilful Perjury; but notwithstanding any Discharge obtained by virtue of this Act for the Person of any such Prisoner or Prisoners, the Judgment obtained against every such Prisoner or Prisoners shall continue and remain in Force, and Execution may at any Time be taken out thereon against the Lands, Tenements, Rents or Hereditaments, Goods or Chattels of any such Prisoner or Prisoners, other than and except the necessary Wearing Apparel and Bedding for him, her or themselves and Family, and the necessary Tools for the Use of his, her or their Trade or Occupation, not exceeding ten Pounds in Value in the whole, as if he, she or they had never been before arrested, taken in Execution, and released out of Prison, by virtue of, or under this Act.

Prisoner discharged not liable to Arrest or Action for the same Debt,

unless convicted of Perjury;

but the Judgment to remain in Force, and Execution may be had thereon against his Estate and Effects.

XXI. And be it further enacted by the Authority aforesaid, That any Assignee or Assignees to whom, by virtue of this Act, the Estate or Effects of any Prisoner or Prisoners discharged by this Act shall be assigned, is and are hereby impowered to make Composition with any Debtors or Accountants to such Prisoner or Prisoners where the same shall appear necessary or reasonable, and to take such reasonable Part of any Debt due, as can, upon any such Composition, be gotten, in full Discharge of such Debt or Account; and also to submit any Difference or Dispute concerning any Part of any such Prisoner's Estate of Effects, or by Reason or Means of any Matter, Cause or Thing relating thereto, or to such Prisoner or Prisoners, or in respect of any Debt claimed to be due to such Prisoner or Prisoners, to the final End and Determination of Arbitrators to be chosen by the said Assignee or Assignees, and the Party or Parties with whom any such Difference shall be; and if such Arbitrators cannot agree in the same, then to submit the same to the Determination of any Umpire to be chosen by them, or otherwise to settle and agree the Matter in Difference or Dispute between them, in such Manner as such Assignee or Assignees shall think fit, and can agree; and the same shall be binding, as well to all other of the said Prisoner or Prisoners Creditors as aforesaid, who shall have charged him, her or them, in Custody or Execution, as also to every such Prisoner and Prisoners; and every such Assignee and Assignees is and are indemnified for what he or they shall fairly, and without any fraudulent Design, do in the Premisses, according to the Direction of this Act.

Assignees may compound with the Creditors in full Discharge of their Debts;

and submit Disputes relating to the Prisoner's Estate and Debts, &c.

to Arbitration, &c.

the same to be binding to Creditors and Prisoners.

Assignees indemnified therein.

XXII. And, to the Intent the Estate and Effects of such Prisoner or Prisoners who shall be discharged by virtue of this Act may be truly and fairly applied, Be it further enacted by the Authority aforesaid, That it shall be lawful for the respective Courts at *Westminster*, from whence any Process issued upon which any such Prisoner or Prisoners was or were charged in Execution, and whose Estate and Effects in pursuance of this Act shall have been assigned as by this Act is directed, or where any such Prisoner shall have been charged in Execution by Process issued out of any other Court, it shall be lawful for the Judges of the Courts of *King's Bench*, *Common Pleas* and *Exchequer*, or any one of them, from Time to Time, on the Petition of any Creditor of such Prisoner or Prisoners who had charged any such Prisoner in Execution, or of such Prisoner or Prisoners, to any such Court, or any Judge thereof, complaining of any Insufficiency, Fraud, Mismanagement or other Misbehaviour of any such Assignee or Assignees, to order the respective Parties concerned to attend such Court or Judge on the Matter of every such Petition, at some certain Time in such Order to be mentioned; and every such Court at *Westminster*, and also every Judge thereof, on hearing the Parties concerned therein, is hereby authorized to make such Order, and give such Directions in the Premisses, either for the Removal or displacing such Assignee or Assignees, and appointing any new or other Assignee or Assignees in the Place or Stead of such Assignee or Assignees so to be removed or displaced, or for the prudent, just or equitable Management or Distribution of the said Estate and Effects, for the Benefit

On Complaint to Court of any Insufficiency, Fraud, Mismanagement, or other Misbehaviour of the Assignees,

the Parties to be ordered to attend the Court thereon; and the Court to make such Order therein as they shall think just.

On Removal of any Assignees, the Prisoner's Estate and Effects to be vested in and delivered over to the new Assignees.

Benefit of the respective Creditors as aforesaid of such Prisoner or Prisoners, as any of the said Courts at *Westminster*, or Judges there, respectively shall think fit; and in case of the Removal or Displacing of any Assignee or Assignees, and the appointing of any new Assignee or Assignees, the Estate or Effects of such Prisoner or Prisoners shall from thenceforth be divested out of the Assignee or Assignees so removed or displaced, and be vested in, and delivered over to, the new Assignee or Assignees, in the same Manner and for the like Intents and Purposes, as the same were before vested in the former Assignee or Assignees.

Where mutual Credit hath been given,

the Assignees may only state the Account and demand the Balance.

XXIII. And be it further enacted, That in all and every Case and Cases where mutual Credit shall have been given between any Prisoner or Prisoners who shall be discharged under this Act, and any other Person or Persons, Bodies Politick or Corporate, before the Delivery of any Schedule or Inventory of the Estate and Effects of any such Prisoner or Prisoners, upon Oath, as by this Act is herein before directed; then and in every such Case the respective Assignee or Assignees of such Prisoner or Prisoners shall have Power, and is and are hereby required, on his or their Part or Parts, to state and allow an Account between them; and nothing more shall be deemed to be vested by any Assignment which shall be made in pursuance of this Act, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to have been due to him, her or them respectively, and to be justly coming to him, her or them on or for the Balance of such Account when truly stated.

None intitled to the Benefit of this Act who have taken or shall take the Benefit of any act of Insolvency; unless compelled by a Creditor to deliver up his Estate and Effects.

XXIV. Provided always, and be it further enacted by the Authority aforesaid, That no Person or Persons, who hath or have already taken or shall hereafter take the Benefit of any Act for the Relief of Insolvent Debtors, shall have or receive any Benefit or Advantage of or under this Act, or be deemed to be within the Meaning hereof, so as to gain any Discharge, unless compelled by any Creditor to discover and deliver up his or her Estate and Effects; any thing herein contained to the contrary notwithstanding.

This Act not to extend to Scotland.

XXV. And be it also enacted by the Authority aforesaid, That this Act, or any thing herein contained, shall not extend, or be construed to extend, to that Part of *Great Britain* called *Scotland*.

CAP. XXIX.

An Act for further regulating the Power of taking Samples of Foreign Spirituous Liquors by the Officers of Excise; and also for impowering the Traders to take such Samples before the Duties are charged.

Preamble reciting Clause in Act. 31 Geo. 2. c. 36.

'WHEREAS by a Clause in an Act of Parliament passed in the last Session of Parliament, intituled, *An Act for continuing certain Laws therein mentioned relating to* British *Sail Cloth, and to the Duties payable on Foreign Sail Cloth; and to the Allowance upon the Exportation of* British *made Gunpowder; and to the Encouragement of the Trade of the Sugar Colonies in* America; *and to the Landing of Rum or Spirits of the* British *Sugar Plantations before the Duties of Excise are paid thereon; and for regulating the Payment of the Duties on Foreign Exciseable Liquors; and for the Relief of* Thomas Watson, *with regard to the Drawback on certain* East India *Callicoes; and for rendering more commodious the new Passage leading from* Charing Cross, in order to enable the Gaugers or Officers of Excise the better to ascertain the Proof of all Foreign imported Liquors liable to the Duties of Excise, it was enacted, That it should be lawful to and for the Gaugers or Officers of the Excise at any Time or Times to take a Sample or Samples (not exceeding one Quart in the Whole) out of each of the Casks, or other Package, containing such Foreign Spirituous Liquors, paying for such Sample or Samples of Liquors after the Rate of sixteen Shillings *per* Gallon: And whereas the taking so great a Quantity as a Quart out of each of the said Casks or other Package is unnecessary, and the paying for the same at the before mentioned Rate will be detrimental to the Revenue: And whereas till of late the Importers or Proprietors of such Foreign Spirituous Liquors, or their Factors or Agents, were permitted to take a Sample out of each Cask or other Package, and to land such Sample without paying any Duty for the same, by Means whereof they were enabled to, and did for the most part, sell such Foreign Spirituous Liquors whilst on Shipboard: And whereas for some Time last past such Permission hath in many Instances been refused, which hath proved a great Inconvenience to the said Trade:' For Remedy whereof, it is hereby enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Gaugers or other Officers of Excise, at any Time before the Gauging, to take a Sample or Samples, not exceeding half a Pint in the Whole, out of each of the Casks, or other Package, containing such Spirituous Liquors, without paying for the same; and that it shall and may be lawful for the Importers or Proprietors of such Foreign Spirituous Liquors, their Factors or Agents, to take, in the Presence of one or more of the Gaugers or other Officers of Excise, a Sample or Samples, not exceeding Half a Pint in the Whole out of every Cask or other Package, containing such Spirituous Liquors, whilst the same shall be on Shipboard, and before the landing thereof, and to land such Sample or Samples, without paying any Duty for the same.

Gaugers, &c, impowered to take Samples gratis of Spirituous Liquors, not exceeding half a Pint out of each Cask; and Importers, &c. allowed to take a like Quantity as Samples also, before the Landing thereof;

II. Provided nevertheless, That still it shall and may be lawful for the said Officers of Excise to take the like Sample or Samples, not exceeding half a Pint in the Whole, out of each Cask or other Package, containing such Spirituous Liquors, in any Shop, Warehouse, or other Place, belonging to any Dealer in the same, paying for such Sample or Samples (if demanded) according to the Market Price Liquor of the like Quality shall be sold for at the Time such Sample or Samples shall be taken.

Officers may also take like Samples after the Landing and being lodged in Warehouses &c. paying for the same.

See further 33 Geo. 2. c. 9 & 28.

CAP. XXX.

An Act for making Compensation to the Proprietors of such Lands and Hereditaments as have been purchased for the better securing his Majesty's Docks, Ships, and Stores, at *Chatham*, *Portsmouth*, and *Plymouth*, and for better fortifying the Town of *Portsmouth*, and Citadel of *Plymouth*, in pursuance of an Act of the last Session of Parliament; and for other Purposes therein mentioned.

Preamble reciting Act 31 Geo. 2. c. 35.

'WHEREAS in pursuance of an Act of Parliament passed in the thirty-first Year of his Majesty's Reign, (intituled *An Act for vesting certain Messuages, Lands, Tenements and Hereditaments, for the better securing his Majesty's Docks, Ships, and Stores, at* Portsmouth, Chatham, *and* Plymouth, *and for the better fortifying the Town of* Portsmouth *and Citadel of* Plymouth, *in Trustees for certain Uses; and for other Purposes therein mentioned)* his Majesty was most graciously pleased to issue a Commission by his Letters Patent under the Great Seal of *Great Britain*, bearing Date at *Westminster* the twenty-seventh Day of *July* in the two and thirtieth Year of his Reign, to impower and authorize certain Persons therein named, or any five or more of them, to be Commissioners for putting in Execution the said Act; and did give to them, or any five or more of them, full Power and Authority to do, perform and execute all Powers, Directions, Clauses, Matters and Things whatsoever in the said Act contained, thereby willing them, or any five or more of them, from time to time, to proceed and act according to the Rules and Directions of the said Act of Parliament: And whereas by virtue of the said Commission, and in pursuance of the said Act, five or more of the said Commissioners, in the said Commission named, did on the eleventh Day of *September* in the said two and thirtieth Year of his Majesty's Reign, meet pursuant to Notice thereof given and fixed up at the Dock Gate of his Majesty's Yard near the Town of *Plymouth*, and at the Town Hall of the Borough of *Plymouth*, and likewise published in the *London Gazette* thirty Days and more before such Meeting, at the House of *Timothy Bayley*, known by the Name or Sign of *The King's Arms* in *Plymouth* Dock, and did then and there, in a summary Manner proceed and act by and upon the Testimony of Witnesses, Inspection and Examination of Deeds, Writings and Records, and by and upon the Inquest of twenty Good and lawful Men, substantial Gentlemen and Freeholders of the County of *Devon*, impanelled, summoned and returned by *Peter Comyns* Esquire, Sheriff of the said County of *Devon*, to take the Inquest; twelve of which Jury did upon their Oaths enquire into and present the true and real Value of the said Messuages, Lands, Tenements and Hereditaments, mentioned in the said Act to be situate at *Plymouth* and *Plymouth* Dock, in the said County of *Devon*, and of every Part and Parcel thereof, and who respectively were the Owners and Proprietors thereof, and their respective Estates and Interests therein; and thereupon, five or more of the said Commissioners then present did adjudge and determine who respectively were the Owners and Proprietors of the said Messuages, Lands, Tenements and Hereditaments, at *Plymouth* and *Plymouth* Dock aforesaid, and their respective Estates and Interest therein, and in every Part and Parcel thereof, and what each respective Owner and Proprietor thereof was intitled to for his respective Estate and Interest therein, amounting together to the Sum of twenty-five thousand one hundred fifty-nine Pounds seventeen Shillings and six Pence, of lawful Money of *Great Britain*: And whereas by virtue of the said Commission, and in pursuance of the said Act, five or more of the said Commissioners in the said Commission named did, on the first Day of *November* in the said two an thirtieth Year of his Majesty's Reign, meet pursuant to Notice given and fixed up at the Dock Gate of his Majesty's Yard at *Chatham*, and at the Town Hall of the City of *Rochester*, and likewise published in the *London Gazette* thirty Days and more before such Meeting, at the *Guild Hall* of the City of *Rochester*, and did then and there, in a summary Manner, by and upon the Testimony of Witnesses, Inspection and Examination of Deeds, Writings and Records, and by and upon the Inquest of fifteen good and lawful Men, substantial Gentlemen and Freeholders of the County of *Kent*, impanelled, summoned and returned, by *Thomas Witaker* Esquire, Sheriff of the said County of *Kent*, to take the Inquest; who upon their Oaths did enquire into and present the true and real Value of the Lands in the said Act mentioned to be situate in or near *Chatham* aforesaid, in the said County of *Kent*, and of every Part and Parcel thereof, and who respectively were the Owners and Proprietors thereof, and their respective Estates and Interests therein, and thereupon five or more of the said Commissioners then present did adjudge and determine who respectively were the Owners and Proprietors of the said Lands and Hereditaments in or near *Chatham* aforesaid, and their respective Estates and Interests therein, and in every Part and Parcel thereof, and what each respective Owner and Proprietor thereof was intitled to for his, her and their respective Estates and Interest therein, amounting together to the Sum of six hundred fifty-two Pounds and ten Shillings of like lawful Money of *Great Britain*;

'and the ſaid Commiſſioners then preſent at the ſaid Town Hall of the ſaid City of *Rocheſter*, upon 'the Complaint of ſeveral Perſons, Owners of Lands adjoining to Part of the Lands by the ſaid Act 'veſted, that they had reſpectively received Damage by making the Fortifications there, did certify 'and eſtimate the reſpective Damages done to the reſpect Lands of the ſeveral Perſons complaining, 'amounting together to the Sum of fifty-five Pounds and thirteen Shillings of like lawful Money of '*Great Britain*: And whereas by virtue of the ſaid Commiſſion, and in purſuance of the ſaid Act, 'five or more of the ſaid Commiſſioners in the ſaid Commiſſion named did, on the firſt Day of *Ja-* '*nuary* in the ſaid two and thirtieth Year of his Majeſty's Reign, meet purſuant to Notice given 'and fixed up at the Dock Gate of his Majeſty's Yard at *Portſmouth*, and at the Town Hall of '*Portſmouth* aforeſaid, and likewiſe publiſhed in the *London Gazette* thirty Days and more before 'ſuch Meeting, at the *Gildhall* of the Borough of *Portſmouth*, and did then and there, in a ſummary 'Manner, by and upon the Teſtimony of Witneſſes, Inſpection and Examination of Deeds, Writ- 'tings, and Records, and by and upon the Inqueſt of fourteen good and lawful Men, ſubſtantial 'Gentlemen and Freeholders of the County of *Southampton*, impanelled, ſummoned and returned, 'by *Henry Compton* Eſquire, Sheriff of the ſaid County of *Southampton*, to take the Inqueſt; who, 'upon their Oath, did enquire into and preſent the ſeveral Lands, Tenements and Hereditaments, 'in the ſaid Act mentioned to be reſpectively ſituate in the ſeveral Pariſhes of *Wimering*, *Portſea*, 'and *Alverſtoke*, in the ſaid County of *Southampton*, and of every Part and Parcel thereof, and who 'reſpectively were the Owners and Proprietors thereof, and their reſpective Eſtates and Intereſts 'therein; and thereupon five or more of the ſaid Commiſſioners then preſent did adjudge and de- 'termine who reſpectively were the Owners and Proprietors of the ſaid Lands, Tenements and He- 'reditaments, at *Wimering*, *Portſea*, and *Alverſtoke* aforeſaid, and their reſpective Eſtates and Inte- 'reſt therein, and in every Part and Parcel thereof, and what each reſpective Owner and Proprietor 'thereof was intitled to for his, her and their reſpective Intereſt therein, amounting together to the 'Sum of ſix thouſand nine hundred thirty-ſeven Pounds thirteen Shillings and ſeven Pence Half- 'penny of lawful Money of *Great Britain*: And whereas by the ſaid recited Act, Intereſt is di- 'rected to be paid for the groſs Sum which ſhould be aſſeſſed for the real Value of the Lands and 'Hereditaments aforeſaid:' Now, for making Compenſation to the ſaid Owners and Proprietors, and for the more effectual carrying the ſaid Act into Execution, May it pleaſe your Majeſty that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That out of all or any the Aids or Supplies granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and fifty-nine, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding the Sum of thirty-four thouſand five hundred twenty-one Pounds fifteen Shillings and nine Pence, for and towards making a reaſonable and juſt Compenſation and Satisfaction to all and every Perſon and Perſons, Bodies Politick and Corporate, Eccleſiaſtical and Civil, who at the Time of making the ſaid Act were the ſeveral and reſpective Owners and Proprietors of the Meſſuages, Lands, Tenements and Hereditaments in the ſaid Act mentioned, according to their ſeveral Eſtates and Intereſts therein, in Poſſeſſion, Reverſion, Remainder or otherwiſe.

A Sum not exceeding 34,521 l. 15 s. 9 d. to be iſſued and applied out of the Aids granted for the Service of the Year 1759. towards making Compenſation to the Parties intereſted.

II. And to the Intent that all and ſingular the Proprietors aforeſaid may be paid for their reſpective Eſtates and Intereſt, all and every ſuch Sum or Sums of Money as they have been adjudged and determined by the ſaid Commiſſioners to be reſpectively intitled unto, together with Intereſt for the ſame; Be it further further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Surveyor General of the Ordnance for the Time being, to make out and allow one or more Bill or Bills to the reſpective Perſon or Perſons, Bodies Politic or Corporate, for ſuch Sum and Sums of Money as is or are to them reſpectively adjudged, together with Intereſt for the ſame after the Rate of four Pounds *per Centum per Annum*; which Bill or Bills ſo made out and allowed, ſhall expreſs the reſpective Houſe or Houſes, Number of Acres, or Parcel of Lands, together with the Name of the Perſon or Perſons, Bodies Politic or Corporate, and the reſpective Sum or Sums of Money he, ſhe or they is or are to receive; and thereupon, one or more Debenture or Debentures ſhall be prepared for the ſeveral and reſpective Sums as aforeſaid, by the Clerk of the Ordnance for the time being, and ſigned by three or more of the principal Officers of the Ordnance for the Time being; which Debenture or Debentures is and are hereby required to be paid by the Treaſurer of the Ordnance for the Time being, who ſhall take Acquittances from the Parties indorſed thereon.

Bills to be made out for the reſpective Sums and Intereſt by the Surveyor General of the Ordnance,

and Debentures to be iſſued thereupon;

which are to be paid by the Treaſurer of the Ordnance.

III. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons, Bodies Politic or Corporate, ſhall wilfully refuſe to accept of or receive ſuch Debenture or Debentures as aforeſaid; that then and in ſuch Caſe it ſhall and may be lawful for the Clerk of the Ordnance for the Time being, to leave and depoſit ſuch Debenture or Debentures with the Clerk of the Peace of the reſpective Counties where the Meſſuages, Lands or Tenements do lie, in reſpect whereof ſuch Sum of Money is to be paid, and to take his Acquittance or Acquittances for the ſame, which ſuch Clerk of the Peace is hereby required to give without any Fee or Reward, and which ſhall be taken and deemed to be valid; and the Meſſuages, Lands, Tenements, and Hereditaments, of ſuch Perſon or Perſons, Bodies Politic or Corporate, ſo refuſing to accept ſuch Debenture or Debentures, ſhall be veſted to the Uſe of his Majeſty, his Heirs and Succeſſors for ever, as if he, ſhe or they had received ſuch Debenture or Debentures, and the Money thereon due had been fully ſatisfied and paid.

Where the Debentures ſhall be refuſed to be accepted, they are to be depoſited with the Clerk of the Peace of the County, and Acquittances taken for the ſame;

and the Lands thereupon to veſt to his Majeſty's Uſe.

IV. And

IV. And be it further enacted by the Authority aforesaid, That if any of the said Messuages, Lands, Tenements and Hereditaments, so vested by the said Act, or any Interest therein, shall belong to any Corporation, or Body Politick, Ecclesiastical or Civil, or to any other Person or Persons whatsoever, who, by reason of any Disability, is or are not capable by Law to take and dispose of the several Sums of Money which shall be due and payable for and in respect of their several Interests in the said Lands, Tenements or Hereditaments, or any Part thereof, by the said Act vested; that then, and in every such Case, the Money due to such Body or Bodies Politick or Corporate, Ecclesiastical or Civil, or such Person or Persons under such Disability as aforesaid, shall be paid into the Hands of the Deputy Remembrancer of his Majesty's Court of *Exchequer* for the Time being, for the Use of such Body or Bodies Politick or Corporate, and the respective Persons interested therein as aforesaid: Which several Sums of Money shall, with all convenient Speed, be laid out in the Purchase of other Lands, Tenements or Hereditaments, in Places most convenient for the Parties interested, their Heirs and Successors; any Law, Statute or Custom to the contrary thereof notwithstanding: And the Estate or Estates so to be purchased, shall be conveyed and settled to the same Uses, Intents and Purposes, as the former Estates were settled at such Time as they became vested in the Trustees appointed by the said Act: And that until such Purchases can be made, it shall and may be lawful for the said Deputy Remembrancer to place such Monies out at Interest on Parliamentary Funds, or other good Securities; which Interest shall, from Time to Time, as the same shall grow due, be paid to the several and respective Parties who are respectively intitled to such Principal Sums.

Where the Parties interested shall be disabled by Law from taking and disposing of the Money,

it is then to be paid to the Remembrancer of the Exchequer,

and to be laid out in the Purchase of other Lands,

to be conveyed and settled to the same Uses;

and till such Purchases can be made, is to be placed out at Interest,

'V. And whereas the Lands lately purchased at or near *Portsmouth* and *Chatham* for fortifying the 'Docks there, were before and at the Time of taking in the same, liable to, and charged with, the 'Land Tax, Poor and other Rates of the respective Parishes wherein such Lands respectively lie, 'and no Consideration was or has been allowed or paid to discharge such Lands from, or any Pro-'vision made for the Payment thereof: And whereas such Lands are chiefly under the Care and 'Management of his Majesty's Officers of Ordnance at the respective Places aforesaid:' Now in order to obviate all Difficulties concerning such Taxes and Rates, Be it further enacted by the Authority aforesaid, That the Lands and Premisses taken in for the Purposes aforesaid, shall from henceforth stand and be subject, liable to, and chargeable with the Payment of the Land Tax, and all Parish Taxes and Rates, in Proportion with other Lands and Premisses in such respective Parishes charged and chargable therewith; and that the said Lands and Premisses hereby so charged and chargeable with such Taxes and Rates, shall, as to so much thereof as shall not be otherwise demised or occupied by any particular Person or Persons, stand and be charged to, and in the Name of, and paid by the Storekeeper of his Majesty's Ordnance for the Time being at the said respective Ports or Places where such Lands respectively lie, and that such Storekeeper paying the same, shall be repaid and allowed such Sum and Sums of Money as such Storekeeper shall so pay, by the Treasurer or Paymaster of his Majesty's Ordnance for the Time being, on Demand thereof, who shall be allowed the same in his Accounts; and that in case such Storekeeper so charged and chargeable therewith, shall neglect or refuse to pay any such Tax or Rate, so to be made on him as aforesaid, when demanded, that then, and in every such Case, the Sum or Sums so to be assessed and charged to and on such Storekeeper, in respect of such Lands and Premisses, shall and may be levied on such Storekeeper by such Ways and Means, and in such Manner, as upon any other Occupier of Lands liable to the Payment of any such Tax or Rate; any Law, Statute, Custom or Usage to the contrary in any wise notwithstanding.

The Lands, &c. taken in for fortifying the Docks at Portsmouth and Chatham, chargeable to the Land Tax and Parish Taxes, &c.

which are to be paid by the Storekeeper,

and allowed in his Accounts;

and in case of Nonpayment, may be levied on him,

CAP. XXXI.

An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund; and for applying certain Monies remaining in the Exchequer for the Service of the Year one thousand seven hundred and fifty-nine; and for Relief of *Samuel Taylor*, with respect to a Bond entered into by him for securing the Duties on Tobacco imported.

Most Gracious Sovereign,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, being desirous to raise the Residue of the necessary Supplies which we 'have chearfully granted to your Majesty in this Session of Parliament, by Ways and Means the 'least burthensome to your Majesty's Subjects, have resolved to give and grant to your Majesty the 'Sums herein after mentioned; and do therefore most humbly beseech your Majesty that it may be 'enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That the Sum of one hundred and eighty thousand seventy-six Pounds seventeen Shillings and three Farthings, remaining in the Receipt of the Exchequer, disposeable by Parliament for the Publick Service, of the Income of the Surplusses, Exceses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, for the Quarter ended the fifth Day of *April* one thousand seven hundred and fifty-nine, shall and may be issued and

Preamble.

180,076l. 17s. 3d. Surplus remaining in the Exchequer of the Produce of the Sinking Fund, for the Quarter ending 5 April 1759,

to be issued and applied towards the Supplies granted for the Year 1759.

and applied for and towards making good the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-nine; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

A further Sum not exceeding 2,250,000 l. to be issued and applied out of the growing Produce of the said Fund, towards the said Supply.

II. And be it further enacted by the Authority aforesaid, That by or out of such Monies as shall thereafter, from Time to Time, be and remain in the Receipt of the Exchequer, of the Surplusses, Exceſſes, Overplus Monies, and other Revenues composing the said Fund commonly called *The Sinking Fund*, after paying or reserving sufficient to pay all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, there shall and may, in like Manner, be issued and applied a further Sum not exceeding two millions two hundred and fifty thousand Pounds, for and towards the said Supply.

Surplus remaining of the Sum of 100,000 l. granted in the last Session towards defraying the Charge of Pay and Cloathing of the Militia; as also the Sum of 73,308 l. 3 s. 10 d. 1 q. Overplus of the Grants for the Year 1758;

with the Sum of 100,000 l. repaid into the Exchequer, being the Sum voted to the Empress of Russia in the Year 1755, to be issued and applied towards the said Supply.

III. And be it further enacted by the Authority aforesaid, That such Part of the Sum of one hundred thousand Pounds granted to his Majesty in the last Session of Parliament, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia for the Year one thousand seven hundred and fifty-eight, and for defraying such Expences as were actually incurred upon the Account of the Militia in the Year one thousand seven hundred and fifty-seven, as shall remain in the Receipt of the Exchequer after Satisfaction of the said Charges and Expences; and also the Sum of seventy-three thousand three hundred eight Pounds three Shillings and ten Pence Farthing, now remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-eight; and also the Sum of one hundred thousand Pounds repaid into the Receipt of the Exchequer, and now remaining there, being the same Sum which was granted to his Majesty by a Vote of this House of the fifteenth Day of *December* one thousand seven hundred and fifty-five, to enable his Majesty to make good his Engagements with the Empress of *Russia*, shall and may be, in like Manner, issued and applied, at the said Receipt, for and towards the said Supply.

In case of Want of Money for carrying on the current Service,

the Treasury may borrow a Sum to make good such Deficiency, upon the Credit of the growing Produce of the said Fund;

to be repaid quarterly, with Interest.

Bank may advance thereon any Sum not exceeding 2,250,000 l.

notwithstanding the Act of 5 & 6 W. & M.

IV. And whereas it may so happen that there may be a Want of Money for carrying on the current Service of the Year one thousand seven hundred and fifty-nine, before Monies sufficient may have arisen into the Exchequer, from the said Surplusses, Exceſſes or Overplus Monies, commonly called *The Sinking Fund*, to satisfy and pay the said Sum of two millions two hundred and fifty thousand Pounds, by this Act granted; in such Case it shall and may be lawful to and for the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, by Warrant or Warrants under his or their Hands, to permit and suffer any Person or Persons, or Body or Bodies Politick or Corporate, to advance and lend unto his Majesty at the Receipt of his Exchequer, so much Money as, together with the Monies then remaining in the said Exchequer of the said Surplusses, Exceſſes or Overplus Monies, shall be wanting to complete the said Sum of two millions two hundred and fifty thousand Pounds, upon Credit of the growing Produce of the said Surplusses, Exceſſes or Overplus Monies, and to be repaid out of the same as they shall quarterly afterwards arise, together with Interest for the Forbearance thereof in the mean Time; and it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of two millions two hundred and fifty thousand Pounds; any Thing in an Act made in the fifth and sixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding.

'V. And whereas *Samuel Taylor* of *Greenock* Merchant, did, in or about the Year one thousand seven hundred and twenty-eight, become bound, with four other Persons who are since become Bankrupts, in a Bond conditioned for the Payment of one thousand four hundred seven Pounds four Shillings and five Pence Farthing or thereabouts, being the Duties on certain Tobacco imported: And whereas there was drawn back upon Tobacco exported, and paid in Money, before the said Bond became due, the Sum of seven hundred fifty-one Pounds twelve Shillings and three Pence Halfpenny or thereabouts, in Discharge of the said Bond; and there hath been since paid by the said *Samuel Taylor*, the Sum of five hundred seventy-eight Pounds five Shillings and six Pence three Farthings or thereabouts, two hundred forty-seven Pounds one Shilling and three Pence three Farthings whereof or thereabouts, was brought to Account as in Discharge of the Interest, and the Residue applied in Discharge of the Capital Sum secured by the said Bond; and the said *Samuel Taylor* did afterwards pay, at several Times, the Sum of eighty-five Pounds in further Discharge of the said Debt, into the Hands of a Person employed in the Office of the Solicitor of his Majesty's Customs in *Scotland*: And whereas a Judgment was obtained against the said *Samuel Taylor*, in or about the Year one thousand seven hundred and fifty-six, for the said Debt, and he is now confined in the Gaol of *Renfrew*, in Consequence of such Judgment: And whereas the said Drawbacks and Monies paid, amount to more than the Capital Money secured by the said Bond;

'Bond; and the said *Samuel Taylor*, after having used all the Means in his Power to discharge the 'said Debt, is become insolvent;' Be it therefore enacted by the Authority aforesaid, That it shall be lawful for the High Treasurer, or any three or more of the Commissioners of his Majesty's Treasury, for the Time being, and he or they is or are hereby authorized and impowered to exonerate, acquit and discharge the said *Samuel Taylor*, from any Penalty mentioned in, and the Payment of any Sum or Sums of Money conditioned to be paid by, the said Bond, and all Interest due thereupon, and all Costs and Expences which he is liable to pay in respect of any Process or Proceeding for the Recovery of such Monies, and to discharge and vacate the said Bond, and to set the said *Samuel Taylor* at Liberty, in such Manner as to the said High Treasurer, or Commissioners of the Treasury, shall seem expedient; any Act or Acts of Parliament to the contrary notwithstanding.

Treasury impowered to discharge Samuel Taylor from the Penalty and Payment of the Bond entered into by him for securing the Duties on Tobacco imported.

CAP. XXXII.

For former Laws concerning Linens, &c. refer to 28 *H.* 8. *c.* 4.
1 *El. c.* 12.
7 & 8 *W.* 3. *c.* 39.
1 *Ann. st.* 2. *c.* 8.

An Act for the more effectual preventing the fraudulent Importation of Cambricks and *French* Lawns.

3 *Ann. c.* 8. 7 *Ann. c.* 7. 10 *Ann. c.* 19 & 21. 12 *Ann. st.* 2. *c.* 9, 19 & 21. 1 *Geo.* 1. *c.* 36. 3 *Geo.* 1. *c.* 7 & 21. 17 *Geo.* 2. *c.* 30. 18 *Geo.* 2. *c.* 24, 25, 27 & 36. 21 *Geo.* 2. *c.* 26. 24 *Geo.* 2. *c.* 46. 29 *Geo.* 2. *c.* 15.

'WHEREAS the Acts made in the eighteenth and twenty-first Years of the Reign of his 'present Majesty, for prohibiting the Wearing and Importation of Cambricks and *French* 'Lawns, have not been effectual to prevent the fraudulent Importation thereof;' Therefore, for the amending and enforcing the said Acts, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *August* one thousand seven hundred and fifty-nine, no Cambricks, *French* Lawns, or other Linens whatsoever, of the Kind usually entered under the Denomination of Cambricks, shall be imported or brought into any Port or Place whatsoever within *Great Britain*, unless the same be packed in in Bales, Cases or Boxes, covered with Sackcloth or Canvas, each of which Bales, Cases or Boxes, shall contain one hundred whole Pieces, or two hundred Demi or half Pieces, of such Cambricks or *French* Lawns.

No Cambricks or French Lawns to be imported but in Bales, &c. covered with Cloth, containing each 100 whole Pieces, or 200 half Pieces;

II. And be it further enacted, That in case any Cambricks or *French* Lawns shall be imported in any other Form or Manner, or in any less Quantity, than is herein before mentioned and allowed in each and every of the said Cases, the Cambricks or *French* Lawns so imported, or found on board any Ship or Vessel in this Kingdom, shall be forfeited, and shall and may be seized by any Officer or Officers of the Customs.

on Penalty of Forfeiture thereof.

III. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *August* one thousand seven hundred and fifty-nine, Cambricks and *French* Lawns shall be imported for Exportation only, and shall be lodged in such Warehouse belonging to his Majesty, his Heirs and Successors, as the Commissioners of the Customs, or any three or more of them for the Time being shall appoint; and shall not be delivered out of such Warehouse, but under the like Security and Restrictions as *East India* Goods, prohibited to be consumed in *Great Britain*, are now liable to.

The same to be imported for Exportation only, and to be lodged in the King's Warehouses,

and delivered out under like Security and Restrictions as prohibited East India Goods.

IV. And be it further enacted by the Authority aforesaid, That from and after the said first Day of *August* there shall be no Customs or Duties whatsoever paid or secured to be paid, for any Cambricks or *French* Lawns imported, or which shall be imported, and deposited in such Warehouse as aforesaid, other than one half of the Old Subsidy, which is to remain by Law, after the Goods are exported again.

One half of the Old Subsidy payable only upon the Importation.

V. And be it further enacted by the Authority aforesaid, That all and every Person and Persons having in their Custody any Cambricks or *French* Lawns imported before the said first Day of *August*, for the Exportation whereof, within the Time limited by Law, Bond has been given, shall, on or before the first Day of *August* next, bring and deposit, or cause to be brought and deposited, all such Cambricks and *French* Lawns, in such Warehouse as shall be approved of by the Commissioners aforesaid for that Purpose; and upon the depositing of such Goods in such Warehouse as aforesaid, the Bonds for the Exportation thereof shall be delivered up to the Person or Persons who gave the same, or his or their Heirs, Executors, Administrators or Assigns, who shall likewise receive at the same Time from the Collector, or other proper Officer of the Customs at the Port where such Bond was given, all the Duties which such Goods would be intitled to draw back upon Exportation: And such Goods shall not be again delivered out of the said Warehouse but for the Exportation thereof, in like Manner as if the same had been deposited therein at the Importation: And in case any Person or Persons shall sell, offer or expose to Sale, or after the said first Day of *August* have in his, her or their Custody or Possession for that Purpose, any Cambricks or *French* Lawns (other than in such Warehouse as shall be approved of by the said Commissioners as aforesaid) the same shall be forfeited, and shall be liable to be searched for and seized in like Manner as other prohibited and uncustomed Goods are; and every such Person shall also forfeit two hundred Pounds, over and above all other Penalties and Forfeitures inflicted upon such Person or Persons by any former Act.

What Goods shall be in private Custody, are to be deposited by 1 August next in the King's Warehouses;

and the Bonds thereupon to be delivered up,

and the Drawback upon Exportation to be paid,

and the Goods not to be delivered out again but for Exportation.

Goods exposed to Sale, or found in private Possession, after the said Day, may be seized, and the Offender to forfeit 200 l. extra.

VI. And

In Doubts concerning the Species or Quality, &c. of the Goods, Onus probandi to lie on the Owner.

VI. And be it further enacted by the Authority aforeſaid, That if any Doubt or Queſtion ſhall ariſe with reſpect to the Species and Quality of the ſaid Goods ſeized by virtue of this Act, or where the ſame were manufactured, the Proof ſhall lie on the Owner or Owners thereof, and not upon the Proſecutor; any Law, Cuſtom or Uſuage to the contrary notwithſtanding.

Goods ſeized to be carried to the next Cuſtom-houſe, and after Condemnation to be exported.

VII. And be it further enacted by the Authority aforeſaid, That all the Goods ſeized by virtue of this Act, or any other Cauſe of Forfeiture, ſhall, upon Seizure thereof, be carried to the next Cuſtom-houſe, and after Condemnation in due Courſe of Law, ſhall not be conſumed or uſed in this Kingdom, but ſhall be exported; and ſhall not be ſold or delivered out of ſuch Warehouſe, otherwiſe than on Condition to be exported, nor until the Buyer or Buyers ſhall have given Security for the Exportation thereof, and obſerving all the Regulations and Reſtrictions preſcribed for the Exportation of *Eaſt India* Goods prohibted to be conſumed or uſed in *Great Britain*.

Recovery and Application of the Penalties.

VIII. And be it further enacted by the Authority aforeſaid, That all the Penalties and Forfeitures by this Act impoſed, ſhall and may be ſued for and recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* at *Edinburgh* reſpectively, by Action, Bill, Plaint or Information, in the Name of his Majeſty's Attorney General, or in the Name of his Majeſty's Advocate in *Scotland*, or in the Name or Names of ſome Officer or Officers of the Cuſtoms; and that one Moiety of every ſuch Penalty and Forfeiture ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety thereof to ſuch Officer or Officers of the Cuſtoms who ſhall ſeize, inform or proſecute for the ſame.

Upon Actions entered for pecuniary Penalties, a Capias in the firſt Proceſs to be iſſued; and the Defendant may give Bail thereto, &c.

IX. And be it further enacted by the Authority aforeſaid, That upon every Action, Bill, Plaint or Information, entered and filed as aforeſaid, for any pecuniary Penalty impoſed by this Act, a *Capias* in the firſt Proceſs ſhall and may iſſue, ſpecifying the Sum of the Penalty ſued for; and the Defendant or Defendants ſhall be obliged to give ſufficient Bail or Security by natural-born Subjects or Deniſons, to the Perſon or Perſons to whom ſuch *Capias* ſhall be directed to appear in the Court out of which ſuch *Capias* ſhall iſſue, at the Day of the Return of ſuch Writ, to anſwer ſuch Suit or Proſecution; and ſhall likewiſe, at the Time of ſuch Appearance, give ſufficient Bail or Security, by ſuch Perſons as aforeſaid, in the ſaid Court, to anſwer and pay all the Forfeitures and Penalties incurred for ſuch Offence or Offences, in caſe he, ſhe or they ſhall be convicted thereof, or to yield his, her or their Body or Bodies to Priſon.

General Iſſue.

X. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the Defendant or Defendants in ſuch Action or Suit may plead the General Iſſue, and give this Act, and the Special Matter in Evidence, at any Trial to be had thereupon; and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to have been done, then the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action after the Defendant or Defendants ſhall have appeared; or if Judgment ſhall be given upon any Verdict or Demurrer againſt the Plaintiff; the Defendant or Defendants ſhall recover Treble Coſts, and have the like Remedy for the ſame, as Defendants have in other Caſes by Law.

Treble Coſts.

CAP. XXXIII.

An Act to explain and amend an Act made in the laſt Seſſion of Parliament, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions; and upon Houſes; and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities and a Lottery, to be charged on the ſaid Rates and Duties*; ſo far as the ſame relates to the Rates and Duties on Offices and Penſions.

Preamble, recited Clauſes in an Act of laſt Seſſion. 31 *Geo.* 2. *c.* 22.

For former Proviſions relating hereto refer to 20 *Geo.* 2. *c.* 3 & 42. 21 *Geo.* 2. *c.* 10. 26 *Geo.* 2. *c.* 17.

'WHEREAS by an Act made in the laſt Seſſion of Parliament, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions; and upon Houſes; and upon Windows or Lights; and for raiſing the Sum of five millions by Annuities and a Lottery, to be charged on the ſaid Rates and Duties*, it is (among other Things) declared and enacted, That a Deduction ſhall be made of the Sum of one Shilling out of every twenty Shillings payable for or in reſpect of the Salary, Wages or Fees of any Offices and Employments payable by the Crown in *Great Britain*, which exceed one hundred Pounds *per Annum*; and for or in reſpect of any Penſion or Gratuity, which is or ſhall be payable out of any Revenue belonging to his Majeſty in *Great Britain*, exceeding the Value of one hundred Pounds *per Annum*; and that the Money ſo deducted by the Officers of his Majeſty's Exchequer in *England*, ſhall remain there for the Purpoſes in the ſaid Act declared; and that ſuch Part of the Money, as ſhall be ſo deducted by any Officer or Officers of the Dutchies of *Lancaſter* and *Cornwall*, or by any other Commiſſioners, Officers and Perſons, by whom the ſaid Salaries, Wages, Fees, Penſions and Gratuities, are or ſhall be reſpectively payable in *England*, ſhall be by them paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*: And whereas the ſaid recited Directions may be expenſive in the Execution thereof, by ſubjecting each of the Officers, Commiſſioners and Perſons, by the ſaid Act required to make the Deduction aforeſaid, to a ſeparate Account before the Auditors of the Impreſts for the ſeveral Sums by them reſpectively deducted: And whereas the ſaid recited Directions have appeared to be in other Reſpects inconvenient;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons,

in this present Parliament assembled, and by the Authority of the same, That all Sums of Money which on the fifth Day of *July* one thousand seven hundred and fifty-nine, and afterwards from time to time shall become due, and be deducted by virtue of the said Act, for or in respect of the Salaries, Fees, or Wages, of any Offices and Employments payable by the Crown in that Part of *Great Britain* called *England*, *Wales*, or *Berwick* upon *Tweed*, and for or in respect of any Pension or Gratuity payable out of any Revenue belonging to his Majesty, in *England*, *Wales*, or *Berwick* upon *Tweed*, shall by the Commissioners, Officers, and Persons deducting the same, be respectively paid into the Hands of a Receiver or Receivers to be for that Purpose appointed by his Majesty, his Heirs and Successors; and it shall and may be lawful to and for such Receiver or Receivers to retain, out of the Monies so paid into his or their Hands as aforesaid, such Sum, as a Reward or Compensation for his or their Trouble, as his Majesty, his Heirs and Successors shall appoint, not exceeding three Pence in the Pound; and the said Receiver or Receivers shall give Security for their good Behaviour in discharging the Trust in them reposed, by giving Bond in such Penalty, and with such Surety or Sureties as the Commissioners of his Majesty's Treasury for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, shall think fit; and the Payments of the several Sums so deducted as aforesaid, shall be made into the Hand of such Receiver or Receivers, in the Course of the Quarter wherein the said Sums shall have been deducted; and such Receiver or Receivers shall, within the Compass of the next ensuing Quarter, pay the same Sums respectively into the Receipt of his Majesty's Exchequer at *Westminster*: And the several Commissioners, Officers, and Persons, making the Deductions aforesaid, are hereby directed and required, at the Request of such Receiver or Receivers, to deliver to him or them a just and true Account of all and every the Salaries, Fees, and Wages, and likewise of the annual Pensions and Gratuities by the said Commissioners, Officers, and Persons respectively payable, and of the Names of the Persons intitled to receive the same; of which Accounts the said Receiver or Receivers are to enter exact Copies in Books to be by them kept for that Purpose.

Sums deducted for the Duties upon Offices and Pensions in England, to be paid over to Receivers to be appointed by his Majesty.

3 d. in the Pound allowed him for his Trouble.

Security to be given by him.

Deductions of the Duties to be paid over Quarterly to the Receiver, and by him, within the Quarter following, into the Exchequer.

An Account of the Salaries, Fees, and Pensions, &c to be delivered to the Receivers; and entered by them in proper Books.

II. And be it further enacted by the Authority aforesaid, That all Sums of Money which have been, or ought to have been deducted or retained under the said Act, by the Officers of the Exchequer, or of any other Office, or by any Commissioner or Commissioners, or other Persons, in *England*, *Wales*, or *Berwick* upon *Tweed*, for the Duties payable under the said Act of the thirty-first Year of his present Majesty's Reign, for or in respect of the Salaries, Fees or Wages of any Office or Employment, or for or in respect of any Pension or Gratuity out of any Revenue belonging to his Majesty, shall be accounted for to such Receiver or Receivers as shall be in pursuance of this present Act appointed by his Majesty, his Heirs and Successors; and the Accounts thereof shall be examined, audited and passed by such Receiver or Receivers, or one one of them, and not by the Auditors of the Impress, or the Auditors of the Court of *Exchequer*.

The Moneys which have been, or ought to have been deducted under the said Act, to be accounted for to the said Receivers, and passed by them.

III. And be it further enacted by the Authority aforesaid, That if any Dispute shall arise whether the Fees, Salary or Wages of any Office or Employment, or whether any Pension or Gratuity, be chargeable under the said Act of the thirty-first Year of his present Majesty's Reign, or under this Act, or touching the Sum of Money which ought to be stopped and deducted out of such Salary, Fees, Wages, Pensions, or Gratuities, such Disputes shall be heard by the Barons of the *Exchequer* in *England*, if the Office or Employment in Question is exercised, or the Pension or Gratuity is payable in *England*, *Wales*, or *Berwick* upon *Tweed*; or by the Barons of the *Exchequer* in *Scotland*, if the Office or Employment in Question is exercised, or the Pension or Gratuity is payable, in that Part of *Great Britain*; and such Hearing is to be given on the Complaint or Representation laid in Writing before the Barons of the *Exchequer* in *England* or *Scotland* respectively, either by the Party who shall think himself aggrieved, or by such Receiver or Receivers who shall be appointed in pursuance of this Act, in respect of *England*, *Wales*, or *Berwick* upon *Tweed*, and by the Receiver General or Receivers in *Scotland*, in respect of that Part of the United Kingdom.

Disputes concerning the charging any particular Office or Pension, or Sums to be deducted thereout, to be heard and determined by the Barons of the Exchequer in England or Scotland respectively.

IV. Provided always, That the Complainant shall give a Copy of his Complaint or Representation to the Person or Persons against whom the same is made, within ten Days after the same shall have been lodged with the said Barons; and the said Barons in *England* and *Scotland* respectively shall hear and determine such Disputes in a summary Way, and their Determination shall be binding without further Appeal.

Copy of the Complaint to be given to the Person complained against, and to be determined in a summary Way.

'V. And whereas the Profits of several Offices and Employments in *Great Britain* arise in the 'Whole, or in Part, from Perquisites which are due and payable in the Course of Office; And it 'is therefore, by the said Act of the thirty-first Year of his present Majesty's Reign enacted, That 'such Part of the Sums of Money thereby granted as are payable for or in respect of the Profits of 'any Office or Employment in any Part of *England*, *Wales*, or *Berwick* upon *Tweed*, which arise from 'such Perquisites, shall be computed, raised, levied and paid according to the annual Value at which 'such Profits stood valued and rated to the last Assessment to the Land Tax; with a Proviso, That 'such Profits arising from such Perquisites as aforesaid, should be deemed and taken to have been va'lued and rated in such last Assessment to the Land Tax, at so much only as the entire Sum at which 'any such Office was valued and rated in the said Assessment should exceed the Amount of the Sala'ries, Wages and Fees, payable as aforesaid in respect of the same Office: And whereas, for the bet'ter rating, ordering, levying, and collecting of the Duty by the said Act charged upon such Perqui'sites of such of the said Offices and Employments, as are in that Part of *Great Britain* called *Eng*'land*, *Wales*, and *Berwick* upon *Tweed*, the Commissioners of the Land Tax for the Time being 'are thereby authorized and required to ascertain, and set down in Writing, the Amount of the

'Duty

'Duty of one Shilling in the Pound, to be paid in pursuance of the said Act by all Commissioners 'and other Officers, their Clerks, Agents, Secondaries, Substitutes, and other inferior Ministers 'and Persons whatsoever, having, using, or exercising, any of the said Offices or Employments, 'the Salaries, Wages, Fees, and Perquisites whereof exceed the Value of one hundred Pounds *per* '*Annum*, within their respective Hundreds, Laths, Wapentakes, Rapes, Wards, or other Divisions, 'in Proportion to the annual Value at which the Profits of such Offices or Employments respectively 'stood valued and rated in the last Assessment to the Land Tax for the said respective Hundreds and 'Divisions respectively: And whereas it hath been found that in Consequence of the said before 'recited Limitations put by the said Act upon the rating, valuing and assessing of the Profits of Of- 'fices and Employments arising from Perquisites due and payable in the Course of Office, the said 'Offices and Employments have not contributed in equal Proportion with those whereof the Profits 'arise from Salaries, Fees and Wages payable by the Crown;' Be it therefore enacted by the Authority aforesaid, That the Commissioners of the Land Tax for the Time being shall fix and ascertain according to their best Judgment and Discretion the Sum Total or Amount of the Perquisites arising from each and every Office within their respective Districts, distinct from the Salary, Fees and Wages thereunto belonging, which are to be deducted under the said Act, and independently of any former Valuation or Assessment of the same to the Land Tax; and shall rate and assess all such of the said Offices and Employments, whereof the Perquisites shall be found to exceed one hundred Pounds a Year, at one Shilling for every twenty Shillings arising by the said Offices and Employments.

The Perquisites of Office to be ascertained by the Commissioners of the Land Tax, distinct from the Salary, and independent of any former Valuation.

Offices, &c. where the Perquisites exceed 100*l.* to be rated 1*s.* in the Pound.

VI. And, to the End that the Duty of one Shilling in the Pound may be paid upon all Offices and Employments whereof the Salary, Fees and Wages, together with the Perquisites, shall exceed one hundred Pounds a Year; It is hereby further enacted by the Authority aforesaid, That the Receiver or Receivers to be appointed by virtue of this Act, shall transmit to the Commissioners of the Land Tax in every District where any Office or Employment is to be assessed, an Account of all such Offices and Employments, whereof the Fees, Wages and Salaries do not exceed one hundred Pounds a Year; and if the said Commissioners of the Land Tax shall find the Perquisites arising from the said Office, with the Salary, Fees and Wages of the same, as certified by such Receiver or Receivers, to exceed together the Amount of one hundred Pounds a Year, then the said Commissioners are to rate and assess such Office and Employment, and to cause the Duty of one Shilling in the Pound to be levied and collected thereon.

Receivers to transmit to the Commissioners of the Land Tax, an Account of all such Offices, &c. the Fees and Salaries whereof do not exceed 100*l.* per Annum; and such as together shall be found to exceed 100*l.* per Annum are to be charged with the Duty of 1*s.* in the Pound.

VII. Provided nevertheless, That in all future Assessments to the Land Tax, the said Offices and Employments shall not be valued or assessed at any higher Rates than those whereat the same Offices and Employments were respectively assessed and rated towards the Land Tax imposed by an Act made in the thirty-first Year of his present Majesty's Reign; any thing to the contrary thereof in any wise notwithstanding.

In future Assessments to the Land Tax, Offices not to be rated higher than they were in 31 Geo. 2.

VIII. And, to prevent any Doubts which might arise concerning the Meaning of the Word *Perquisites*, in the said Act, and in this present Act mentioned; Be it declared and enacted by the Authority aforesaid, That the same shall for the Purposes of the said Act, and likewise of this present Act, be construed, deemed and taken as and for such Profits of Offices and Employments in *Great Britain*, as arise from Fees established by Custom or Authority, and payable either by the Crown or the Subjects, in Consideration of Business done from time to time in the Course of executing such Offices and Employments.

Meaning of the Word Perquisites ascertained.

'IX. And whereas in and by the said Act it is provided, That no Commissioner of the Land Tax 'in *England*, *Wales*, or *Berwick* upon *Tweed*, or Commissioner of Supply in *Scotland*, who shall be 'possessed of any Office or Employment subject and liable to the Duty thereby imposed, shall sit, or 'act, or any Way's interfere, in rating his own Office or Employment, but shall withdraw until 'the Rating thereof be settled and determined by the rest of the Commissioners then present: And 'whereas a Doubt hath arisen whether any Commissioner possessed of any such Office or Employ- 'ment, can sit or act, or any Ways interfere in the Execution of the said Act, in regard that the 'Commissioners of the Land Tax are thereby constituted the Assessors, and that the making and 'signing any Assessment to be made in pursuance of the said Act by any Commissioner possessed of 'any Office or Employment, might be deemed and taken to be sitting, acting, or interfering, in the 'rating of his own Office or Employment, although such Commissioner had withdrawn, until the 'rating of his Office was settled and determined;' Be it therefore enacted by the Authority aforesaid, That nothing in this or in the said in Part recited Act contained, shall be deemed or construed to extend to any such Commissioner, for or in respect of his making or signing any Assessment made, or to be made, in pursuance of the said in Part recited Act, or of this Act; provided such Commissioner shall have withdrawn, or shall withdraw, until the rating of his Own Office or Employment shall have been, or shall be, settled or determined.

Commissioners of the Land Tax not liable to Penalties for acting in the Cases here mentioned, provided they withdraw during the rating of their respective Employments.

X. Provided also, That the Duty of one Shilling in the Pound charged by the said Act made in the thirty-first Year of his present Majesty's Reign upon Pensions and Gratuities, shall not for the future be charged on or payable out of such Pensions or Gratuities, which his Majesty, his Heirs and Successors shall be pleased to declare in the Warrant, Order or other Instrument directing Payment thereof, to be intended as charitable Donations; any thing to the contrary thereof in any wise notwithstanding.

Charitable Donations exempted from Duties;

XI. Provided

as also Officers of the Army, and the Hospitals;

XI. Provided also, That nothing in the said Act contained shall extend, or be construed to extend, to the charging of the said Duty upon any Military Officers serving on the Staff, or belonging to any of his Majesty's Garrisons, Regiments, Troops, Companies, the Royal Hospital of *Chelsea*, or the Hospitals of the Army; any thing to the contrary thereof in any wise notwithstanding.

and the Pensions, Annuities and Rents, &c. granted in Fee or Fee-tail, &c. by former King's and Queens of England;

XII. Provided always, and be it further enacted by the Authority aforesaid, That the said recited Act passed in the thirty-first Year of his Majesty's Reign, or this Act, or any thing therein or herein contained, shall not charge, or be construed, deemed, or taken to charge, any Pension, Annuity, yearly Payment, Rent or Sum issuing out of or charged upon any Revenues belonging to his Majesty in *Great Britain*, that have been by his Majesty's Royal Predecessors, King's or Queens of *England*, or by Act of Parliament, granted unto any Person or Persons in Fee or Fee-tail, or till redeemed by Payment of any Sum or Sums of Money mentioned in any Grant or Act of Parliament, with the said Duty or Payment in the said recited Act of one Shilling out of every twenty Shillings thereof by the Year, but that such Pensions, Annuities, yearly Payments, Rents, or Sums, shall be acquitted and discharged of, from, and against the said Duty, as if the said recited Act had never been made; any thing therein or herein contained to the contrary notwithstanding.

and Offices in both Universities

Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to charge any Offices or Employments in either of the two Universities in that Part of *Great Britain* called *England*, with the Duty by this Act imposed.

See further 2 Geo 3. c. 8.

CAP. XXXIV.

An Act for the better preventing the Importation of the Woollen Manufactures of *France* into any of the Ports in the *Levant* Sea, by or on the Behalf of any of his Majesty's Subjects; and for the more effectual preventing the illegal Importation of Raw Silk and Mohair Yarn into this Kingdom.

Preamble.

'WHEREAS the Importation of Woollen Broad Cloth of the Manufacture of *France* into any Ports or Places within the *Levant* Seas, by or on the Behalf of *British* Subjects, is not only a manifest Discouragement and Prejudice to the Woollen Manufactures of *Great Britain*, but is also a Means of affording Relief to the Enemy, and thereby enabling them to carry on the War against these Kingdoms:' Now for the more effectually preventing such Destructive Commerce for the future, May it please your Majesty that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the passing of this Act, no Woollen Broad Cloth, or Woollen Goods, of the Manufacture of *France*, shall directly or indirectly be imported or carried into any Port or Place in the *Levant* Seas, within the Limits of any Letters Patent or Charter granted to the Governor and Company of Merchants of *England* trading into the *Levant* Seas, commonly called *The Turkey Company*, by or on the Account of any Member of the said Company, or any Subject of this Realm.

No Woollen Manufactures of France, may be imported by or on Behalf of any English Subject, into any of the Ports in the Levant Seas;

II. And be it further enacted by the Authority aforesaid, That no Woollen Broad Cloth, or other Woollen Goods, of the Produce or Manufacture of this Kingdom, shall be imported into any Port or Place in the *Levant* Seas, within the Limits of the said Company's Charter, except directly from this Kingdom, by, for, or on account of any *British* Subject; unless the Importer shall produce to his Majesty's Ambassador, or to the Consul, or Vice Consul, or other proper Officer appointed by the *Levant* Company, at the Port or Place where such Goods shall be imported, a Certificate upon Oath from the Exporter or Shipper of such Goods, at the Port or Place where the same Goods were last exported from, that the same were brought or received from *Great Britain*; and in such Certificate shall be described the Name of the Ship or Vessel, and also of the Master thereof, and the particular Day or Time when the same Goods were imported into such last loading Port or Place from *Great Britain*; which Certificate shall be attested by the *British* Consul, or Person acting as Consul in his Absence, residing at such last loading Port or Place; and the said Shipper shall also produce to the said *British* Consul, or Person acting as Consul in his Absence, the Bill or Bills of Lading of the said Goods, which shall have been given or made out upon the shipping thereof from *Great Britain*; and the said Consul, or Person acting as Consul in his Absence, shall take Notice in the Attestation of such Certificate, that such Bill or Bills of Lading were produced to him.

nor may English Goods be so imported, except directly from Great Britain,

unless Certificate attested by the Consul be produced from the last Place of Exportation,

that the said Goods are originally British, &c.

and the Bills of Lading upon the Exportation from Great Britain, be also produced, and notified in the Attestation.

III. And be it further enacted by the Authority aforesaid, That upon granting every Certificate for the Exportation of *British* Cloths or other Woollen Manufactures of this Kingdom, for any Port or Place within the Limits of the Charter of the *Levant* Company, the Consul, Vice Consul, or Person acting as such, is hereby required to enter a Duplicate of the said Certificate in a Book to be by him kept for that Purpose; in which Book the said Duplicate being entered at the Time of granting the Certificate, shall be signed by the Exporter or Shipper of the Goods, taking the Oath before required to be taken upon making out such Certificate; which Book and Entry of the Duplicates of all such Certificates shall be referred to, and received as final Evidence, in all Disputes which

Consul to enter a Duplicate of such Certificate in a Book to be kept for that Purpose;

which is to be signed by the Exporter;

and the same may be admitted as Evidence, and examined gratis.

which may arise with Respect to the Truth or Authenticity of such Certificates; and such Entries shall and may be examined by all Parties without Fee or Reward.

Where the Certificate shall be suspected, the Consul is to signify the same to the Importer, and take double Security;

and if Fraud be discovered the Security to be forfeited, and assigned to the Informer.

IV. And be it further enacted by the Authority aforesaid, That in all Cases where the Consul, or Person acting as such, shall receive Information, upon Oath, setting forth good Reason to suspect the Truth or Authenticity of any Certificate, the said Consul, or Person acting as such, shall and is hereby required to signify such Information to the Importer, and to take Security in double the Value of the Goods; which Security shall be forfeited, in Case, upon a Reference to the Entries and Books of the Consul, or Person acting as such, at the Port from whence such Goods shall be pretended to be imported, it shall appear that no such Certificate was granted; such Security to be assigned to the Informer for his sole Use and Benefit.

Notice of such disputed Certificate to be transmitted to the Consul at the Port where the same shall be alledged to have been granted;

who is to return an Attestation concerning the same; which is to be laid before the Importer, and the Security to be vacated, or forfeited accordingly.

V. Provided always, and it is hereby enacted, That as often as any such Objections shall be made to any Certificate produced by any Importer of Woollen Cloths, or Manufactures, into any Port or Place within the Limits of the Charter of the *Levant* Company, and Security shall be taken of the said Importer as by this Act is directed to be taken; that in every such Case, the Ambassador, Consul, or Person acting as such, shall by the first Opportunity transmit to the Consul, or Person acting as such, at the Port or Place at which such disputed Certificate shall be alledged to have been granted, Notice of such Dispute, requiring from such Consul or Person, at the same Time, an Attestation under his Hand and Seal, determinining whether the Certificate in Dispute was granted by him; and such Attestation shall be transmitted by the said Consul, or Person acting as such, by the first Opportunity, to the Ambassador, Consul, or Person acting as such, at the Port or Place where the Dispute shall arise, who is hereby required, upon the Receipt thereof, to lay such Attestation before the said Importer; and in case the Certificate be by such Attestation verified, the Security shall be immediately cancelled; but if the Certificate shall by such Attestation be found not to have been granted, the Ambassador, Consul, or Person acting as such, is hereby required to levy the Penalty by Distress and Sale of the Goods and Chattles of the Person or Persons giving the former Security, by Warrant under the Hand and Seal of such Ambassador, Consul, or Person acting as such; which Warrant he is hereby authorized to issue; and the said Penalty when recovered shall be applied in Manner as is before by this Act directed.

Woollen Goods imported without such Certificate, otherwise than directly from England, deemed to be French,

and may be seized.

VI. And be it further enacted by the Authority aforesaid, That all such Woollen Goods as shall be imported into any Port or Place within the Limits of the said *Levant* Company's Charter, by, for or on the Account or Behalf of any *British* Subject, without such Certificate as aforesaid, other than such as shall be imported directly from *England*, shall be deemed and construed, and taken to be Woollen Goods of the Manufacture of *France*, within the true Intent and Meaning of this Act; and his Majesty's Ambassador, and the Consul or Vice Consul, or other proper Officer appointed by the said *Levant* Company, are hereby impowered and required respectively to cause the same to be seized and confiscated.

Factor to make Oath, before Exportation, that the Goods were not purchased with or taken in Barter for French Goods.

VII. And be it further enacted by the Authority aforesaid, That every Merchant or Factor who shall be a Subject of *Great Britain*, or residing under the Protection of the *British* Ambassador, or any Consul, or Vice Consul, or the Person acting as such in his Absence, within the Limits of the said Company's Charter, shall before the Exportation of any Goods or Merchandize whatsoever from any Port or Place within the Limits aforesaid, make Oath before the said Ambassador, or such Consul, or Vice Consul, or the Person acting as such in his Absence as aforesaid, that such Goods or Merchandize so intended to be exported, were not purchased by such Merchant or his Factor, with his Knowledge, with the Produce of, or taken in Barter or Exchange for *French* Woollen Broad Cloth, or any other Woollen Manufactures of *France*, since the passing of this Act.

Importer of Turkish Goods into Great Britain, to make Oath, before the Landing, that the same were not purchased with, or taken in Barter for, French Woollen Goods;

except the same shall be Prize Goods.

VIII. And be it further enacted by the Authority aforesaid, That from and after the passing of this Act, every Person who shall import into *Great Britain* or *Ireland* any Goods, Wares or Merchandize whatsoever, of the Growth, Produce or Manufacture of the *Turkish* Dominions, within the Limits of the said Company's Charter, shall before such Goods, Wares or Merchandize shall be permitted to be landed, make Oath before his Majesty's Commissioners of the Customs, or the Collector or Comptroller, or other Principal Officer of the Customs of such Port or Place where such Goods, Wares or Merchandize shall be imported, that the same, or any Part thereof, were, or was not, by himself or his Correspondent, with his Knowledge, directly or indirectly purchased by or with the Produce of, or taken in Barter or Exchange for, any Kind of Woollen Broad Cloth, or any other Woollen Manufactures of *France*, since the passing of this Act, except such as shall have been condemned as lawful Prize.

If a Certificate shall be lost or mislaid the Master to make Oath concerning the same, and the Purport thereof,

and give Security for producing a Duplicate thereof;

IX. And be it further enacted by the Authority aforesaid, That in case any Certificate to be granted pursuant to this Act shall happen to be lost or mislaid, the Master or other Person having Charge of the Ship or Vessel, on Board whereof the Goods to which such Certificate did relate shall be loaden, shall before the Landing of such Goods, make Oath before his Majesty's Ambassador, or the Consul or Vice Consul of the Port of Discharge of the said Ship, thereby setting forth, according to the best of his Remembrance and Belief, the Purport of such Certificate, and that the same is so lost or mislaid, and that he doth not know what is become thereof, and that the same hath not been with his Privity, Consent or Knowledge, delivered or disposed of to any Person or Persons whatsoever; and the said Master or other Person navigating the said Ship or Vessel, or the Consignee or Consignees of the Goods to which such Certificate did relate, shall also give sufficient Security, in the Penalty of double the Value of the said Goods, to his Majesty's Ambassador,

or

or to the Consul or Vice Consul, or the Person acting as such in his Absence, of the Port or Place where the said Goods shall be imported, for procuring and delivering to his Majesty's Ambassador, or to the said Consul or Vice Consul, or the Person acting as such in his Absence, within a reasonable Time to be by him appointed, a Duplicate of such Certificate so lost or mislaid: And upon making such Oath, and giving such Security as aforesaid, his Majesty's Ambassador, or the said Consul or Vice Consul, shall grant the said Master, or the Consignee of the said Cargo, Leave or Licence to import the Goods mentioned in the said Oath; and the same shall and may thereupon be lawfully landed and imported.

Licence thereupon to be granted to import the Goods.

X. Provided nevertheless, That nothing in this Act contained shall extend, or be deemed, construed, or taken to extend, to hinder or prevent the shipping, transporting, importing, selling or disposing of any Woollen Goods or Woollen Manufacture of any Country whatsoever, which shall have been taken from the Enemies of the Crown of *Great Britain*, and condemned as lawful Prize, by any Ship or Ships of War, or Privateer, belonging to, or bearing Commission from his Majesty, his Heirs or Successors.

Prize Woollen Goods may be imported, &c.

XI. Provided, That at the Time of the Importation of such Prize Cloths, a Copy of the Sentence of Condemnation, signed by the Person condemning the same, shall be delivered to the Consul, or Person acting as such, at the Port or Place of Importation.

upon producing a Copy of the Sentence of Condemnation to the Consul.

'XII. And whereas by an Act of Parliament passed in the twelfth Year of the Reign of his late 'Majesty King CHARLES the Second, intituled, *An Act for the Encouragement and Increasing of Shipping and Navigation*, it was, amongst other Things, enacted, That no goods or Commodities of foreign Growth, Production or Manufacture, and which should be brought into *England*, *Ireland*, *Wales*, the Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, in *English* built Shipping, or other Shipping, as therein before mentioned, should be shipped or brought from any other Place or Places, Country or Countries, but only from those of the said Growth, Production, or Manufacture, or from those Ports where the said Goods or Commodities could only or usually had been first shipped for Transportation, and from none other Places or Countries, under the Penalty of the Forfeiture of all such Goods as should be imported from any other Place or Country, contrary to the true Intent and Meaning of the said Act, as also of the Ship in which the same were imported, with all her Guns, Furniture, Ammunition, Tackle and Apparel; one Moiety to his Majesty, his Heirs and Successors, and the other Moiety to him or them that should seize, inform, or sue for the same, in any Court of Record, to be recovered as in the said Act is expressed: And it was by the same Act provided, That the said Act, or any Thing therein contained, should not extend or be meant to restrain and prohibit the Importation of any of the Commodities of the *Streights* or *Levant* Seas loaded in *English* built Shipping, and whereof the Master and three Fourths of the Mariners at least, were *English*, from the usual Ports or Places for Loading of such Commodities theretofore, within the said *Streights* or *Levant* Seas, though the same were not of the very Growth of the said Places: And whereas by another Act of Parliament made in the sixth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the prohibiting of the Importation of Raw Silk and Mohair Yarn of the Product or Manufacture of* Asia, *from any Ports or Places in the* Streights *or* Levant *Seas, except such Ports and Places as are within the Dominions of the* Grand Seignior; after reciting the aforesaid Clause, and also the aforesaid Proviso in the said Act of the twelfth Year of the Reign of said late Majesty King CHARLES the Second, herein before recited, and also reciting that the Woollen Manufacture in *France* had since that Time been greatly increased, and very large Quantities of such Goods were then annually imported from thence to *Turkey*, in return whereof, were brought from thence Raw Silk, and other Commodities, to *Marseilles* and other Ports in *France*, great Quantities whereof were carried into *Italy*, and from thence imported into *Great Britain*, in *English* Shipping, greatly to the Discouragement of the Woollen Manufactures of *Great Britain*, and the Advancement thereof in *France*, and that without some speedy Care therein, the *British* Trade to *Turkey* would be daily lessened, and was in Danger of being lost; it was by the said Act enacted, from from and after the twenty-ninth Day of *September* one thousand seven hundred and twenty, the said recited Clause or Proviso, as to the Importation of Raw Silk and Mohair Yarn of the Product or Manufacture of *Asia*, should be, and was thereby repealed, excepting only as to the Ports and Places in the said *Streights* or *Levant* Seas, which were within the Dominions of the *Grand Seignior*: And whereas by another Act of Parliament passed in the thirteenth and fourteenth Years of the Reign of his said late Majesty King CHARLES the Second, intituled, *An Act for preventing Frauds, and regulating Abuses, in his Majesty's Customs*; reciting, that there were great Practices and Combinations between the Importers and Owners of Goods and Merchandizes, and the Seizers and Informers, with Design and Intent to defraud the Force of the Law and his Majesty of his Duties and Customs, It was enacted, That no Ship or Ships, Goods, Wares or Merchandizes, should be seized as forfeited, for or by reason of unlawful Importation or Exportation, into or out of this Kingdom of *England*, Dominion of *Wales*, or Port and Town of *Berwick*, but by the Person or Persons who were or should be appointed by his Majesty to manage his Customs, or Officers of his Majesty's Customs for the Time being, or such other Person or Persons as should be deputed and authorized thereunto, by Warrant from the Lord Treasurer, or Under Treasurer, or by Special Commission from his Majesty under the Great or Privy Seal; and if any Seizure should thereafter be made by any other Person or Persons whatsoever, for any the Causes therein before mentioned, such Seizure should be void and of none Effect: And whereas great Quantities of raw Silk of the Product or Manufacture of *Asia* have

Recital of Clauses in Act 12 Car. 2. c. 18.

6 Geo. 1. c. 21.

and 13 & 14 Car. 2. c. 11.

'been imported into this Kingdom, under various Denominations and Pretences, from *Leghorn*, 'and other Ports and Places from whence the same may not be lawfully imported into *England*, 'contrary to the said Acts prohibiting the same, and to the great Prejudice of the Trade of this 'Kingdom:' Now for the more effectually preventing such illegal Practices for the future, Be it further enacted by the Authority aforesaid, That in case any Raw Silk or Mohair Yarn, or any Ship or Vessel bringing the same into *England*, *Ireland*, *Wales*, the Islands of *Guernsey* or *Jersey*, or Town of *Berwick* upon *Tweed*, at any Time from and after the passing of this Act, shall be seized, as forfeited by virtue of all or any of the said herein before in Part recited Acts of Parliament, then and in any such Case, it shall not be lawful for any Officer or Officers, or other Person or Persons who shall make such Seizure, to release or abandon the same, or delay or omit to proceed to Judgment for the Condemnation thereof, as the Law in that Behalf directs, without first acquainting the Governor, Deputy Governor, Treasurer, or Husband, of the said Company, or their Successors, or their known Secretary for the Time being, by Writing, of his or their Intentions to relinquish or abandon such Seizure; and such Officer or Officers, or other Person or Persons, shall at the same Time deliver to the said Governor, Deputy Governor, Treasurer, Husband, or Secretary of the said Company, or of their Successors, a Copy of the Schedule of such Seizure: And in case the said Governor and Company, or any Committee thereof, shall within seven Days after such Notice, give Bond, or offer to give Bond, under the Common Seal of their Corporation, in the penal Sum of one thousand Pounds, with Condition thereunder written for indemnifying and saving harmless such Officer or Officers, or other Person or Persons, of, from and against all Costs of Suit, Charges, Damages and Expences, which such Officer or Officers, or other Person or Persons shall be necessarily put to, or may pay or sustain, in case such Ship, Vessel or Goods so seized, shall not be adjudged, upon the Trial or Hearing concerning the Condemnation thereof, to have been forfeited; that then such Officer, or other Person or Persons, shall not voluntarily abandon or relinquish such Seizure, or omit to commence or bring, nor discontinue any Proceedings commenced for the Condemnation of such Ship, Vessel or Goods, without the Consent of the said Company, or some Committee thereof; but shall with all convenient Speed, proceed to Judgment concerning the Legality of such Seizure; any Law, or Construction of Law, to the contrary notwithstanding.

Where raw Silk or Mohair Yarn, or the Vessel importing the same, shall be seized as forfeited by virtue of any of the recited Acts,

the Seizure may not be abandoned, without acquainting the Company of such Intention,

and delivering in a Schedule of the Seizure;

and where the Company shall give Bond to indemnify the Officer,

the Suit may not be discontinued without their Consent,

but be prosecuted to Judgment.

Member of the Company admitted to give Evidence upon the Trial.

XIII. Provided nevertheless, That any Person, being a Member of the said Company, shall be admitted to give Evidence, either for the Plaintiff or Plaintiffs, Relator or Relators, or Defendant or Defendants, upon any Trial, Hearing or Examination, concerning the Condemnation or Legality of the Seizure of the Goods, Ship or Vessel to which any such Bond, so to be given as aforesaid, shall relate; any such Bond, or any Law or Construction of Law, to the contrary notwithstanding.

Publick Act.

XIV. And be it further enacted, That this Act shall be deemed, adjudged and taken to be a Publick Act, and be judicially taken Notice of as such, by all Judges and other Persons whatsoever, without the same being specially pleaded.

General Issue.

XV. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any Thing by him or them done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if, upon the Trial a Verdict shall pass for the Defendant or Defendants or the Plaintiff or Plaintiffs shall become nonsuited, or discontinue his or their Action, then such Defendant or Defendants shall have Treble Costs to him or them awarded, against such Plaintiff or Plaintiffs.

Treble Costs.

Continuance of the Act.

XVI. Provided always, That this Act and every Thing contained therein, shall continue and be in Force during the present War with *France*, and no longer.

CAP. XXXV.

An Act for augmenting the Salaries of the Puisne Judges in the Court of *King's Bench*, the Judges in the Court of *Common Pleas*, the Barons of the Coif in the Court of *Exchequer* at *Westminster*, the Judges in the Courts of *Session* and *Exchequer* in *Scotland*, and Justices of *Chester*, and the Great Sessions for the Counties in *Wales*.

Preamble.

Further provided for by 2 Geo. 3. c. 36.

'WHEREAS the Salaries of the Puisne Judges in the Court of *King's Bench*, the Judges in 'the Court of *Common Pleas*, the Barons of the Coif in the Court of *Exchequer* at *Westminster*, 'the Judges in the Courts of *Session* and *Exchequer* in *Scotland*, and the Justices of *Chester*, and of 'the Great Sessions for the Counties in *Wales*, are inadequate to the Dignity and Importance of 'their Offices: And your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* 'in Parliament assembled, being desirous to augment the said Salaries, do give and grant unto your 'Majesty, in order to establish in the first Place a proper Fund for the Augmentation of the Sala'ries of the said Judges in the Courts at *Westminster*, and Justices of *Chester*, and the Great Sessions 'for the Counties in *Wales*, the Duties herein after mentioned and do therefore most humbly be'seech your Majesty that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this

this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *July* one thousand seven hundred and fifty-nine, there shall be throughout *England*, the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raised, collected, levied and paid, unto and for the Use of his Majesty, his Heirs and Successors, for every Piece of Vellum, Parchment or Paper, on which the several and respective Matters and Things herein after mentioned, shall be ingrossed or written at any Time or Times after the said fifth Day of *July* (over and above the Rates, Duties, Charges and Sums of Money, now due and payable to his Majesty for or in Respect of the same) the further several and respective Rates, Duties, Charges and Sums of Money following; that is to say,

Additional Stamp Duties granted on every Piece of Vellum, Parchment or Paper, used in Law Matters, to take Place 5 July 1759.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Affidavit to be made use of in any Court of Law or Equity at *Westminster*, or in any Court of the Great Sessions for the Counties in *Wales*, or in the Court of County Palatine of *Chester*, shall be ingrossed or written (except Affidavits taken pursuant to several Acts made in the thirtieth and two and thirtieth Years of the Reign of King CHARLES the Second, for burying in Woollen; and except such Affidavits as shall be taken before the Officers of the Customs, or any Justice or Justices of the Peace, or before any Commissioners appointed or to be appointed by any Act of Parliament, for the assessing and levying any Aids or Duties granted or to be granted to his Majesty, his Heirs and Successors, and which Affidavits shall be taken by the said Officers of the Customs, Justices or Commissioners, by virtue of their Authority as Justices of the Peace, or Commissioners respectively, and not otherwise) the Sum of six Pence.

viz. Upon Affidavits filed or read in Courts, 6 d.

(Affidavits for burying in Woollen, and those taken before Officers of the Customs, Justices, or Commissioners of the Publick Taxes, excepted.)

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Copy of such Affidavit as is herein before charged, that shall be filed or read in any of the said Courts, shall be ingrossed or written, the Sum of six Pence.

Upon Copies of the said Affidavits, 6 d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Common Bail to be filed in any Court of Law at *Westminster*, or in any of the aforesaid Courts, and upon which any Appearance that shall be made upon such Bail, shall be ingrossed or written, the Sum of six Pence.

Upon filing a Common Bail or Appearance, 6 d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Rule or Order made or given in any the Courts at *Westminster*, either Courts of Law or Equity, shall be ingrossed or written, the Sum of six Pence.

Upon a Rule or Order of Court, 6 d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Copy of such Rules or Orders entered, shall be ingrossed or written, the Sum of six Pence.

Upon a Copy of such Rule or Order, 6 d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Original Writ (except such Original on which a Writ of *Capias* issues) *Sub Pœna*, Bill of *Middlesex*, *Latitat*, Writ of *Capias Quo Minus*, Writ of *Dedimus Potestatem*, to take Answers, examine Witnesses, or appoint Guardians, or any other Writ whatsoever, or any other Process or Mandate that shall issue out or pass the Seals of any the Courts at *Westminster*, Courts of the Great Sessions in *Wales*, Courts in the Counties Palatine, or any other Court whatsoever holding Plea, where the Debt or Damage doth amount to forty Shillings, or above, or the Thing in Demand is of that Value, shall be ingrossed or written (Writs of Covenant for levying Fines, Writs of Entry for suffering Common Recoveries, and Writs of *Habeas Corpus*, alway excepted) the Sum of six Pence.

Upon Original Writs, &c. (except where a Capias issues) or other Process of Court, where the Debt or Damage amounts to 40 s. or more, 6 d.

(particular Writs excepted.)

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Deposition taken in the Court of *Chancery*, or other Court of Equity at *Westminster* (except the Paper Draughts of Depositions, taken by virtue of any Commission, before they are ingrossed) or upon which any Copy of any Bill, Answer, Plea, Demurrer, Replication, Rejoinder, Interrogatories, Depositions, or other Proceedings whatsoever, in such Courts of Equity, shall be ingrossed or written, the Sum of one Penny.

Upon Depositions taken in Chancery, or other Court of Equity (Paper Draughts thereof excepted)

Copies of Bills, Answers, Pleas, or other Proceedings in such Courts, 1 d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Declaration, Plea, Replication, Rejoinder, Demurrer, or other Pleading whatsoever, in any Court of Law at *Westminster*, or in any of the Courts of the Principality of *Wales*, or in any of the Courts in the Counties Palatine of *Chester*, *Lancaster* or *Durham*, shall be ingrossed or written, the Sum of one Penny; and,

Upon Declarations, and other Pleadings in Courts of Law, 1 d.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Copy thereof shall be written or ingrossed, the Sum of one Penny.

Upon any Copy thereof, 1 d.

II. And be it further enacted by the Authority aforesaid, That for the better and more effectual raising, levying, collecting and paying all the said additional and new Rates and Duties herein before granted, the same shall be under the Government, Care and Management of the Commissioners for the Time being appointed to manage the Duties payable to his Majesty, his Heirs and Successors, and charged on stamped Vellum, Parchment and Paper, by former Acts of Parliament in that Behalf made; who, or the major Part of them are hereby required and impowered to imploy such Officers under them for that Purpose as they shall think proper; and to use such Dies and Stamps to denote the Stamp Duties hereby charged as they shall think fit; and to repair, renew or alter the same, from time to time, as there shall be Occasion; and to do all other Acts, Matters and Things necessary to be done for putting this Act in Execution, with relation to the said several Rates and Duties hereby granted, in the like and in as full and ample Manner as they, or the major Part of them

These Duties to be under the Management of the Commissioners for the other Stamp Duties;

who are to imploy proper Officers under them, and provide fit Stamps for the Purpose,

and do all other Matters necessary for carrying this Act into Execution,

them are authorised to put in Execution any former Law concerning stamped Vellum, Parchment or Paper.

One new Stamp to be provided to denote the several Duties.

III. Provided always, and be it further enacted by the Authority aforesaid, That to prevent the Multiplication of Stamps upon such Pieces of Vellum or Parchment, or Sheets or Pieces of Paper, on which several Duties are by several Acts of Parliament imposed, it shall and may be lawful for the said Commissioners, instead of the distinct Stamps directed to be provided to denote the several Duties on the Vellum, Parchment or Paper charged therewith, to cause one new Stamp to be provided, to denote the said several Duties on every Piece of Vellum or Parchment, or Sheet or Piece of Paper charged with the said several Duties, from time to time, as shall be by them thought needful.

Former Stamps not made use of before 5 July, to be brought to the Office, and have an additional Stamp put on them.

IV. And it is hereby further enacted, That all Vellum, Parchment and Paper, charged by this Act with any of the Stamp Duties hereby granted, which hath been, or shall before the said fifth Day of *July* be stamped or marked in pursuance of the former Acts of Parliament relating to his Majesty's Stamp Duties, or any of them, shall before any of the Matters or Things in respect whereof any Rate or Duty is hereby made payable shall be ingrossed or written thereupon, such Ingrossing or Writing being at any Time after the said fifth Day of *July*, be brought to the Head Office for stamping or marking of Vellum, Parchment and Paper, to be stamped or marked with another Mark or Stamp, over and besides the Marks or Stamps put or to be put thereupon in pursuance of the said former Acts, or any of them; and that all Vellum, Parchment and Paper which hath not been, or shall not before the fifth Day of *July* be stamped or marked in pursuance of the said former Acts, or any of them, shall before any of the Matters or Things in respect whereof any Stamp or Duty is payable hereby, and by the said former Acts, or any of them, shall be thereupon ingrossed or written, such Ingrossing or Writing being after the said fifth Day of *July*, be brought to the said Head Office, and there marked and stamped with the proper Marks or Stamps, or Mark or Stamp, provided, used or appointed, or to be provided or appointed in pursuance of the said former Acts, or of this Act, to denote the respective Duties thereby and hereby respectively charged thereupon: And if any of the said Matters and Things so to be ingrossed or written as aforesaid, shall be ingrossed or written, contrary to the true Intent and Meaning hereof, upon Vellum, Parchment or Paper, not appearing to have been duly marked or stamped according to this Act; that then and in every such Case, there shall be due, answered, and paid (over and above the Stamp Duties payable hereby, and by the said former Acts, or any of them) for or in respect of every such Matter and Thing the Sum of five Pounds; and that no such Matter or Thing shall be available in Law or Equity, or be given in Evidence, or admitted in any Court, unless as well the said Duty hereby charged in respect thereof, as the said Sum of five Pounds, shall be first paid to the Receiver General for the Time being of the Stamp Duties, or his Deputy or Clerk; and until the Vellum, Parchment or Paper, upon which such Matter or Thing is so ingrossed or written, shall be marked or stamped according to the Tenor and true Meaning hereof: And the said Receiver General, and his Deputy or Clerk, are hereby injoined and required, upon Payment or Tender of the said Duties, and of the said Sum of five Pounds, and such other Sums as by the said former Acts are payable in that Behalf, to give a Receipt for such Monies; and the other proper Officers are thereupon required to mark or stamp such Matters or Things with the proper Marks or Stamps, or Mark or Stamp required in that Behalf; which said Sum of five Pounds is to be applied to the same Uses and Purposes as the Duties hereby granted are to be applied.

All Papers, &c. made use of after the said Day, to be duly stampt according to this Act;

on Penalty of forfeiting 5*l.* besides the Duties.

The Penalty and Duties to be paid,

and the Papers, &c. duly stampt, before the same shall be available in Law or Equity.

Upon Payment of the Penalty and Duties, Papers admitted to be stampt.

Duties to be paid to the Receiver General; and a separate Account kept thereof, and to be paid over by him into the Exchequer.

V. And be it further enacted by the Authority aforesaid, That the several Rates and Duties herein before granted, shall be paid, from time to time, into the Hands of the Receiver General for the Time being of the Duties on stamped Vellum, Parchment and Paper; who shall keep a separate and distinct Account of the several Rates and Duties arising by virtue of this Act, and pay the same (the necessary Charges of raising, paying and accounting for such Rates and Duties being deducted) into the Receipt of the Exchequer, for the Purposes herein after expressed, at such Time and in such Manner as any former Duties on stamped Vellum, Parchment or Paper are directed to be paid: And that in the Office of the Auditor of the said Receipt shall be provided and kept a Book or Books, in which all the Monies arising from the several Rates and Duties hereby granted and paid into the said Receipt as aforesaid, shall be entered separate and apart from all other Monies paid and payable to his Majesty, his Heirs and Successors, upon any Account whatsoever, and shall be applied in such Manner as is herein after mentioned.

Books to be kept in the Auditor's Office for entering these Duties apart from all others.

Commissioners, and Officers under them, to observe the Orders of the Treasury in the Execution of their Offices. No Fees to be taken.

Officer making Default in his Duty, to pay Damages and Treble Costs to the Party grieved.

VI. And be it further enacted by the Authority aforesaid, That the said Commissioners, and all other Officers who shall be imployed in the Collection or Management of the said several Rates and Duties herein before granted, shall in the Execution of their Offices observe and perform such Rules and Orders, as they repectively shall from time to time receive from the High Treasurer, or the Commissioners of the Treasury, or any three or more of them for the Time being; and that no Fee or Reward shall be taken or demanded by any such Commissioners or Officers from any of his Majesty's Subjects, for any Matter or Thing to be done in pursuance of this Act: And in case any Officer imployed in the Execution of this Act in relation to the said Rates and Duties, shall refuse or neglect to do or perform any Matter or Thing by this Act required or directed to be done or performed by him, whereby any of his Majesty's Subjects shall or may sustain any Damage whatsoever; such Officer so offending shall be liable, by any Action to be founded on this Statute, to answer to the Party grieved all such Damages, with Treble Costs of Suit.

VII. And

VII. And be it further enacted by the Authority aforesaid, That the said Commissioners and their Officers shall be subject to such Penalties and Forfeitures for any Breach of the Trusts in them reposed, or for diverting or misapplying the Money received in pursuance of this Act, as by any former Law relating to stamped Vellum, Parchment or Paper are inflicted; and that all Powers, Provisions, Articles, Clauses, Penalties, Forfeitures, Distribution of Penalties and Forfeitures, and all other Matters and Things prescribed, inflicted or appointed by any former Act or Acts of Parliament relating to the Duties on Vellum, Parchment and Paper, on which any Affidavit, or any other Matter or Thing herein before mentioned, in respect whereof any Rate or Duty is by this Act granted, shall be ingrossed or written, and not hereby altered, shall be in full Force and Effect with Relation to the additional Rates and Duties hereby imposed, and shall be applied and put in Execution for the raising, levying, collecting and securing the said additional Rates and Duties, according to the true Intent and Meaning of this Act, as fully to all Intents and Purposes, as if the same had severally and respectively been herein enacted with relation to the additional Rates and Duties hereby imposed.

Penalties and Forfeitures for Breach of Trust,

Powers and Provisions, &c. of former Acts relating to the Stamp Duties, extended to these Duties.

VIII. And be it further enacted by the Authority aforesaid, That if any Person from and after the said fifth Day of *July* shall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp or Mark, to resemble any Seal, Stamp or Mark, directed or allowed to be used by this Act for the Purpose of denoting the Duties hereby granted, or shall counterfeit or resemble the Impression of the same, with an Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties, or shall utter, vend or sell any Vellum, Parchment or Paper liable to any such Stamp Duty, with such counterfeit Stamp or Mark, knowing the same to be counterfeit; or shall privately or fraudulently use any Seal, Stamp or Mark directed or allowed to be used by this Act, with Intent to defraud his Majesty, his Heirs and Successors, of any of the said Duties; every Person so offending, and being thereof lawfully convicted, shall be adjudged a Felon, and shall suffer Death as in Cases of Felony, without Benefit of Clergy.

Penalty of forging or counterfeiting the Stamps,

or privately or fraudulently making use of the true ones,

Death.

IX. And be it further enacted by the Authority aforesaid, That from and after the fifth Day of *July* there shall be issued, paid and applied, in every Year, out of the Monies which shall arise by the Duties herein before granted, and be paid into the Receipt of the Exchequer as aforesaid, the Sums of Money following to the several Judges herein after mentioned, as an Addition to, and in Augmentation of their respective Salaries; that is to say, The Sum of five hundred Pounds to each of the Puisne Judges for the Time being in the Court of *King's Bench*; the Sum of five hundred Pounds to each of the Judges for the Time being in the Court of *Common Pleas* at *Westminster*; the Sum of one thousand Pounds to the Chief Baron for the Time being in the Court of *Exchequer* at *Westminster*; and the Sum of five hundred Pounds to each of the other Barons of the Coif for the Time being in the said Court of *Exchequer*; the Sum of two hundred Pounds to the Chief Justice of *Chester* for the Time being; the Sum of one hundred and fifty Pounds to the second Justice of *Chester* for the Time being; and the Sum of one hundred and fifty Pounds to each of the Justices for the Time being of the Great Sessions for the Counties in *Wales*: Which said several and respective Sums of Money shall be and are hereby charged upon the Rates and Duties herein before granted, and shall be paid thereout in every Year, at such Time or Times, and in such Manner as the Salaries to the said Judges now are or have accustomarily been paid.

The following Sums to be paid out of the Duties, in Augmentation of the Judges Salaries;

viz. 500l. to each of the Puisne Judges of the Court of King's Bench;
500l. to each of the Judges in the Court of Common Pleas;
1000l. to the Chief Baron of the Exchequer;
500l. to each of the other Barons of the Coif;
200l. to the Chief Justice of Chester;
150l. to the second Justice of Chester;
150l. to each of the Welsh Judges; to be paid yearly, as the Salaries have accustomarily been paid.

X. And be it further enacted by the Authority aforesaid, That if the said Rates and Duties shall prove deficient in any Year to make good and answer the Sums herein before appointed to be paid, and applied yearly in Augmentation of the Salaries of the said Judges, it shall from time to time, as often as such Deficiency shall happen, be lawful for the High Treasurer, or Commissioners of the Treasury, or any three or more of them for the Time being, out of any Money that is then, or shall thereafter be in the Exchequer, and that hath arisen or shall arise by the said Rates and Duties, and not otherwise applied by Parliament, to direct any Sum or Sums of Money to be issued and paid for or towards making good such Parts of the said annual Sums as shall be from time to time deficient or in Arrear.

If the Duties shall be deficient, the Treasury may apply any unappropriated Monies in the Exchequer in Aid thereof.

XI. Provided always, That when and as often as any such Deficiency shall happen, the Payments to be made to the said several and respective Judges shall be in Proportion to the respective Sums which are herein before directed and appointed to be paid to such Judges respectively.

When any Deficiency shall happen, the Payments to the Judges to be in Proportion to the Salaries respectively allowed them.

XII. And be it further enacted by the Authority aforesaid, That all the Residue and Surplus of the Monies arising by the said Rates and Duties which shall from time to time remain in the Exchequer, and shall not have been issued and applied for the Augmentation of the Salaries to the said Judges, and for the making good any such Deficiencies as aforesaid, shall be from time to time, reserved for the Disposition of Parliament, and shall not be issued but by Authority of Parliament, and as shall be directed by future Act or Acts of Parliament; any Thing in any former Act or Acts contained to the contrary notwithstanding.

Surplus Monies of the Duties to be reserved for the future Disposition of Parliament.

XIII. And for the augmenting of the Salaries of the Judges in the Courts of Session and Exchequer in that Part of *Great Britain* called *Scotland*, Be it further enacted by the Authority aforesaid, That from and after the said fifth Day of *July* there shall be issued, paid and applied in every Year, out of the Monies which shall arise from time to time, of or for any the Duties and Revenues in that Part of *Great Britain* called *Scotland*, which by an Act made in the tenth Year of the Reign of Queen

Salaries of the Judges in Scotland to be augmented out of the Duties appropriated for that Purpose by Act 10 Annæ;

Queen ANNE, were charged or made chargeable with the Payment of the Fees, Salaries, and other Charges allowed or to be allowed by her Majesty, her Heirs or Successors, for keeping up the Courts of Session and Justiciary and Exchequer Court in *Scotland*, the several Sums of Money following, to the Judges herein after mentioned, as an Addition to, and in Augmentation of their respective Salaries; that is to say, The Sum of three hundred Pounds to the President for the Time being of the said Court of Session; the Sum of three hundred Pounds to the Chief Baron for the Time being of the said Court of Exchequer; and the Sum of two hundred Pounds to each of the other Judges for the Time being in the said Courts of Session and Exchequer respectively: Which said several and respective Sums of Money shall be and are hereby charged upon the said Duties and Revenues, and shall be paid thereout in every Year, at such Time or Times, and in such Manner as the Fees, Salaries, and other Charges of keeping up the said Courts, now are or have accustomarily been paid since the Union of the two Kingdoms, in pursuance of any Act or Acts of Parliament.

viz. 300l. to the President of the Court of Session; 300l. to the Chief Baron of the Court of Exchequer; 200l. to each of the other Judges in the said Courts; to be paid yearly, as the Salaries have accustomarily been paid.

XIV. And it is hereby enacted by the Authority aforesaid, That if any Person or Persons shall, at any Time or Times, be sued or prosecuted for any Thing by him or them done or to be done or executed in pursuance of this Act, or of any Matter or Thing in this Act contained, such Person or Persons shall and may plead the General Issue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall become nonsuited, then such Defendant or Defendants shall have Treble Costs to him or them awarded against such Plaintiff or Plaintiffs.

General Issue.

Treble Costs.

CAP. XXXVI.

An Act for enabling his Majesty to raise the Sum of one million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.

Most Gracious Sovereign,

Preamble.

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, having taken into our serious Consideration your Majesty's most gracious Message, signifying your Majesty's Desire to be enabled by your faithful Commons to defray any extraordinary Expences of the War incurred or to be incurred, for the Service of the Year one thousand seven hundred and fifty-nine, and to take all such Measures as may be necessary to disappoint or defeat any Enterprises or Designs of your Majesty's Enemies, and as the Exigency of Affairs may require, have resolved to give and grant to your Majesty the Sum of one million for that Purpose; and do therefore most humbly beseech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorise and impower the Commissioners of his Majesty's Treasury now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and sixty, to cause or direct any Loans to be taken or received at his Majesty's Exchequer from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding in Loans and Exchequer Bills together, in the Whole the said Sum of one million, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and fifty-nine*, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

Credit of Loan granted to his Majesty for 1,000,000l.

Treasury may raise the same by Loans or Exchequer Bills,

in like Manner as is prescribed by the Land Tax Act of this Session, concerning Loans or Exchequer Bills thereby to be made out.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last mentioned Act relating to the Loans or Exchequer Bills authorised to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorised by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Clauses, &c. in the said Act relating to the Loans or Exchequer Bills,

extended to the Loans and Exchequer Bills to be made forth in pursuance of this Act;

III. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and sixty, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies, as at any Time or Times at or after the said fifth Day of *July* one thousand seven

Principal and Interest, with the Charges attending, to be paid out of the next Supplies, and if none sufficient be granted before 5 July 1760, then they are to be paid out of the Sinking Fund;

seven hundred and sixty, shall be or remain in the Receipt of the Exchequer, of the Surplusses, Exceſſes, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the Whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

IV. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Exceſſes, Overplus Monies, or other Revenues composing the Sinking Fund, shall from time to time be replaced by and out of the first Supplies to be then after granted in Parliament; any Thing herein contained to the contrary notwithstanding. and the Monies so issued to be replaced out of the first Supplies.

V. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty, in like Manner, at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of one million; any Thing in an Act made in the fifth and sixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding. The Bank impowered to advance on the said Credit of Loan, any Sum or Sums not exceeding 1,000,000 l. the Act of 5 & 6 W. & M. c. 20. notwithstanding.

VI. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer either by Loans or Exchequer Bills upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and fifty-nine*; and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges allowable thereby, for raising the said Land Tax, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and fifty-nine*; and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer by Contributions for Annuities and a Lottery, granted by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty a Subsidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom, and an additional Inland Duty on Coffee and Chocolate; and for raising the Sum of six millions six hundred thousand Pounds, by way of Annuities and a Lottery, to be charged on the said Subsidy, and additional Inland Duty*; and also the Sum of one hundred eighty thousand seventy-six Pounds seventeen Shillings and three Farthings, remaining in the Receipt of his Majesty's Exchequer, disposable by Parliament, of the Produce of the Sinking Fund for the Quarter ended the fifth Day of *April* one thousand seven hundred and fifty-nine, directed to be issued and applied by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty certain Sums of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer, for the Service of the Year one thousand seven hundred and fifty-nine; and for Relief of* Samuel Taylor, *with respect to a Bond entered into by him for securing the Duties on Tobacco imported*; and also the Sum of two millions two hundred and fifty thousand Pounds, by the said Act directed to be issued and applied out of such Monies as shall or may arise of the Surplusses, Exceſſes, or Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*; and also such Part of the Sum of one hundred thousand Pounds, granted to his Majesty in the last Session of Parliament, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia, for the Year one thousand seven hundred and fifty-eight, and for defraying such Expences as were actually incurred upon the Account of the Militia in the Year one thousand seven hundred and fifty-seven, as shall remain in the Receipt of the Exchequer, after Satisfaction of the said Charges and Expences by the said Act directed to be issued and applied; and also the Sum of seventy-three thousand three hundred and eight Pounds three Shillings and ten Pence Farthing, now remaining in the Exchequer, being the Overplus of the Grants for the Service of the Year one thousand seven hundred and fifty-eight, by the said Act directed to be issued and applied; and also the Sum of one hundred thousand Pounds repaid into the Receipt of the Exchequer, and now remaining there, being the same Sum which was granted to his Majesty by a Vote of this House of the fifteenth Day of *December* one thousand seven hundred and fifty-five, to enable his Majesty to make good his Engagements with the Empress of *Russia*, by the said Act directed to be issued and applied; and the further Sum of one million by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say, Appropriation of the Supplies in general. The Monies arising by the Land Tax, 32 *Geo.* 2. *c.* 3. Malt Act, 32 *Geo.* 2. *c.* 4. Subsidy and Lottery Act, 32 *Geo.* 2. *c.* 10. and other Sums remaining in the Exchequer, 32 *Geo.* 2. *c.* 31. and Sinking Fund. Savings upon the Sum granted for Pay and Cloathing of the Militia for the Year 1758, Overplus of the Grants for the Year 1758 remaining in the Exchequer, and the Sum of 100,000 l. granted to the Empress of Russia in 1755, repaid into the Exchequer, with the Sum of 1,000,000 l. granted by this Act;

viz. Out of the Aids in general, 3,558,491 l. 9 s. 8 d. towards Naval Services herein specified.

VII. It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding three millions five hundred and fifty-eight thousand four hundred and ninety-one Pounds nine Shillings and eight Pence, for or towards the Naval Services herein after particularly expressed; that is to say, For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance, performed and to be performed, and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers, and for or towards maintaining fourteen thousand eight hundred and forty-five Marines, and for or towards the Buildings, Rebuildings and Repairs of his Majesty's Ships for the said Year.

1,000,000 l. towards paying off the Navy Debt.

VIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million, towards paying off and discharging the Debt of the Navy.

10,000 l. towards the Support of Greenwich Hospital.

IX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital worn out and become decrepit in the Service of their Country.

244,777 l. 5 s. for Charge of the Office of Ordnance for Land Service.

X. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding five hundred and forty-four thousand seven hundred and seventy-seven Pounds and five Shillings, for the Charge of the Office of Ordnance for Land Service for the Year one thousand seven hundred and fifty-nine, and for defraying the extraordinary Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament, in one thousand seven hundred and fifty-eight.

4,592,444 l. 1 s. 9 d. 3q. towards the Land Forces in general;

of which 1,256,130 l. 15 s. 2 d. for Troops in Germany and the West Indies, and for Guards and Garrisons, &c. in Great Britain, Guernsey and Jersey.

52,484 l. 12 s. 8 d. for the Staff Officers, and Officers of the Hospitals.

742,531 l. 5 s. 7 d. for Guards and Garrisons, &c. in the Plantations, and Gibraltar, Nova Scotia, Newfoundland, Providence, Cape Breton, and Senegal.

40,879 l. 13 s. 9 d. for Troops on the Irish Establishment serving in North America and Africa.

34,363 l. 10 s. 10 d. to the reduced Officers of the Land Forces and Marines.

2,058 l. 19 s. 7 d. to the Officers and Gentlemen of Horse Guards, &c. reduced.

2,128 l. for Pensions of Officers Widows.

26,000 l. for Out Pensioners of Chelsea Hospital.

466,785 l. 10 s. 5 d. 3q. for extraordinary Expences of Land Forces, and other Services, incurred in the Year 1758.

308,697 l. 17 s. 2 d. 3q. for the Troops of Hanover, Wolfenbuttel, Saxe Gotha, and Count Buckeburg, employed against the Common Enemy, in Concert with the King of Prussia.

XI. And it is hereby also enacted by the Authority aforesaid, That out of all or any of the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding four millions five hundred ninety-two thousand four hundred forty-four Pounds one Shilling and nine Pence three Farthings, and one seventh, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money, not exceeding one million two hundred fifty-six thousand one hundred and thirty Pounds fifteen Shillings and two Pence, for defraying the Charge of fifty-two thousand five hundred and forty-three effective Men, including those in *Germany*, and on an Expedition under the Command of Major General *Hopson*, and including Commission and Non-commission Officers, and also four thousand and ten Invalids for Guards and Garrisons, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money, not exceeding fifty-two thousand four hundred eighty-four Pounds one Shilling and eight Pence, for the Pay of the General and General Staff Officers, and Officers of the Hospitals for his Majesty's Land Forces, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding seven hundred forty-two thousand five hundred thirty-one Pounds five Shillings and seven Pence, for maintaining his Majesty's Forces and Garrisons in the Plantations, and *Gibraltar*, and for Provisions for the Garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Providence*, *Cape Breton*, and *Senegal*, for the Year one thousand seven hundred and fifty-nine; and also any Sum or Sums of Money not exceeding forty thousand eight hundred and seventy-nine Pounds thirteen Shillings and nine Pence, for defraying the Charge of four Regiments and one Battalion of Foot on the *Irish* Establishment serving in *North America* and *Africa*, for the Year one thousand seven hundred and fifty-nine; and also any Sum or Sums of Money not exceeding thirty-four thousand three hundred and sixty-seven Pounds fifteen Shillings and ten Pence, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding two thousand nine hundred and fifty-eight Pounds nineteen Shillings and seven Pence, for defraying the Charge for Allowances to the several Officers and Private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and to the Superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding two thousand one hundred and twenty-eight Pounds, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and fixteen, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding twenty-six thousand Pounds, upon Account, for Out-Pensioners of *Chelsea Hospital*, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding four hundred and sixty-six thousand seven hundred and eighty-five Pounds ten Shillings and five Pence three Farthings, for defraying the extraordinary Expences of his Majesty's Land Forces, and other Services, incurred in the Year one thousand seven hundred and fifty-eight, and not provided for by Parliament; and any Sum or Sums of Money not exceeding three hundred ninety-eight thousand six hundred and ninety-seven Pounds seventeen Shillings and two Pence three Farthings, for defraying the Charge of thirty-eight thousand Men of the Troops of *Hanover*, *Wolfenbuttel*, *Saxe Gotha*, and Count of *Buckeburg*, together with that of General and Staff Officers actually imployed against the Common Enemy in Concert with

with the King of *Prussia*, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-eight to the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, both inclusive, to be issued in Advance, every two Months, in like Manner as the Pay of the *Hessian* Forces now in the Service of *Great Britain*; the said Body of Troops to be mustered by an *English* Commissary, and the effective State thereof to be ascertained by the Signature of the Commander in Chief of the said Forces; and any Sum or Sums of Money not exceeding fifty-nine thousand six hundred and forty-six Pounds one Shilling and eight Pence three Farthings, for defraying the Charge of two thousand one hundred twenty Horse, and nine thousand nine hundred Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, for ninety Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-eight, to the twenty-fourth Day of *March* one thousand seven hundred and fifty-nine, both inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding one hundred and eighty-two thousand two hundred and fifty-one Pounds two Shillings and eleven Pence Farthing, for defraying the Charge of what remains to be paid for two thousand one hundred and twenty Horse, and nine thousand nine hundred Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, for three hundred and sixty-five Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-eight, to the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, both Days inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding ninety-seven thousand five hundred eighty-two Pounds seventeen Shillings and ten Pence two sevenths, for defraying the Charge of an additional Corps of nine hundred and twenty Horse, and six thousand and seventy-two Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, for three hundred and sixty-five Days, from the first Day of *January* one thousand seven hundred and fifty-nine, to the thirty-first Day of *December* following, pursuant to Treaty; and any Sum or Sums of Money not exceeding five hundred thousand Pounds, upon Account, as a present Supply towards defraying the Charges of Forage, Bread, Bread-Waggons, Train of Artillery, and of Provisions, Wood, Straw, *et cetera*, and other extraordinary Expences and Contingencies of his Majesty's Combined Army, under the Command of Prince *Ferdinand*; and any Sum or Sums of Money not exceeding six hundred and seventy thousand Pounds, to enable his Majesty to make good his Engagements with the King of *Prussia*, pursuant to a Convention between his Majesty and the King of *Prussia*, concluded *December* the seventh one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding sixty thousand Pounds, to enable his Majesty to make good his Engagements with the Landgrave of *Hesse Cassel*, pursuant to the separate Article belonging to a Treaty between his Majesty and the Landgrave of *Hesse Cassel*, concluded *January* the seventeenth one thousand seven hundred and fifty-nine, the said Sum of sixty thousand Pounds to be paid as his Most Serene Highness shall think it most convenient, in order to facilitate the Means by which the Most Serene Landgrave may again fix his Residence in his own Dominions, and give fresh Courage to his faithful Subjects, by his Presence, which is so much wished for.

59,646*l.* 11*s.* 8*d.* 3*q.* for the Troops of Hesse Cassel, in the Pay of Great Britain, with the Subsidy, pursuant to Treaty, from 25 Dec. 1758, to 24 March 1759.

182,251*l.* 2*s.* 11*d.* 1*q.* Balance for Charge of the said Troops, from 25 Dec. 1758, to 25 Dec. 1759.

97,582*l.* 17*s.* 10*d.* &c. for Charge of additional Troops of Hesse Cassel, in the Pay of Great Britain, from 1 Jan. 1759, to 31 Dec. 1759.

500,000*l.* upon Account, for Forage and other contingent Expences of the Combined Army under Prince Ferdinand.

670,000*l.* to the King of Prussia, pursuant to Treaty.

60,000*l.* to the Landgrave of Hesse Cassel, pursuant to Treaty.

XII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding eight hundred thousand Pounds, to enable his Majesty to discharge the like Sum raised in pursuance of an Act made in the last Session of Parliament, and charged upon the first Aids or Supplies to be granted in this Session of Parliament.

800,000*l.* to discharge the like Sum borrowed on a Vote of Credit of the last Session.

XIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding one million, upon Account, to enable his Majesty to defray any extraordinary Expences of the War, incurred or to be incurred, for the Service of the Year one thousand seven hundred and fifty-nine, and to take all such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of his Enemies, and as the Exigency of Affairs may require.

1,000,000*l.* upon Account, to defray the extraordinary Expences of the War.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money, not exceeding nine thousand nine hundred and two Pounds five Shillings, upon Account, for supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money, not exceeding eleven thousand two hundred seventy-eight Pounds eighteen Shillings and five Pence, upon Account, for defraying the Charges incurred by supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, in the Year one thousand seven hundred and fifty-seven, and not provided for by Parliament; and any Sum or Sums of Money, not exceeding four thousand and fifty-seven Pounds ten Shillings, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth Day of *June* one thousand seven hundred and fifty-eight, to the twenty-fourth Day of *June* one thousand seven hundred and fifty-nine.

9,902*l.* 5*s.* upon Account, for supporting the Colony of Nova Scotia.

11,278*l.* 18*s.* 5*d.* upon Account, for Charges incurred in 1757, for supporting the said Colony, and not provided for.

4,057*l.* 10*s.* upon Account, for defraying the Civil Establishment of Georgia.

667,771 l. 19 s. 7 d. for Charges of Transport Service, &c. incurred in the Year 1758.

2,500 l. to make good the like Sum issued by his Majesty to John Mill Esquire, and to be paid over by him to the Victuallers, &c. of Southampton, in Consideration of their Expences in quartering the Hessian Troops.

11,450 l. to make good the like Sum issued by his Majesty in Augmentation of the Judges Salaries.

778 l. 16 s. 6 d. to make good the like Sum issued by his Majesty to Jane Hardinge, Balance of her Husband's Account for printing the Journals of the House of Commons.

69,910 l. 15 s. 9 d. 1 q. upon Account, for discharging Incumbrances on the Perth Estate, pursuant to Act 25 Geo. 2. c. 41.

24,371 l. 6 s. 11 d. 3 q. to replace to the Sinking Fund the like Sum paid thereout, to make good the Deficiency of the additional Stamp Duties, &c. on 5 July 1758.

8,881 l. 11 s. 10 d. 2 q. to replace to the Sinking Fund the like Sum paid thereout, to make good the Deficiency of the Duties on Glass, &c. on 5 July 1758.

15,000 l. without Account, towards repairing London Bridge, Act 29 Geo. 2. c. 40.

20,000 l. to the Foundling Hospital, to be paid without Fee.

30,000 l. to the Foundling Hospital, for receiving, &c. such Children as shall be brought thither before 1 Jan. 1761, to be paid without Fee.

10,000 l. towards maintaining the Forts and Settlements in Africa,

1,280 l. to R. Long D. D. to enable him to discharge a Mortgage upon the Estate devised by T. Lowndes Esq; for the Endowment of an Astronomical and Geometrical Professorship in Cambridge.

XV. And it is hereby also further enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding six hundred sixty-seven thousand seven hundred seventy-one Pounds nineteen Shillings and seven Pence, for the Charge of Transport Service, for the Year one thousand seven hundred and fifty-eight, including the Expence of Victualling his Majesty's Land Forces within the said Year; and any Sum or Sums of Money, not exceeding two thousand five hundred Pounds to make good the like Sum issued by his Majesty to *John Mill* Esquire, to be by him paid over to the Victuallers and Innholders of the County and Town of *Southampton*, and other Victuallers and Innholders in the like Circumstances, in Consideration of the great Expences they were put to by the *Hessian* Troops having been so long billetted at their Houses, pursuant to an Address of this House; and any Sum or Sums of Money, not exceeding eleven thousand four hundred and fifty Pounds, to make good the like Sum issued by his Majesty to the Judges of *England*, *Scotland* and *Wales*, in Augmentation of their Salaries, pursuant to an Address of this House; and any Sum or Sums of Money not exceeding seven hundred seventy-eight Pounds sixteen Shillings and six Pence, to make good to his Majesty the like Sum, which has been issued pursuant to the Address of this House, to *Jane Hardinge* Widow, Administratrix of *Nicholas Hardinge* Esquire deceased, in Repayment and full Satisfaction of the like Sum due unto her for the Balance or Surplus of the said *Nicholas Hardinge*'s Account, for printing Journals of the House of Commons; and any Sum or Sums of Money not exceeding sixty-nine thousand nine hundred ten Pounds fifteen Shillings and nine Pence Farthing, upon Account, for paying and discharging the Debts, with the necessary Expences attending the Payment of the same, claimed and sustained upon the Lands and Estate which became forfeited to the Crown by the Attainder of *John Drummond*, taking upon himself the Stile or Title of Lord *John Drummond*, Brother to *James Drummond*, taking upon himself the Title of Duke of *Perth*, or so much of the said Debts as shall be remaining unsatisfied, according to the several Decrees in that Behalf respectively made by the Lords of Session in *Scotland*, and pursuant to an Act of the twenty-fifth Year of his present Majesty, intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same; and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future*; and any Sum or Sums of Money, not exceeding twenty-four thousand three hundred seventy-one Pounds six Shillings and eleven Pence three Farthings, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July* one thousand seven hundred and fifty-eight, of the additional Stamp Duty on Licences for retailing Wine, Duty on Coals exported, and Surplus of the Duty on Licences for retailing Spirituous Liquors, made a Fund by an Act of the thirtieth of GEORGE the Second, for paying Annuities at the Bank of *England*, after the Rate of three Pounds *per Centum* on three millions, as also the Life Annuities payable at the Exchequer, and other Charges thereupon; and any Sum or Sums of Money, not exceeding eight thousand eight hundred eighty-one Pounds eleven Shillings and ten Pence Halfpenny, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July* one thousand seven hundred and fifty-eight, of the Duties on Glass and Spirituous Liquors, to answer Annuities on single Lives payable at the Exchequer, granted by an Act of the nineteenth of GEORGE the Second; and any Sum or Sums of Money, not exceeding fifteen thousand Pounds, to be paid into the Chamber of the City of *London*, to be applied towards the improving, widening and inlarging the Passage over and through *London Bridge*, without Account, other than as is directed for the Monies raised by an Act made in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act to improve, widen and inlarge the Passage over and through* London Bridge; and any Sum or Sums of Money, not exceeding twenty thousand Pounds, upon Account, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to receive all such Children under a certain Age, to be by them limited, as shall be brought to the said Hospital; and also towards enabling them to maintain and educate such Children as are now under their Care, and to continue to carry into Execution the good Purposes for which they were incorporated; and that the said Sum be issued and paid for the Use of the said Hospital without Fee or Reward, or any Deduction whatsoever; and any further Sum or Sums of Money, not exceeding thirty thousand Pounds, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to receive all such Children under a certain Age, to be by them limited, as shall be brought to the said Hospital before the first Day of *January* one thousand seven hundred and sixty, and also towards enabling them to maintain and educate such Children as are now under their Care, and to continue to carry into Execution the good Purposes for which they were incorporated; and that the said Sum be issued and paid for the Use of the said Hospital without Fee or Reward, or any Deduction whatsoever; and any Sum or Sums of Money, not exceeding ten thousand Pounds, to be employed in maintaining and supporting the *British* Forts and Settlements upon the Coast of *Africa*; and any Sum or Sums of Money, not exceeding one thousand two hundred and eighty Pounds, to be paid to *Roger Long* Doctor in Divinity, *Lowndes* Astronomical and Geometrical Professor in the University of *Cambridge*, without Account, to enable him to discharge, in pursuance of the Will of *Thomas Lowndes* Esquire, (the Inventor of a Method for meliorating the Brine Salt of this Kingdom) a Mortgage upon an Estate devised for the Endowment of the said Professorship by the said *Thomas Lowndes*, and to reimburse to the said *Roger Long* the Interest Monies

nies he hath paid, and that are growing due, and the Expences he hath incurred in Respect of the said Mortgage, and that the same be paid without Fee or Reward; and any Sum or Sums of Money not exceeding ninety thousand Pounds, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia, from the thirty-first Day of *December* one thousand seven hundred and fifty-eight to the twenty-fifth Day of *March* one thousand seven hundred and sixty, and for repaying to his Majesty the Sum of one thousand three hundred and thirty-two Pounds ten Shillings, advanced by his Majesty for the Service of the Militia, pursuant to an Address of this House of the twenty-ninth of *November* last to his Majesty, that he would be graciously pleased to give Directions for the issuing, till further Provision could be made in Parliament for that Purpose, such Money as should be found necessary for the Pay and Cloathing of the Militia for the Year one thousand seven hundred and fifty-nine, and promising to make the same good to his Majesty; and any Sum or Sums of Money not exceeding twenty thousand Pounds, upon Account, to be paid to the United Company of Merchants of *England* trading to the *East Indies*, towards enabling them to defray the Expence of a Military Force in their Settlements, to be maintained by them, in lieu of the Battalion of his Majesty's Forces commanded by Colonel *Adlercron*, withdrawn from thence, and now returned to *Ireland*; and any Sum or Sums of Money not exceeding two hundred thousand Pounds, upon Account, to enable his Majesty to give a proper Compensation to the respective Provinces in *North America*, for the Expences incurred by them in the Levying, Cloathing and Pay of the Troops raised by the same, according as the active Vigour and strenuous Efforts of the respective Provinces shall be thought by his Majesty to merit; and any Sum or Sums of Money not exceeding two thousand four hundred forty-three Pounds three Shillings and one Penny, for defraying the Charges incurred in pursuance of an Act made in the thirty-first Year of his present Majesty's Reign, for purchasing Lands for the better securing his Majesty's Docks, Ships, and Stores at *Portsmouth*, *Chatham*, and *Plymouth*.

90,000 l. upon Account, for pay and Cloathing of the Militia, and Repayment to his Majesty of 1,332 l. 10 s. advanced by him for the Service of the Militia.

20,000 l. to the East India Company, in lieu of the King's Troops withdrawn from thence.

200,000 l. upon Account, to make Compensation to the Provinces of North America, for Expences incurred by them in Levying, Cloathing, and Pay of Troops raised there.

2,443 l. 3 s. 1 d. for purchasing Lands for securing Portsmouth, Chatham and Plymouth Docks.

XVI. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

These Aids to be applied to no other Uses.

XVII. And, as to the said Sum of thirty-four thousand three hundred and sixty-seven Pounds fifteen Shillings and ten Pence, by this Act appropriated, on account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed, shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment Troop or Company in which he served was reduced; that no Person shall have or receive any Part of the same except such Person who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in Ireland, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay.

'XVIII. And whereas by an Act of Parliament made and passed in the thirty-first Year of his 'present Majesty's Reign, intituled, *An Act for enabling his Majesty to raise the Sum of eight hundred* 'thousand Pounds, *for the Uses and Purposes therein mentioned*; *and for further appropriating the Supplies* 'granted in this Session of Parliament; the several Supplies which had been granted to his Majesty, 'as is therein mentioned, were appropriated to the several Uses and Purposes therein expressed; 'amongst which, any Sum or Sums not exceeding thirty-five thousand six hundred and two Pounds, 'was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Marines; 'subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as in and 'by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted and declared, by the Authority aforesaid, That so much of the said Sum of thirty-five thousand six hundred and two Pounds, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late Wars, or such others as by reason of their long Service or otherwise his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers according to such Warrant or Warrants under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any thing in this Act, or the said former Act, to the contrary notwithstanding.

Clause in Act 31 Geo. 2, c. 33.

Application of the Savings of the said Sum of 35,602 l. granted the last Session towards Half-pay.

XIX. And for the better and more easy Payment of the said Debts upon the said Lands and Estate of *Perth*, by this Act directed to be paid and discharged, be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners

Treasury may issue to the Banks of Scotland, the Sum of 60,910 l. 15 s. 0 d. 1 q. for discharging the Incumbrances of the Perth Estate.

sioners of the Treasury for the Time being, to issue or cause to be issued, in such Proportions as he or they shall think fit, to either or both of the Banks of *Scotland* at *Edinburgh*, or to either of their lawful Attornies, a Sum not exceeding sixty-nine thousand nine hundred and ten Pounds, fifteen Shillings and nine Pence Farthing, to be applied in paying and discharging the said Debts, with the necessary Expence attending the Payment of the same, in Manner herein after mentioned.

The Decrees sustaining the Claims thereupon, to be produced to the Court on or before 5 July 1759;

XX. And be it further enacted by the Authority aforesaid, That the several Creditors, whose Claims have been sustained upon the said Lands and Estate, forfeited and annexed to the Crown as aforesaid, or some Person or Persons on their Behalf shall, on or before the fifth Day of *July* one thousand seven hundred and fifty-nine, produce, or cause to be produced, in his Majesty's Court of *Exchequer* in *Scotland*, the Decree or Decrees of the Court of Session, sustaining the said Claims; and upon Production of every such Decree or Decrees, the Barons of the said Court of *Exchequer*, or any three or more of them, shall and they are hereby impowered and required to make out Debentures or Certificates under their Hands, with all convenient Dispatch, for the several Sums of Money, as well the Interest computed to the Date of such Debentures or Certificates, as the Principal which shall appear to be due by and under the said Decrees respectively, or so much thereof as shall be then remaining unsatisfied; which Debentures or Certificates shall mention the Nature of the Debt claimed, and the Date of Decree sustaining the same, and shall be issued and delivered to the several Creditors respectively entitled to the Sums therein contained, or to such Persons as shall be legally authorized to receive the said Sums in Right or in Behalf of the said Creditors, or any of them; and the several Sums contained in the said Debentures or Certificates shall be paid at Sight, without Deduction, Fee or Abatement, by the said Bank or Banks, out of the Money aforesaid, to the said Creditors, or other Persons in their Right, or on their Behalf, in whose Names such Debentures or Certificates shall be made out, or to such others as shall be duly impowered by the Nominees in the said Debentures or Certificates, to receive the same; and the said Debentures or Certificates shall be to the said Bank or Banks, sufficient Discharges for such Payments.

and Debentures to be then made out for the same, with the Interest due;

which are to be paid at Sight by the Bank.

Decrees not then produced, the Claims not to bear Interest after the said Day.

XXI. Provided always, and be it further enacted by the Authority aforesaid, That if the Decree or Decrees sustaining the Claim or Claims of any Creditor or Creditors aforesaid, shall not be so produced as aforesaid, in his Majesty's Court of *Exchequer* in *Scotland*, on or before the fifth Day of *July* one thousand seven hundred and fifty-nine, such Claim or Claims shall not carry any further Interest to be computed from and after the said fifth Day of *July* one thousand seven hundred and fifty-nine.

Barons of the Exchequer with Consent of the Treasury, to settle the Rewards due to the Officers of the Court,

and issue Debentures for the same, &c.

XXII. And be it further enacted by the Authority aforesaid, That the said Barons of the *Exchequer*, or any three or more of them, may and shall, and they are hereby impowered to settle and ascertain, with the Consent of the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, the Rewards due for the Execution of this Act to the Officers of the said Court, and to issue Debentures for the same, which shall be paid by the said Bank or Banks out of the Money remaining in their Hands after the said Debts are satisfied and paid; and such Debentures shall be to the said Banks, sufficient Discharges for such Payments.

No Fee to be taken by the Officers of the Exchequer from the Creditors of the said Estate,

on Penalty of 100 l. and Repayment of the Fee with Costs.

XXIII. And be it further enacted by the Authority aforesaid, That no Officer or Officers of the said Court of *Exchequer* shall ask, demand or receive any Sum or Sums of Money from any Creditor upon the said Estate, in the Name of Fee or Reward, or on any other Pretence whatsoever, for or on account of their Trouble in executing this Act; and the Officer or Officers offending herein, and being thereof lawfully convicted before the said Barons, who are hereby impowered to judge and finally determine upon any Complaint brought against any such Officer or Officers, shall forfeit and pay the Sum of one hundred Pounds; to be levied and applied by the said Barons in the same Manner as other Fines payable in the *Exchequer* in *Scotland* now are, and shall further be found liable to repay to the Party the Sum or Sums so illegally exacted, with full Costs of Suit.

Surplus Moneys, after discharging the Incumbrances on the Perth Estate, to be reserved for the future Disposition of Parliament.

XXIV. Provided always, and be it further enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Money by this Act appropriated for discharging all the said Incumbrances on the *Perth* Estate, after all the several Claims, and all Arrears thereof, are satisfied, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall be reserved for the Disposition of Parliament, and shall not be issued but by the Authority of Parliament, and as shall be directed by any future Act or Acts of Parliament; any thing to the contrary thereof in any wise notwithstanding.

Anno tricesimo tertio GEORGII II. Regis.

'AT the Parliament begun and holden at *Westminster* the thirty-first Day of *May*, *Anno Domini* one thousand seven hundred and fifty-four, in the twenty-seventh Year of the Reign of our Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France*, and *Ireland*, King, Defender of the Faith, &c. And from thence continued by several Prorogations to the thirteenth Day of *November* one thousand seven hundred and fifty-nine; being the seventh Session of this present Parliament.'

CAP. I.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and sixty. *EXP.*

CAP. II.

An Act to enable his Majesty's Lieutenants of the several Counties, Ridings or Places, in that Part of *Great Britain* called *England*, to proceed in the Execution of the Laws relating to the Militia, notwithstanding any Suspension of the same; and for other Purposes relating to the said Laws.

'WHEREAS several of his Majesty's Lieutenants of several Counties, Ridings or Places, within that Part of *Great Britain* called *England*, in pursuance of the Power vested in them by an Act made in the thirty-first Year of the Reign of his present Majesty, for explaining, amending and enforcing, an Act made in the then last Session of Parliament, for the better ordering the Militia Forces in that Part of *Great Britain* called *England*, have suspended all farther Proceedings in the Execution of the said Acts until the next Year; and others of the said Lieutenants until *March* and *April* one thousand seven hundred and sixty; so that no Proceedings can be had till the said limited Times are expired: And whereas the speedy carrying into Execution the several Provisions made by Law, for the better ordering the Militia Forces of that Part of *Great Britain* called *England*, is most essentially necessary at this Juncture, to the Peace and Security of this Kingdom:' Therefore be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in Parliament assembled, That from and after the passing of this Act, his Majesty's Lieutenant of any County, Riding or Place, where a sufficient Number of Persons have not been found qualified and willing to accept Commissions of Field Officers and Captains respectively, as were equal to the Number requisite for any one Battalion of the Militia within such County, Riding or Place, shall, and they are hereby required, within one Month after the passing of this Act, to summon a Meeting at some certain Place within such County, Riding or Place, of all Persons qualified and willing to serve as Officers in the Militia of such County, Riding or Place, in order that every Person so qualified, and willing to accept any such Commission, may, at such Meeting, deliver his Name in Writing, or cause it to be delivered to his Majesty's said Lieutenant, or, in case of his Absence, to such Person as shall be authorized by such Lieutenant to receive the same, specifying also the Rank in which he is willing to serve; and his Majesty's said Lieutenant shall proceed thereupon, and also in the further Execution of the Provisions of the said Acts, in like Manner, and to all Intents and Purposes (except as is herein after excepted) as if such Proceedings had not been suspended as aforesaid, and as he and they respectively ought to have done, in case a sufficient Number of Persons so qualified and willing to serve as aforesaid had been found in the Year one thousand seven hundred and fifty-eight: And in every County, Riding or Place, where a sufficient Number of Officers shall not be found at the first Meeting held in pursuance of this Act, the Lieutenants of such County, Riding or Place, shall summon a Meeting within such County, Riding or Place for the same Purpose, once in every succeeding Month, until a sufficient Number of Officers qualified and willing to serve as aforesaid, have been found; or until the Expiration of the Act for the better ordering the Militia Forces in that Part of *Great Britain* called *England*.

Preamble.

For former Laws refer to
4 & 5 P. & M. c. 3.
13 & 14 Car. 2. c. 3.
15 Car. 2. c. 4.
10 & 11 W. 3. c. 12.
1 Ann. st. 2. c. 23.
1 Geo. 1. st. 2. c. 14.
9 Geo. 1. c. 8.
7 Geo. 2. c. 23.
30 Geo. 2. c. 25.
31 Geo. 2. c. 26.
32 Geo. 2. c. 20.

Where a sufficient Number of qualified Persons, willing to accept Commissions, have not been found within any County, &c.

the Lieutenant is to summon a Meeting within one Month after passing of this Act, of all Persons qualified and willing to serve as Officers, to deliver in their Names;

and is to proceed in the further Execution of the Laws relating to the Militia, as if there had been no Suspension thereof;

and Meetings for the said Purposes are to be summoned monthly, till a sufficient Number shall offer themselves, or until the Expiration of the Militia Laws.

II. And be it further enacted, That the like Method shall be annually observed during the Continuance of the said Acts, for carrying the same into Execution, as is directed in and by the said Act of the thirty-first Year of his present Majesty's Reign to be observed in the Year one thousand seven hundred and fifty-eight; save and except, That the first General Meeting of the Lieutenant and Deputy-Lieutenants, thereby directed to be held on the third *Tuesday* in *August*, shall from and after the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine be annually held on the second *Tuesday* in *January*.

The like Method to be annually observed for carrying the said Acts into Execution, as is directed by Act 31 Geo. 2. to be observed in the Year 1758;

except, That the first General Meeting of Lieutenants and Deputy Lieutenants, shall be annually held on the second Tuesday in January.

III. And

Six Days Notice of all such Meetings to be advertized in the London Gazette and Weekly Papers.

See further Ch. 22 & 24 & 2 Geo. 3. c. 20, 4 Geo. 3. c. 17.

III. And be it enacted by the Authority aforesaid, That Notice of the Time and Place of all such Meetings shall be given by the Lieutenant of every such County, Riding or Place in the *London Gazette*, and also in some one or more of the weekly Papers (if any such there be) usually circulated within such County, Riding or Place, at least six Days before the Day appointed for such Meeting.

CAP. III.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and sixty. *EXP.*

CAP. IV.

An Act to continue, for a further Time, the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain or from Meal, Flour or Bran.

Preamble.

'WHEREAS the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain, or from Meal, Flour or Bran, is near expiring, and it is expedient the same should be continued;' Be it enacted by the King's most Excellent, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this

Act 30 Geo. 2. c. 10.

present Parliament assembled, and by the Authority of the same, That an Act made in the thirtieth Year of his Majesty's Reign, intituled, *An Act to prohibit for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain, or from any Meal or Flour*, which by several subsequent Acts was continued until the twenty-fourth Day of *December* one thousand seven

and Act 32 Geo. 2. c. 2.

hundred and fifty-nine; and also so much of an Act made in the last Session of Parliament, intituled, *An Act to continue for a further Time the Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit and Starch; and also to continue for a further Time the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain, or from Meal or Flour; and to prohibit for a limited Time the making of Low Wines and Spirits from Bran*, as prohibits the making of Low

further continued to 24 Dec. 1760, unless the Continuation thereof be shortened by any other Act of this Session.

Wines and Spirits from Bran, which was to continue until the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, shall be, and the same are hereby continued from the Expiration thereof, until the twenty-fourth Day of *December* one thousand seven hundred and sixty; unless such Continuation of the said Acts, or any Parts thereof, shall be abridged or shortened by any other Act to be made in this present Session of Parliament.

CAP. V.

An Act to continue for a limited Time, the Importation of salted Beef, Pork and Butter from *Ireland*.

Preamble.

'WHEREAS the permitting the Importation of salted Beef, Pork and Butter from *Ireland* into this Kingdom, hath been found useful and beneficial, and that the Time allowed for that Purpose is near expiring, and it is expedient that the same should be prolonged;' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same,

Act 32 Geo. 2. c. 1. further continued to 24 Dec. 1760.

That an Act made in the last Session of Parliament, intituled, *An Act to continue for a limited Time an Act made in the last Session of Parliament*, intituled, *An Act to permit the Importation of salted Beef, Pork and Butter from* Ireland, *for a limited Time*, and to amend the said Act, which was to continue in Force until the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, shall

Further continued by 2 Geo. 3. c. 4.

be, and the same is hereby further continued from the Expiration thereof until the twenty-fourth Day of *December* one thousand seven hundred and sixty.

CAP. VI.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. *EXP.*

CAP.

CAP. VII.

An Act for granting to his Majesty several Duties upon Malt; and for raising the Sum of eight millions by Way of Annuities and a Lottery, to be charged on the said Duties; and to prevent the fraudulent obtaining of Allowances in the gauging of Corn making into Malt; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, lost, burnt or otherwise destroyed.

Most Gracious Sovereign,

Preamble. *See* 3 *Geo.* 3. *c.* 13.

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, towards raising by the most easy Means the necessary Supplies to defray 'your Majesty's Publick Expences, have freely and voluntarily resolved to give and grant unto 'your Majesty the Rates, Duties and Impositions herein after mentioned;' And do most humbly beseech your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the eighth Day of *February* one thousand seven hundred and sixty there shall be raised, levied, collected, paid and satisfied, unto and for the Use of his Majesty, his Heirs and Successors, for and upon all Malt, the Rates, Duties and Impositions herein after mentioned; that is to say,

The following Duties to take Place from and after 8 Feb. next, viz.

Malt made in England to pay 3 d. per Bushel, over and above all other Duties payable thereon.

For and upon every Bushel of Malt which at any Time or Times shall be made of Barley, or any other Corn or Grain, within that Part of *Great Britain* called *England*, *Wales*, and the Town of *Berwick upon Tweed*, by any Person or Persons whatsoever (whether the same shall be or not be for Sale) the Sum of three Pence, and so proportionably for any greater or less Quantity; to be paid by the Maker or Makers thereof respectively, over and above all other Rates, Duties and Impositions, charged or chargeable thereupon, or that may be payable for the same.

Malt made in Scotland, and also

And for and upon every Bushel of Malt which at any Time or Times shall be made of Barley or any other Corn or Grain, within that Part of *Great Britain* called *Scotland*, by any Person or Persons whatsoever (whether the same shall be or not be for Sale) the Sum of one Penny Halfpenny, and so proportionably for any greater or less Quantity; to be paid by the Maker or Makers thereof respectively, over and above all other Rates, Duties and Impositions, charged or chargeable thereupon, or that may be payable for the same.

Malt brought from Scotland into England, to pay 1 d. 2 q. per Bushel, over and above all other Duties payable thereon.

And for and upon every Bushel of Malt which at any Time or Times shall be brought from *Scotland* into *England*, *Wales*, or the Town of *Berwick upon Tweed*, the Sum of one Penny Halfpenny, and so proportionably for any greater or less Quantity, over and above the Duty herein before granted upon Malt made in *Scotland*, and all other Rates, Duties and Impositions, charged or chargeable thereupon, or that may be payable for the same.

The Duties to be ascertained, paid, &c. in all Respects, where not otherwise provided for, as is enacted with respect to Malt Tax, &c. of this present Session.

II. And be it further enacted by the Authority aforesaid, That the Rates, Duties and Impositions herein before granted, shall be ascertained, secured, raised, collected, levied, recovered and paid into his Majesty's Exchequer, for the Purposes in this Act expressed, in such and the like Form and Manner, and under such Management, and by the same Ways, Means and Methods, and with such and the like Allowances and Repayments, and Power of making Compositions proportionably and according to such Rules, Regulations and Directions, and under such Penalties, Forfeitures and Fines, with such Powers for Recovery and Mitigation thereof, and other Powers, in all Respects not otherwise enacted, directed or provided by this Act, as are prescribed, mentioned or expressed, for or concerning the ascertaining, compounding, securing, managing, raising, collecting, levying, recovering, paying, allowing and repaying the several and respective Duties upon Malt within the Kingdom of *Great Britain*, which were continued and granted to his Majesty in and by an Act made in this present Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and sixty*; or as are contained in any other Act or Acts of Parliament in and by the said Act made in this present Session mentioned or referred unto, or any of them; and that the said Act made in this present Session of Parliament, and all and every Act or Acts of Parliament therein mentioned or referred unto, as for and concerning the Duties upon Malt continued and granted by the said Act in this Session, and every Article, Rule, Clause, Matter and Thing relating thereto, in them, any or either of them contained, or thereby referred unto, and now in Force, and not altered by this Act, shall be in full Force and Effect, and be duly observed, practised and put in Execution throughout this Kingdom, for ascertaining, compounding, securing, managing, raising, collecting, levying, recovering, paying, allowing and repaying the Rates, Duties and Impositions herein before granted, during the Continuance of such Rates, Duties and Impositions, and for levying, recovering and mitigating the Fines, Penalties and Forfeitures, and for doing all other Matters and Things, as fully and effectually, to all Intents and Purposes, as if the same were specially repeated and re-enacted in the Body of this present Act.

Malt in Hand on 8 Feb. 1760, whether ground or unground, to pay 3 d. per Bushel, in England;

III. And be it further enacted by the Authority aforesaid, That there shall be also raised, levied, collected, paid and satisfied, unto and for the Use of his Majesty, his Heirs and Successors, for and upon every Bushel of Malt, whether ground or unground, made of Barley or of any other Corn or Grain, belonging to any Malster or Maker of Malt for Sale, Seller or Retailer of Malt, Brewer, Distiller, Innkeeper, Victualler or Vinegar-maker, either in his, her or their Custody or Possession, or in the Custody or Possession of any other Person or Persons whatsoever, in Trust for him, her or them, or for his, her or their Use, Benefit or Account, upon the said eighth Day of *February* one thousand seven hundred and sixty, the Sum of three Pence, in that Part of *Great Britain* called *England*, *Wales*, and Town of *Berwick upon Tweed*; and the Sum of one Penny Halfpenny, in that Part of *Great Britain* called *Scotland*, and so proportionably for any greater or less Quantity; to be paid by the Person or Persons respectively possessed of such Malt, over and above all other Rates, Duties and Impositions, charged or chargeable thereupon, or that may be payable for the same.

and 1 d. 2 q. in Scotland; to be paid by the Possessors, over and above all other Duties payable thereon.

The Duties upon Stock in Hand on 8 Feb. 1760, to be under the Receipt and Management of the Commissioners and Officers of Excise.

IV. And be it further enacted by the Authority aforesaid, That the Duties hereby granted upon Malt, being Stock in Hand on the said eighth Day of *February* as aforesaid, shall be within the Receipt, Management and Government of the several Chief Commissioners and Governors of the Receipt of Excise upon Beer, Ale and other Liquors for the Time being, in *Great Britain* respectively; and that all inferior Officers, whether they be Sub-commissioners, Collectors, Supervisors, Gaugers or others, that are or shall be constituted or appointed for levying, receiving, collecting or answering of his Majesty's Duties of Excise upon Beer, Ale and other Liquors, shall, within the respective Limits or Districts, or in the several Places or Stations to which they are or shall be appointed, be also the Sub-commissioners, Collectors, Supervisors, Gaugers or other Officers respectively, for the said Duties by this Act granted upon Stock in Hand; nevertheless under the Government and Direction of the said respective Chief Commissioners of Excise for the Time being, or the major Part of them, who have hereby Power to dismiss or alter them, or any of them, and to make and constitute, from Time to Time, such and so many inferior Officers for the said Duties upon Stock in Hand, as to the said respective Chief Commissioners for the Time being, or the major Part of them, shall seem meet.

Commissioners impowered to appoint proper Officers for the Purpose.

Account of Stock in Hand to be returned by the Proprietors to the next Office of Excise, on 8 Feb. or within 10 Days after, on Penalty of 50 l. and Forfeiture of the Malt unreturned:

V. And be it further enacted by the Authority aforesaid, That all and every the said Malsters or Makers of Malt for Sale, Sellers or Retailers of Malt, Brewers, Distillers, Innkeepers, Victuallers and Vinegar-makers, and all and every other Person and Persons whatsoever, who in Trust for them, or any or either of them, or for the Use, Benefit or Account of them, or any or either of them, shall have in his, her or their Custody or Possession, or in his, her or their Houses, Outhouses, Barns, Granaries or in any other Place or Places whatsoever, upon the said eighth Day of *February* one thousand seven hundred and sixty, any Parcel or Quantity of Malt whatsoever, shall, on that Day or within ten Days next ensuing, give a true and particular Account thereof in Writing, at the Office of Excise within the Limits of which, he, she or they, shall then respectively inhabit; upon Pain to forfeit the Sum of fifty Pounds for every such Offence, and the Malt of which no such Account shall have been given, which shall and may be seized by any Officer of Excise; and within one Calendar Month after he, she or they shall have given, or ought to have given such Account as aforesaid, shall pay down the Duties hereby due or payable for such Malt, to the proper Officer or Officers for receiving the same: And that all and every such Malsters or Makers of Malt for Sale, Sellers or Retaillers of Malt, Brewers, Distillers, Innkeepers, Victuallers and Vinegar-makers, who shall refuse or neglect to make such Payment, for his, her or their said Stock of Malt, within the Time by this Act limited for that Purpose, shall forfeit double the Sum of the Duty which should have been so paid by him, her or them as aforesaid.

Duties to be paid within a Month after, on Forfeiture of double the Sum.

Officers of Excise to take an Account of the said Stock in Hand,

VI. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Officers of Excise respectively, to take a true and particular Account and Admeasurement of all such Malt, as any Malsters or Makers of Malt for Sale, Sellers or Retailers of Malt, Brewers, Distillers, Innkeepers, Victuallers or Vinegar-makers, or any Person or Persons in Trust, or for the Use, Benefit or Account of them, or any or either of them, shall, on the said eighth Day of *February* one thousand seven hundred and sixty, have, be possessed of, or interested in; and for that Purpose shall be permitted, in the Day-time, to enter into any Dwelling-house, Outhouse, Barn, or other Place whatsoever, belonging to every and any such Malster or Maker of Malt for Sale, Seller and Retailer of Malt, Brewer, Distiller, Innkeeper, Victualler and Vinegar-maker, and each of them, who are hereby required to permit and suffer such Officer or Officers, upon his or their Request, to make such Entrance on the said eighth Day of *February* one thousand seven hundred and sixty, or afterwards, at any Time before the Duty upon such Malt shall be paid, and to take such Account and Admeasurement thereof, and to cast such Malt into a regular Form, for the better ascertaining the Quantity thereof; and if they, any or either of them, shall refuse to permit or suffer the Officers of Excise so to do, or if any Person or Persons shall obstruct, oppose, molest or hinder, any Officer or Officers of Excise, in the due Execution of such Powers hereby given, he, she or they shall respectively forfeit twenty Pounds for every such Offence: And if any Malster or Maker of Malt for Sale, Seller or Retailer of Malt, Brewer or Distiller, Innkeeper, Victualler, Vinegar-maker, or any other Person or Persons, having in his, her or their Custody or Possession, any Quantity of Malt chargeable by this Act with the said Duties, or any Part thereof, for Stock as aforesaid, shall clandestinely remove or carry away, or cause or suffer to be removed or carried away, the same, or any Part thereof, before the Duties thereupon shall be charged, or shall fraudulently conceal or hide, or cause or suffer to be concealed or hid, or shall not produce to the Inspection of the Gauger,

and free Access and Entrance, &c. to be allowed them for that Purpose,

on Penalty of 20 l.

Penalty of clandestinely removing or concealing Stock in Hand, before Duty paid, 20 l. and the Malt so removed or concealed;

Gauger, such Malt, and every Part thereof, that then and in every such Case, every Person so offending, for every such Offence, shall forfeit the Sum of twenty Pounds; and the Malt which shall be so clandestinely removed or carried away, or fraudulently concealed or hid, shall be forfeited, and shall and may be seized by any Officer or Officers of Excise; and the Person or Persons in whose Custody such Malt shall be found, who shall not, before the Discovery thereof, give Notice at the next Excise Office, of the Quantity of Malt so in his, her or their Custody, shall also forfeit and lose the Sum of twenty Shillings for every Bushel of such Malt.

and the Person, in whose Custody the same shall be found, not giving due Notice before the Discovery, to forfeit also 20s. per Bushel.

VII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties and Forfeitures, Clauses, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, (intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service and Purveyance; and for settling a Revenue upon his Majesty in lieu thereof*) or by any other Law now in Force relating to his Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled or established, for managing, raising, levying, collecting or recovering, adjudging or ascertaining the Duties thereby granted, or any of them, (other than in such Cases for which other Penalties on Provisions are made and prescribed by this Act) shall be exercised, practised, applied, used and put in Execution, in and for the managing, raising, levying, collecting, recovering and paying the said Duties upon Malt, which shall be Stock in Hand on the said eighth Day of *February* one thousand seven hundred and sixty, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, Forfeitures, Clauses, Matters and Things were particularly repeated, and again enacted in the Body of this present Act.

The Powers, &c. in Act 12 Car. 2. c. 24. and other Laws relating to the Excise, extended to the Duties on Stock in Hand on 8 Feb. 1760.

Exception.

VIII. And be it further enacted by the Authority aforesaid, That all Fines, Penalties and Forfeitures, in relation to the said Duties upon Stock in Hand, shall be sued for, levied and recovered, or mitigated, by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture is or may be be recovered or mitigated by any Law or Laws of Excise, or by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Session, Court of Justiciary, or Court of Exchequer in *Scotland* respectively; and that one Moiety of every such Fine, Penalty and Forfeiture, shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them that shall discover, inform or sue for the same.

Penalties in relation to the Duties on Stock in Hand, to be recovered or mitigated as is prescribed with respect to other Duties of Excise; and to go, one Moiety to the Crown, and the other to the Informer or Prosecutor.

IX. Provided always, and be it further enacted by the Authority aforesaid, That if after Payment of the Duties hereby granted upon Malt which shall be Stock in Hand upon the said eighth Day of *February* one thousand seven hundred and sixty, all or any Part of such Malt shall unfortunately happen to be destroyed or damaged by Fire, or shall perish, or shall be damaged by the casting away of, or by any inevitable Accident happening to any Barge or Vessel in which such Malt shall be transporting or transported from any Part of this Kingdom to another, such proportional Repayment or Allowance shall be made to the Proprietors of such Malt in respect of the said Duty, as is by an Act passed in the ninth Year of his late Majesty's Reign, for continuing the Duties upon Malt, Mum, Cyder and Perry, to raise Money by way of a Lottery, for the Service of the Year one thousand seven hundred and twenty-three, authorised to be made in the like Cases, with respect to the Duties thereby granted; and the Amount of such Allowances and Repayments shall be ascertained in such Manner, and upon such Notices, and under such Regulations as are mentioned in and prescribed by the said Act, and shall be paid out of the Monies to arise by virtue of this Act; any Thing herein contained to the contrary notwithstanding.

Like Drawback and Allowance to be made of the Duties paid for Stock in Hand on 8 Feb. in case any Part of the same shall happen to be destroyed or damaged, as is authorised to be made in the like Cases by Act 9 Geo. 1.

X. And be it further enacted by the Authority aforesaid, That in the gauging or measuring of Malt for ascertaining the said Duties on Stock in Hand, the Bushel herein before mentioned shall be taken and allowed to be of the same and the like Contents as are mentioned and appointed in and by an Act made in the twelfth Year of the Reign of Queen ANNE, for granting Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thousand seven hundred and thirteen, with respect to the Bushel therein mentioned.

Gauge of the Bushel, for measuring Stock in Hand, to be the same as is appointed by Act 12 Annæ.

XI. And be it further enacted by the Authority aforesaid, That from and after the said eighth Day of *February* one thousand seven hundred and sixty, all Malt which shall, at any Time or Times, be conveyed from *Scotland* into *England*, *Wales*, or Town of *Berwick upon Tweed*, shall be brought and entered with such Officers, and in such Manner, and under such Penalties and Forfeitures, to be recovered, levied or mitigated by such Ways and Means, and applied to such Uses and Purposes, as in and by the said Act made in this present Session of Parliament is mentioned, directed and appointed, with respect to Malt brought from *Scotland* into *England*, *Wales*, or *Berwick upon Tweed*, between the twenty-third Day of *June* one thousand seven hundred and sixty and the twenty-fourth Day of *June* one thousand seven hundred and sixty-one; and the Sum of three Pence *per* Bushel for the Duties thereof, over and above all other Duties and Payments, shall be paid down in ready Money to such Officers respectively, and in such Manner as the Duties in the said Act mentioned are directed to be paid upon Malt so brought from *Scotland*; unless a Certificate from the proper Officer be produced, that it hath paid the Duty granted by this Act of one Penny Halfpenny *per* Bushel in *Scotland*, either upon or in respect of the making thereof, or as Stock in Hand; and if such Certificate be produced, then there shall be paid no more than one Penny Halfpenny *per* Bushel, by virtue of this Act, for such Malt so brought from *Scotland*; on Pain of forfeiting all such Malt, or the Value thereof, as shall be landed or put on Shore, or brought into *England*,

Malt brought from Scotland into England, after 8 Feb. 1760. to be entered with the proper Officers, in like Manner, and under the like Penalties, as is prescribed by the Malt Act of this Session,

and to pay 3d. per Bushel,

unless a Certificate be produced of its having paid 1d. 2q. Duty in Scotland, in which Case, to pay only 1d. 2q. per Bushel.

Wales, or the Town of *Berwick upon Tweed*, without such Entry or Payment of the Duty aforesaid: Which Forfeiture shall be recovered and applied in such Manner as any Forfeiture is directed or authorised, by the said Act made in this present Session of Parliament, to be recovered and applied.

No Allowances, Abatements or Additions to be made to Malsters, &c. in respect of the Duties granted by this Act, other than such as are allowed in the like Cases by the Malt Act of this Session.

XII. Provided always, and be it further enacted by the Authority aforesaid, That during the Time that any Duties, other than the Duties granted by this Act, shall be payable for or upon Malt, no Payment or Allowance whatsoever shall be made out of, or for or in respect of the Duties hereby granted, to any Malster, Maker of Malt, or other Person, in Consideration of any extraordinary Charges for Warehouses and Storehouses for locking up of Malt entered or made for Exportation, or for the several Admeasurements thereof; nor shall any Allowance, Abatement or Addition be made in the Gauging or Admeasurement of any Barley, Corn or Grain, making into Malt, or of the Malt when made, in Consideration of the Difference between the Quantity of the Corn or Grain when wet and swoln, and the Quantity thereof when it is converted into dry Malt; or of the Difference between the Quantity of Corn or Grain when it is making upon the Floor, and the Quantity thereof when it is dried and perfectly made into Malt; or in the Gauging or Admeasurement of any Corn or Grain making into Malt for Exportation, or of such Malt when made; other than such respective Allowances, Abatements or Additions as are mentioned in the said Act passed in this present Session of Parliament, or any Act or Acts therein referred unto; any Thing in this Act contained to the contrary notwithstanding.

On demanding the Bounties upon Exportation, the Duties to be deducted out of the Valuation of the Malt; and the Bounty to be paid under the Regulations, &c. prescribed by the Malt Act of this Session.

XIII. Provided also, and be it further enacted by the Authority aforesaid, That upon the Claim or Demand of any Bounty upon the Exportation of any whole or ground Malt, the Duties by this Act granted shall not be reckoned or valued towards the Price of such Malt, but shall be deducted in such Reckoning or Valuation; and that such Bounty shall be continued to be allowed and paid in such Manner, and under such Rules, Regulations, Penalties and Forfeitures, and such Penalties and Forfeitures shall be recovered, levied and mitigated, by such Ways and Means, and applied to such Uses and Purposes as are prescribed, directed and appointed by the said Act made in this present Session of Parliament, or any Act or Acts therein mentioned or referred unto; any Thing herein, or in any other Act contained to the contrary notwithstanding.

Malt contracted to be sold before 8 Feb. but not delivered, the Buyer to pay the Duty.

XIV. Provided also, and be it enacted and declared by the Authority aforesaid, That wherever any Person or Persons, Bodies Politick or Corporate, or others, that are charged with the Duties mentioned in this Act, shall have sold or contracted to sell any Malt to any Person or Persons before the said eighth Day of *February* one thousand seven hundred and sixty, and not delivered the same to the Buyer; that then and in every such Case, the Buyer of the said Malt shall be obliged to pay to the Seller the Duty which such Seller shall have paid for such Malt upon Delivery thereof.

Malt made and entered for Exportation only, according to the Regulations prescribed by Act 12 Geo. 1. &c. exempted from the Duty payable by this Act;

but no Drawback of the Duties of this Act to be allowed on the Exportation.

XV. Provided also, and be it further enacted by the Authority aforesaid, That no Malt which hath been or shall be entered and made for Exportation only, in such Manner, and according to such Rules and Regulations as are prescribed and directed with respect to the making of Malt for Exportation, by an Act made in the twelfth Year of his late Majesty's Reign, for continuing the Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *England*, and for granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry, in that Part of *Great Britain* called *Scotland*, for the Service of the Year one thousand seven hundred and twenty-six, and for other Purposes; and according to the Rules or Regulations prescribed and appointed by any other Act or Acts of Parliament, and now in Force; shall be charged or chargeable, or subject or liable to any of the Duties by this Act granted; and that no Drawback out of the Duties to arise by virtue of this Act shall be paid or allowed for any Malt whatsoever which shall be exported from any Part of *Great Britain* to any Parts beyond the Seas; any Thing herein, or in any other Act, contained to the contrary notwithstanding.

Where Rents are payable in Malt, or according to the Price thereof, the Tenant may deduct the Duty.

XVI. And be it further enacted by the Authority aforesaid, That where any Rent is reserved and payable in Malt, or if payable in Money, and the Sum or Quantity of such Rent is to be ascertained by the Price of Malt, and is to increase just as much as the Price of Malt doth increase, it shall and may be lawful for the Tenant of any Lands or Tenements subject to any such Rent, to detain, deduct and abate so much of every such Rent as will amount to the Duty by this Act charged for every Quarter of Malt, or the Value of it in Money, that is so reserved, and so proportionably for any lesser Quantity; and the Person or Persons, Bodies Politick or Corporate, to whom any such Rent is reserved as aforesaid, shall upon the Receipt of the Residue of any such Rent, make an Allowance of such Deductions as aforesaid, and the Tenant be discharged, as if such Payment had been made without any Deduction or Abatement whatsoever.

Malt in Hand subject to Duties in Arrear,

and Penalties incurred.

XVII. And be it further enacted by the Authority aforesaid, That all Malt in the Custody of any Maker of Malt shall be liable and subject to, and is hereby made chargeable with, all and singular the Duties of Malt in Arrear and owing by any Person or Persons for any Malt made by such Malster, or within his Malt-house, and shall also be subject to all Penalties and Forfeitures incurred by such Person or Persons so using such Malt-house, for any Offence against the Laws relating to the Duties on Malt; and that it shall be lawful in all Cases to levy Debts and Penalties, and to use such Proceedings against such Malt, as it may be lawful to do in case the Debtor or Offender were the true and real Owner of the same Malt.

XVIII. Provided

XVIII. Provided always, and be it further enacted by the Authority aforesaid, That no Part of the Monies which shall arise by the Duties hereby granted, shall be subject or liable, during the Payment of any other Duties upon Malt, to defray any Part of the Charges or Expences of Collection or Management, or at any Time whatsoever be applicable, diverted or divertable, towards incouraging Fisheries or Manufactures in *Scotland*, or to any Use or Purpose (except such Allowances and Repayments as are authorised to be made by virtue of this Act, and the defraying the Charges and Expences of Collection and Management, when there shall not be any other Duties payable upon Malt) other than the Uses and Purposes herein after mentioned; any Thing in this or any other Act contained to the contrary notwithstanding.

No Part of these Duties are liable, during the Payment of any other Malt Duties, to any Charges of Collection or Management, or to be applied towards incouraging the Fisheries or Manufactures in Scotland: Exception.

XIX. And be it further enacted by the Authority aforesaid, That the several and respective Officers who shall be imployed in the assessing, raising, collecting, levying and recovering the Duties by this Act granted, shall from time to time distinguish in their Accounts the Amount of the Monies arising by such Duties, and shall pay the same into the Receipt of the Exchequer, distinctly and separately from all Monies to arise by any other Duties upon Malt; and that in the Office of the Auditor of the Receipt of the Exchequer, a Book or Books which shall be provided and kept, in which all the Monies arising by virtue of this Act, and paid into the said Receipt, shall be entered separate and apart from all other Monies paid or payable to his Majesty, his Heirs and Successors, upon any Account whatsoever; and the said Monies so arising and paid into the said Receipt of Exchequer shall be the Fund established for the several Purposes herein after mentioned.

Separate Accounts to be kept of these Duties; and of the Monies arising thereby into the Exchequer.

XX. And be it further enacted and declared by the Authority aforesaid, That the several Annuities which by this Act are herein after directed to attend as well the Principal Sum of eight millions, as the additional Capital which will arise by three Pounds to be given in and by a Lottery Ticket to each Subscriber, for and upon every one hundred Pounds advanced and paid towards the said Sum of eight millions, shall be charged and chargeable upon, and payable out of the Rates, Duties and Impositions, composing the Fund hereby established for the Payment thereof; and the said Rates, Duties and Impositions are hereby appropriated for that Purpose accordingly.

These Duties appropriated for the Payment of the Annuities chargeable on the Monies borrowed on the Credit of this Act.

'XXI. And whereas the Commons of *Great Britain* in Parliament assembled have resolved, 'That towards raising the Supply granted to his Majesty in this present Session of Parliament, the 'Sum of eight millions be raised by transferrable Annuities after the Rate of four Pounds *per Cen-* 'tum per Annum, for a certain Term; and that an additional Capital of three Pounds be added to 'every one hundred Pounds advanced; which additional Capital shall consist of a Lottery Ticket 'of the Value of three Pounds, to be attended with like transferrable Annuities after the Rate of 'four Pounds *per Centum per Annum*, for a certain Term: And whereas pursuant to and upon the 'several Terms and Conditions expressed in the said Resolution, several Persons have, in Books 'opened at the Bank of *England* for that Purpose, subscribed together the Whole of the said Sum 'of eight millions, and made Deposits of fifteen Pounds *per Centum* on the respective Sums by 'them so subscribed with the Cashiers of the Bank of *England*: And whereas several of the said 'Subscribers may have already paid, or may hereafter pay unto the said Cashiers, the Whole, or 'some further Part or Parts of the Sums by them respectively subscribed, previous to the Days 'limited and appointed for the said respective Payments;' Be it therefore enacted by the Authority aforesaid, That it shall and may be lawful to and for all such Subscribers who have made Deposits with, or Payments of any further Part or Parts to the said Cashiers as aforesaid, to advance and pay, and they are hereby required to advance and pay unto the Cashier or Cashiers of the said Governor and Company of the Bank of *England*, the several Remainders of the Sums by them respectively subscribed towards the said Sum of eight millions, at or before the respective Times or Days, and in the Proportions herein after limited and appointed on that Behalf; that is to say, The further Sum of ten Pounds *per Centum*, being Part of the Sum so remaining, on or before the twenty-sixth Day of *February* one thousand seven hundred and sixty; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-fifth Day of *March* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-ninth Day of *April* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the thirty-first Day of *May* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the third Day of *July* then next following; the further Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the fourteenth Day of *August* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the sixteenth Day of *September* then next following; and the remaining Sum of ten Pounds *per Centum*, on or before the twenty-ninth Day of *October* then next following.

Contributors who have already made Deposits of 15 l. per Cent. of the Sums subscribed by them, towards the Purchase of Annuities on the Sum of 8,000,000 l. to be raised on the Credit of this Act, are to make their further Payments, viz. 10 l. per Cent by 26 Feb. 10 l. per Cent. by 25 March, 10 l. per Cent. by 29 April, 10 l. per Cent. by 31 May, 10 l. per Cent. by 3 July, 15 l. per Cent. by 14 August, 10 l. per Cent. by 16 Sept. and the remaining 10 l. per Cent. by 29 October.

XXII. And be it further enacted by the Authority aforesaid, That all such Subscribers or Contributors, their Executors, Administrators, Successors and Assigns, paying in the Whole of the Sums by them respectively subscribed, in respect to their proportionable Share of the said Sum of eight millions, on or before the sixteenth Day of *September* one thousand seven hundred and sixty, shall be intitled to an Allowance of so much Money as the Interest of the several Sums so paid on or before the said sixteenth Day of *September*, after the Rate of three Pounds *per Centum per Annum*, shall amount to, from the Day on which such Payment shall have been actually made, to the twenty-ninth Day of *October* then next following; such Allowance to be paid by the said Cashier or Cashiers out of the Monies contributed towards the said Sum of eight millions, as soon as such respective

Contributors paying in the Whole of the Subscriptions on or before 16 Sept. to be allowed Interest for the same, at the Rate of 3 l. per Cent. per Ann. from the Time of such Payment, to 20 Oct.

spective Contributors, their Executors, Administrators, Successors and Assigns, shall have completed such Payment.

Annuities to carry 4 l. per Cent. for 21 Years; and after the Expiration of that Term, 3 l. per Cent.

XXIII. And be it further enacted by the Authority aforesaid, That each and every such Subscriber or Subscribers, Contributor or Contributors, shall be intitled to an Annuity after the Rate of four Pounds *per Centum per Annum*, during the Term of twenty-one Years; and after the Expiration thereof, to an Annuity of three Pounds *per Centum per Annum*, and no more, for and upon every one hundred Pounds by him or them respectively subscribed, advanced and paid; which said Annuity of four Pounds *per Centum per Annum* shall commence and be computed from the fifth Day of *January* one thousand seven hundred and sixty; and from and immmediately after the Expiration of the said Term of twenty-one Years, there shall be paid, instead and in lieu of such Annuity, an Annuity of three Pounds *per Centum per Annum*, and no more: And the said Annuities shall be paid by Half-yearly Payments, by even and equal Portions, on the fifth Day of *July* and the fifth Day of *January* in every Year.

The 4 l. per Cent. Annuities to take Place 5 Jan. 1760.

Annuities to be paid Half-yearly; viz. on 5 July and 5 Jan.

Subscribers for every 100 l. subscribed, and for which a Deposit of 15 l. per Cent has been made, are intitled to a Lottery Ticket;

to carry 4 l. per Cent for 20 Years,

to commence 5 Jan. 1761;

and after the Expiration of that Term, to carry 3 l. per Cent.

XXIV. And be it further enacted by the Authority aforesaid, That each and every such Subscriber or Subscribers, Contributor or Contributors, shall for and upon every one hundred Pounds by him or them respectively subscribed and on which Deposits of fifteen Pounds *per Centum* have been made as aforesaid, be likewise intitled to one Ticket in the Lottery herein after mentioned; which said Ticket will be equal in Value to, and is to be taken and accepted as, an Addition of three Pounds Capital on every one hundred Pounds subscribed as aforesaid; which additional Sum shall carry an Annuity at the Rate of four Pounds *per Centum per Annum*, during the Term of twenty Years; and such Annuity shall commence and be computed from the fifth Day of *January* one thousand seven hundred and sixty-one: And from and immediately after the Expiration of the said Term of twenty Years, there shall be paid, instead and in lieu of such Annuity, an Annuity of three Pounds *per Centum per Annum*, and no more; and the said Annuities shall be paid by Half-yearly Payments on the fifth Day of *July* and the fifth Day of *January* in every Year.

These Annuities to be paid Half-yearly, viz. on 5 July and 5 Jan.

Annuities transferrable.

XXV. And be it further enacted, That all the Annuities aforesaid shall be transferrable at the Bank of *England*; subject nevertheless to such Redemption as is hereafter mentioned.

Cashier of the Bank to give Receipts for the Monies paid in;

which are assignable at any Time before 5 Jan. 1761.

XXVI. And be it further enacted by the Authority aforesaid, That the Cashier or Cashiers of the Governor and Company of the Bank of *England*, who shall have received, or shall receive any Part of the said Contributions towards the said Sum of eight millions, shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums; and that the Receipts to be given shall be assignable, by Indorsement thereupon made, at any Time before the fifth Day of *January* one thousand seven hundred and sixty-one, and no longer.

Cashier to give Security;

and to pay the Monies into the Exchequer.

XXVII. Provided always, That such Cashier or Cashiers shall give Security to the good Liking of any three or more of the Commissioners of the Treasury for the Time being, or the High Treasurer for the Time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the publick Use, all the Monies which they have already received, and shall hereafter receive, from time to time, of and for the said Sum of eight millions, and for accounting duly for the same, and for Performance of the Trust hereby in them reposed; and shall from time to time pay all such Monies so received, and account for the same in the Exchequer, according to the due Course thereof.

Cashier, on Receipt of 15 l per Cent. of the Sum subscribed, to give a Note for the Delivery of 1 Lottery Ticket for every 100 l. subscribed.

XXVIII. And be it further enacted by the Authority aforesaid, That the said Cashier or Cashiers shall, and they are hereby authorized and required, upon the Payment of fifteen Pounds for every one hundred Pounds so subscribed as aforesaid, and not before, to give a Note or Writing signed by him or them to such Contributor or Contributors, obliging himself or themselves to deliver to such Contributor or Contributors, or their Assigns, a Ticket in the Lottery herein after mentioned, of the Value of three Pounds by Way of additional Capital for every one hundred Pounds by them respectively subscribed, towards raising the Sum of eight millions for the Purposes aforesaid, as soon as the Managers and Directors to be appointed for preparing and delivering out the said Tickets in the said Lottery, shall deliver to the said Cashier or Cashiers the Books comprehending the said Tickets.

Treasury to apply the Monies to the Services voted by the Commons.

XXIX. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, to issue and apply from time to time, all such Sums of Money as shall be so paid into the Receipt of his Majesty's Exchequer, by the said Cashier or Cashiers, to such Services as as shall then have been voted by the Commons of *Great Britain* in this present Session of Parliament.

Contributors Names, &c. to be entered in the Office of the Accomptant General of the Bank,

Duplicate thereof to be transmitted into the Auditor's Office by 5 July 1762.

XXX. And be it further enacted by the Authority aforesaid, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, and Assigns, shall and may from time to time, and at all seasonable Times, resort to and inspect, without any Fee or Charge: And that the said Accomptant General shall on or before the fifth Day of *July* one thousand seven hundred and sixty-two, transmit an attested Duplicate fairly written on Paper of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

XXXI. And

XXXI. And be it further enacted by the Authority aforesaid, That such Contributors duly paying the whole Sum subscribed, at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators, and Assigns, shall have, receive, and enjoy, and be intitled by virtue of this Act to have, receive and enjoy the said several Annuities by this Act granted, in respect of the Sum so subscribed, out of the Monies appropriated by this Act for Payment thereof, and shall have good and sure Interests and Estates therein, according to the several Provisions in this Act contained; and that the said Annuities shall be free from all Taxes, Charges and Impositions whatsoever.

The Monies arising by the Duties of this Act appropriated to Payment of the Annuities.

XXXII. Provided always, That in case any such Contributors who have already deposited with, or shall hereafter pay to the said Cashiers, any Sum or Sums of Money at the Times and in the Manner before mentioned, in Part of the Sum so by them respectively subscribed, or their respective Executors, Administrators, and Assigns, shall not advance and pay to the said Cashier or Cashiers, the Residue of the Sums so subscribed at the Times and in the Manner before mentioned; then, and in every such Case, so much of the respective Sums so subscribed as shall have been actually paid in Part thereof, to the said Cashier or Cashiers, shall be forfeited for the Benefit of the Publick; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

Contributors not making good their Payments within the Times limited, to forfeit their Deposits.

XXXIII. And be it further enacted by the Authority aforesaid, That the said Accomptant General for the Bank of *England* for the Time being shall, in a Book or Books to be provided and kept for that Purpose, give Credit on or before the first Day of *July* next to the said respective Contributors, and their respective Executors, Administrators, and Assigns, for the principal Sums by them respectively subscribed and paid; and the Persons to whose Credit such principal Sums shall be so placed, their respective Executors, Administrators, and Assigns, shall and may have Power to assign and transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, or Body or Bodies Politick or Corporate whatsoever, in other Books to be provided and kept by the said Accomptant General for that Purpose; and every principal Sum so assigned and transferred shall, during the said Term of twenty-one Years, carry an Annuity after the Rate of four Pounds *per Centum per Annum*, and after the Expiration of such Term, instead and in lieu of the said Annuity, an Annuity of three Pounds *per Centum per Annum*, and shall be taken and deemed to be Stock transferrable according to the true Intent and Meaning of this Act, until Redemption thereof by Parliament, according to a Proviso herein after contained for that Purpose.

Accomptant General to give Credit for the Sums named in the Certificates;

which may be transferred,

and carry 4 l. per Cent. Interest for 21 Years;

and after the Expiration of that Term, 3 l. per Cent.

'XXXIV. And whereas it is intended that every such Contributor of the Sum of one hundred 'Pounds, towards raising the said Sum of eight millions, shall have, and be intitled unto an additional 'Capital of three Pounds in a Lottery Ticket; which Tickets are to be prepared, and a Lottery to 'be drawn, in manner herein after mentioned;' Be it therefore further enacted by the Authority aforesaid, That such Persons as the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall nominate and appoint, shall be Managers and Directors for preparing and delivering out Tickets, and to oversee the Drawing of Lots, and to order, do, and perform such other Matters and Things as are hereafter in and by this Act directed and appointed by such Managers and Directors to be done and performed; and that such Managers and Directors shall meet together, from time to time, at some publick Office or Place for the Execution of the Powers and Trusts in them reposed by this Act; and that the said Managers and Directors, or so many of them as shall be present at any such Meeting, or the major Part of them, shall cause Books to be prepared, in which every Leaf shall be divided or distinguished into three Columns, and upon the innermost of the said three Columns there shall be printed forty thousand Tickets, Part of eighty thousand Tickets by this Act intended to be made forth, to be numbered one, two, three, and so onwards, in an arithmetical Progression, where the common Excess is to be one, until they rise to and for the Number of forty thousand; and upon the middle Column in every of the said Books shall be printed forty thousand Tickets of the same Breadth and Form, and numbered in like Manner; and in the extreme Column of the said Books there shall be printed a third Rank or Series of Tickets, of the same Number with those of the other two Columns; which Tickets shall severally be of an oblong Figure, and in the said Books shall be joined with oblique Lines, Flourishes, or Devices, in such Manner as the said Managers and Directors, or the major Part of them, shall think most safe and convenient; and that every Ticket in the third or extreme Column of the said Books shall have written or printed thereupon (besides the Number of such Ticket, and the present Year of our Lord Christ) Words to this Effect:

Managers and Directors of the Lottery to be appointed by the Treasury.

Method of the Lottery Books.

1760. 'THIS Ticket will entitle the Bearer thereof to such beneficial Chance as shall belong 'thereto, in the Lottery to be drawn according to an Act of Parliament passed in the 'thirty-third Year of his Majesty's Reign.'

"Duplicates also of the said Tickets to be prepared in Books with two Columns, on each of "which 40,000 Tickets to be printed. Chance of the Tickets in the Books with two Columns, to "be determined by the Drawing of the Tickets in the Books with three Columns; and the same "Numbers in both intitled to equal Chances. Managers to examine the Books of Tickets, and "deliver them to the Receivers; taking Receipts for them. Receivers shall cut out, and deliver

"signed

" signed Tickets to the Contributors, who may also sign the same. Receivers to return the Books " with the Remainder of the Tickets. Tickets of the middle Columns to be rolled up, and fastened " with Silk; and cut off indentwise into a Box marked with the Letter (A.) Box to be locked up and " sealed. Books to be prepared with two Columns, on each of which 40,000 Tickets to be printed. " The Number and Value of the fortunate Tickets. 500 l. to the first drawn Ticket, and 1000 l. " to the last drawn. Tickets of the outermost Columns of the last-mentioned Book to be rolled " up and tied, and cut out indentwise, into a Box marked with the Letter (B.) Box to be locked " up and sealed. Publick Notice to be given of Times of putting the Tickets into the Boxes. " Lottery to begin drawing on 17 *November* 1760. Method to be observed in drawing, &c. After " each Day's Drawing, the Boxes to be locked up and sealed. Numbers of the fortunate Tickets, " and the Sums to be printed. Disputes relating thereto, to be adjusted by the Managers. Penalty " of Felony on forging Tickets or Certificates. Managers to be sworn, and to be paid by the Com- " missioners of the Treasury out of the Lottery Money. Limitation of Sale of Chances, &c. Per- " sons selling Shares in Tickets of which they are not possessed, to forfeit 500 l. Offences com- " mitted in *Ireland* against Acts for preventing unlawful Lotteries, declared to be punishable, and " may be sued for in *Dublin*. After the Drawing of the Lottery, the Tickets to be exchanged for " Certificates. Managers to give Notice of the Time for taking in the Tickets, and delivering " out the Certificates, &c. Books to be kept for entering Persons Names, and the Number of " their Tickets, &c. Certificates to be signed, &c.

Accomptant General to give Credit for the Principal Sums in the Certificates.

LV. And be it further enacted by the Authority aforesaid, That the said Accomptant General of the Bank of *England* for the Time being, to whom the said Certificates are to be directed as aforesaid, shall upon receiving the said Certificates, or any of them, give Credit to the Persons named therein, in a Book or Books to be by him provided and kept for that Purpose, for the principal Sums contained in every such Certificate; and the Persons to whose Credit such principal Sums shall be entered in the said Book or Books, his, her or their Executors and Administrators, shall and may have Power to assign or transfer the same, or any Part, Share, or Proportion thereof, to any other Person or Persons, Bodies Politick or Corporate whatsoever, in other Books to be prepared and kept by the said Accomptant General for that Purpose; and the said principal Sums shall carry the said Annuity of four Pounds *per Centum per Annum*, during the said Term of twenty Years; and after the Expiration of such Term, an Annuity of three Pounds *per Centum per Annum*, and no more; and shall be taken and deemed to be Stock transferrable by this Act, according to the Powers and Authorities herein after mentioned, until the Redemption thereof; and the said Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates, as they shall from time to time be received by him, and to give the Persons bringing in the same a Note under his Hand, testifying the principal Money for which they shall have Credit in the said Book or Books, by Reason or Means of the Certificates so received and cancelled as aforesaid, and of the Annuities attending the same.

Assignments may be made of the said Sums, &c.

Certificates to be filed and cancelled, and Notes to be given in lieu thereof.

A Chief Cashier, and Accomptant General, to be appointed by the Bank for paying the Annuities.

LVI. And for the more easy and sure Payment of the transferrable Annuities established by this Act, Be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, shall from time to time, until all the said Annuities shall be redeemed, appoint and employ one or more sufficient Person or Persons within their Office in the City of *London*, to be their Chief or First Cashier or Cashiers, and one other sufficient Person within the same Office, to be their Accomptant General; and that so much of the Monies from time to time arising into the said Receipt of Exchequer, from the said Rates, Duties and Impositions by this Act granted and appropriated, as shall be sufficient from time to time for Payment of the said Annuities, shall, by Order of the Commissioners of the Treasury, or any three or more of them, or the Lord High Treasurer for the Time being, without any further or other Warrant, to be sued for, had and obtained in that Behalf, from time to time, at the respective Half-yearly Days of Payment in this Act appointed for Payment thereof, be issued and paid at the said Receipt of Exchequer, to the said First or Chief Cashier or Cashiers of the said Governor and Company of the Bank of *England*, and their Successors for the Time being, by Way of Imprest, and upon Account, for the Payment of the said Annuities, at such Times, and in such Manner and Form, as are by this Act prescribed in that Behalf; and that such Cashier or Cashiers to whom the said Money shall from time to time be issued, shall from time to time, without Delay, apply and pay the same accordingly, and render his or their Account thereof, according to the due Course of the Exchequer.

Treasury to issue Money for that Purpose to the said Cashier, who is to account for the same.

Accomptant General to examine the Receipts and Payments of the Cashier.

LVII. And be it further enacted by the Authority aforesaid, That the said Accomptant General for the Time being shall from time to time inspect and examine all Receipts and Payments of the said Cashier or Cashiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay; and that all Persons who shall be intitled to any of the said Annuities, and all Persons lawfully claiming under them, shall be possessed thereof as of a Personal Estate, which shall not be descendible to Heirs, nor liable to any Foreign Attachment by the Custom of *London*, or otherwise; any Law, Statute or Custom to the contrary notwithstanding.

Annuities deemed a Personal Estate, &c.

Annuities deemed a Joint Stock;

LVIII. And be it further enacted by the Authority aforesaid, That all the Monies to be advanced or contributed by Virtue of this Act towards the said Sum of eight millions, with the said additional Capital by way of Lottery, shall be deemed one Capital and Joint Stock; and that all Persons and Corporations whatsoever, in Proportion to the Monies by them severally advanced for the

the Purchase of the said Annuities, or to which they shall become intitled by virtue of this Act, shall have and be deemed to have a proportional Interest and Share in the said Stock, and in the said Annuities attending the same, after the Rates respectively as aforesaid; and that the said whole Capital or Joint Stock, or any Share or Interest therein, shall be assignable and transferrable as this Act directs, and not otherwise. and made transferrable.

LIX. Provided also, and it is hereby enacted by the Authority aforesaid, That at any Time after the Expiration of twenty-one Years, to be reckoned from the fifth Day of *January* one thousand seven hundred and sixty, and not sooner, upon six Months Notice to be printed in the *London Gazette*, and fixed upon the *Royal Exchange* in *London*, and upon Repayment by Parliament of the said Sum of eight millions, and of the said additional Capital, or any Part thereof, by Payments not less than five hundred thousand Pounds at one Time, in such Manner as shall be directed by any future Act or Acts of Parliament in that Behalf, and also upon full Payment of all Arrearages of the said Annuities; then, and not till then, such and so much of the said Annuities as shall be attending on the principal Sums so paid off, shall cease and determine, and be understood to be redeemed; and that any Vote or Resolution of the House of Commons, signified by the Speaker in Writing, to be inserted in the *London Gazette*, and affixed on the *Royal Exchange* in *London* as aforesaid, shall be deemed and adjudged to be sufficient Notice within the Words and Meaning of this Act. Clause of Redemption.

LX. And be it further enacted by the Authority aforesaid, That Books shall be constantly kept by the said Accomptant General for the Time being, wherein all Assignments or Transfers of the said Annuities shall, at all seasonable Times, be entered and registered; which Entry shall be conceived in proper Words for that Purpose, and shall be signed by the Parties making such Assignments or Transfers, or if such Parties be absent, by their respective Attornies thereunto lawfully authorized in Writing under their Hands and Seals, to be attested by two or more credible Witnesses; and that the several Persons to whom such Transfers shall be made, shall respectively underwrite their Acceptance thereof; and that no other Method of assigning and transferring the said Annuities, or any Part thereof, or any Interest therein, shall be good or available in Law. Transfer Books to be kept by the Accomptant General. Method of transferring Stock.

LXI. Provided always, That all Persons possessed of any Share in the said Joint Stock of Annuities, or Estate and Interest therein, may devise the same by Will in Writing, attested by two or more credible Witnesses; but that no Payment shall be made upon any such Devise, till so much of the said Will as relates to any Share, Estate or Interest in the said Joint Stock of Annuities, be entered in the said Office; and that in Default of such Transfer or Devise, such Share, Estate or Interest in the said Joint Stock of Annuities, shall go to the Executors or Administrators; and that no Stamp Duties whatsoever shall be charged on any of the said Transfers; any Law or Statute to the contrary notwithstanding. Annuities deviseable by Will. Entry to be made of such Clause in the Will. Transfer not liable to Stamp Duties.

LXII. Provided always, and be it enacted by the Authority aforesaid, That out of the Monies arising from the Contributions towards raising the said Sum of eight millions, any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, shall have Power to discharge all such incident Charges as shall necessarily attend the Execution of this Act, in such Manner as to them shall seem just and reasonable; and also to settle and appoint such Allowances as shall be thought proper, for the Service, Pains and Labour of the said Cashier or Cashiers, for receiving, paying and accounting for the said Contributions; and also shall have Power to make out of the Fund hereby established, or out of the Sinking Fund, such further Allowances as shall be judged reasonable for the Service, Pains and Labour of the said Cashier or Cashiers, for receiving, paying and accounting for the said Annuities, payable by virtue of this Act; and also for the Service, Pains and Labour of the said Accomptant General, for performing the Trust reposed in him by this Act; all which Allowances to be made as aforesaid in respect to the Service, Pains and Labour of any Officer or Officers of the said Governor and Company, shall be for the Use and Benefit of the said Governor and Company, and at their Disposal only. Treasury to pay all incident Charges attending the Execution of this Act; and to make an Allowance to the Cashier, and Accomptant General; to be at the Disposal of the Governor and Company of the Bank.

LXIII. Provided always, and be it further enacted by the Authority aforesaid, That the said Governor and Company of the Bank of *England*, and their Successors, notwithstanding the Redemption of all or any of their own Funds, in pursuance of the Acts for establishing the same, or any of them, shall continue a Corporation till all the Annuities, by this Act granted, shall be redeemed by Parliament, according to the Proviso herein before contained in that Behalf; and that the said Governor and Company of the Bank of *England*, or any Member thereof, shall not incur any Disability for or by reason of their doing any Matter or Thing in pursuance of this Act. Bank to continue a Corporation till these Annuities be redeemed, &c.

LXIV. And be it further enacted, That no Fee, Reward or Gratuity whatsoever, shall be demanded or taken of any of his Majesty's Subjects, for receiving or paying the said Contribution Monies, or any of them, or for paying the said several Annuities, or any of them, or for any Transfer of any Sum great or small, to be made in pursuance of this Act; upon Pain that any Offender or Person offending, by taking or demanding any such Fee, Reward or Gratuity, shall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Costs of Suit; and that all Receipts and Issues, and all other Things directed by this Act to be performed in the Exchequer, shall be done or performed by the Officer there, without demanding or receiving, directly or indirectly, any Fee, Reward or Gratuity for the same; and in case the Officers of the Exchequer shall take or demand any such Fee or Reward, or shall misapply or divert any of the Monies to be paid into the Exchequer upon this Act, or shall pay or issue out of the same, otherwise than according to the true Intent of this Act, or shall not keep such Books, Registers or make Entries, and do and perform all Things which by this Act they are directed and required to do and perform; every such Offender shall forfeit No Fee for Payment of Contribution Money. Penalty.

his Place, and be for ever after incapable of any Office or Place of Truſt whatſoever, and ſhall anſwer and pay Treble Coſts of Suit to any Contributor or Perſon claiming under him that will ſue for the ſame, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege or Wager of Law, Injunction or Order of Reſtraint, or any more than one Imparlance, ſhall be granted or allowed; and in the ſaid Action the Plaintiff, upon Recovery, ſhall have full Coſts of Suit; one third of which Sum ſhall be paid into the ſaid Receipt of Exchequer, for the Benefit of his Majeſty, his Heirs and Succeſſors, and the other two Thirds ſhall be to and for the Uſe of the Proſecutor.

'LXV. And whereas in purſuance of a Reſolution of the Houſe of Commons, ſeveral Tallies 'and Orders made out at the Exchequer by virtue of an Act paſſed in the laſt Seſſion of Parliament, 'for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein menti-'oned, have been received by the ſaid Caſhier or Caſhiers of the Governor and Company of the 'Bank of *England*, in lieu and inſtead of Caſh, in making the ſaid Depoſits; and other Tallies and 'Orders made out by virtue of the ſaid Act, may, in purſuance of the ſaid Reſolution, be in like 'Manner received by the ſaid Caſhier or Caſhiers in the ſaid ſubſequent Payments;' Be it therefore enacted by the Authority aforeſaid, That all ſuch Tallies and Orders as have been made out at the Exchequer by virtue of the ſaid Act paſſed in the laſt Seſſion of Parliament, and ſhall be tendered by the ſaid Caſhier or Caſhiers at the Receipt of the Exchequer in Part of the ſaid Depoſits, or of any future Payment or Payments of the ſaid Contribution Monies, ſhall, from Time to Time, as the ſame ſhall be ſo tendered, be ſet off and directed, without any Regard to their numerical Order or Courſe, by the Auditor of the ſaid Receipt, to be taken and allowed as Caſh to the amount of the principal Sums therein contained, and the Intereſt thereupon to the Time the ſame were or ſhall have been received by the ſaid Caſhier or Caſhiers; and ſuch Tallies and Orders ſhall accordingly be received as ſo much Caſh in Part of the ſaid Depoſits and future Payments reſpectively, and be allowed in the Accounts of the ſaid Caſhier or Caſhiers, and ſhall from thenceforth be deemed and taken, to all Intents and Purpoſes, to have been paid and diſcharged, and the Right and Intereſt of all Perſons in and to the ſame ſhall ceaſe and be extinguiſhed; and ſuch Tallies ſhall be cancelled, and ſuch Orders ſhall be kept in the proper Office or Offices, in ſuch and the like Manner as if the ſame had been paid at the Receipt of the Exchequer in the due Courſe thereof out of the ſaid Contribution Monies, and as if the Auditor had directed Payment, and the Clerk of the Pells had recorded, and the Tellers made Payment, according to the Uſage and Cuſtom of the ſaid Receipt; and all the Miniſters and Officers of the ſaid Receipt of Exchequer ſhall be and are hereby indemnified for what they ſhall do in purſuance or by virtue of this Act; any thing in the ſaid Act, or any other Act or Acts of Parliament, contained to the contrary notwithſtanding.

Exchequer Tallies and Orders made out in purſuance of an Act of the laſt Seſſion for raiſing 1,000,000 l. thereon, may be received as Caſh in Part of the Depoſits, or future Payments, of the Contribution Monies ſubſcribed on the Credit of this Act.

Tallies to be thereupon cancelled, and the Orders filed, as diſcharged.

Officers indemnified for ſo doing.

LXVI. Provided always, That no ſuch Tallies and Orders ſhall be received by the ſaid Caſhier or Caſhiers in the Payment of the ſaid Contribution Monies, after the ſaid Tallies and Orders ſhall be in Courſe of Payment at the ſaid Receipt of Exchequer.

Tallies or Orders which ſhall be in Courſe of Payment at the Exchequer, not to be received in Payment of the ſaid Contributions.

LXVII. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times it ſhall happen that the Produce of the ſaid ſeveral Rates, Duties and Impoſitions hereby granted, for Payment of the ſaid ſeveral Annuities, ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities and other Charges directed to be paid thereout, at the End of any or either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to be paid; then, and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of any of the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies and other Revenues, compoſing the Fund commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes, by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund, ſhall and may be, from Time to Time, iſſued and applied accordingly; and if at any Time or Times, before any Monies of the ſeveral Rates, Duties and Impoſitions hereby granted, ſhall be brought into the Exchequer as aforeſaid, there ſhall happen to be a Want of Money for paying the ſeveral Annuities as aforeſaid, which ſhall be actually incurred and grown due at any of the half-yearly Days of Payments before-mentioned, that then, and in every ſuch Caſe, the Money ſo wanted ſhall and may be ſupplied out of the Monies of the Sinking Fund (except as before excepted) and be iſſued accordingly.

Deficiencies of the Exchequer, &c. how to be made good.

Sinking Fund to be replaced.

LXVIII. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be iſſued out of the Sinking Fund, ſhall from Time to Time be replaced, by and out of the firſt Supplies to be then after granted in Parliament.

Surplus Monies how to be applied.

LXIX. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid ſeveral Rates, Duties and Impoſitions, after the ſaid ſeveral and reſpective Annuities, and all Arrears thereof, are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, ſuch Overplus or Remainder ſhall, from Time to Time, be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by the Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

'LXX. And whereas in making of Malt, practiſed before the granting any Duties thereon, the 'Barley or other Corn or Grain, during its ſteeping in the Ciſtern, Uting-fat or other Veſſel, did 'uſually riſe and ſwell ſo conſiderably, that it was thought reaſonable upon granting the ſaid Duties,

'in

'in all Charges for Duty to be made by the Officers of Exciſe from the Ciſtern or Couch, to allow to the Malſters and Makers of Malt, four Buſhels in every twenty Buſhels, and ſo proportionably upon every greater or leſſer Quantity, in Conſideration of ſuch Riſe or Swelling of the Corn; which Allowances have been, and are made accordingly: And whereas many Malſters or Makers of Malt, do continue their Barley or other Corn or Grain in the Ciſtern, Uting-fat or other Veſſel, but a very ſhort Time after the firſt Wetting of the ſame, whereby the Riſe or Swelling as aforeſaid, is much prevented, and beareth not a due Proportion to the ſaid Allowance given on Account of the Riſe and Swelling thereof, by which Means ſuch Malſters not only obtain the Allowance aforeſaid in the Ciſtern or Couch, although the Reaſon for making the ſame is in a great Meaſure taken away, but alſo reſerve to themſelves a further Advantage, by ſwelling the Corn after it has been gauged and charged in the Couch, by means of watering it on the Floor, where it has the Allowance of ten Buſhels in twenty, which Practices are greatly detrimental to the Revenue and fair Trader;' Be it therefore further enacted, That if from and after the ſaid eighth Day of *February* one thouſand ſeven hundred and ſixty, any Malſter or Maker of Malt, during the Continuance of the Duties on Malt, ſhall not wet or ſteep his Barley, or other Corn or Grain, intended to be made into Malt, in the Ciſtern, Uting-fat or other Veſſel, ſo as that the ſame ſhall be covered with Water, and continue ſo covered in ſuch Ciſtern, Uting-fat or other Veſſel, for the full Space of forty Hours from the Time of its being firſt wet and covered with Water as aforeſaid, before he ſhall drain or take, or draw the Water from the ſame; ſuch Malſter or Maker of Malt, ſhall, in ſuch Caſe, not be intitled to the ſaid Allowance of four Buſhels in every twenty, in charging the ſaid Duties by Gauge, either in the Ciſtern or Couch; any thing in this or any former Act or Acts contained to the contrary in any wiſe notwithſtanding.

Malſter not ſuffering the Grain in the Ciſtern or Uting fat to be covered over with Water, and remain there 40 Hours, is not intitled to the uſual Allowance of 4 Buſhels in 20, in charging the Duties by Gauge. *This Clauſe is amended by 3 Geo. 3. c. 13.*

'LXXI. And whereas ſeveral Bills commonly called *Exchequer Bills*, ſeveral Tickets commonly called *Lottery Tickets*, ſeveral Orders and Certificates made forth in lieu of the ſaid Lottery Tickets, and likewiſe for Annuities of divers Kinds, payable at or near the Receipt of his Majeſty's Exchequer, as alſo ſeveral Receipts of the Caſhiers of the Governor and Company of the Bank of *England*, or ſome of them, for Monies contributed there for the Purchaſe of Annuities transferrable in the Books of the ſaid Governor and Company, or for other Monies payable there in purſuance of Acts of Parliament, have, by Caſualty or Miſchance, been loſt, burnt or otherwiſe deſtroyed; which Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders of the reſpective Denominations aforeſaid, were made forth by and in purſuance of ſeveral Acts of Parliament in that Behalf;' Be it therefore enacted by the Authority aforeſaid, That in all Caſes where it ſhall appear by Affidavit to be made before any or either of the Barons of the Exchequer for the Time being (who ſhall interrogate the Deponent thereupon) to the Satisfaction of ſuch Baron or Barons, that any ſuch Exchequer Bills, or any ſuch Tickets, Certificates, Receipts, Annuity Orders or other Orders as aforeſaid, before the firſt Day of *May* one thouſand ſeven hundred and ſixty, have been, are or ſhall be, loſt, burnt or otherwiſe deſtroyed, or that there be good Reaſon to believe the ſame have been burnt, loſt or otherwiſe deſtroyed, it ſhall and may be lawful for the reſpective Officers and Perſons appointed to iſſue or make forth ſuch Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders or other Orders, or to pay or diſcharge the ſame, or to iſſue any Monies due or payable thereupon, upon producing a Certificate from any of the ſaid Barons of ſuch Affidavit made before him (which Affidavit the ſaid Barons, or any or either of them, is and are hereby authorized to take, and which Certificate he or they is or are hereby required to make and grant without Fee or Reward) and on Security given to the ſaid reſpective Officers and Perſons to their good Liking, to indemnify them reſpectively againſt all other Perſons whatſoever for or concerning the Monies ſpecified in, or due upon, ſuch reſpective Bill or Bills, Ticket or Tickets, Certificate or Certificates, Receipt or Receipts, Order or Orders, they the ſaid Perſons reſpectively ſhall and are hereby required to make forth Duplicates of the ſaid Bills, Tickets, Certificates, Receipts and Orders, at the Requeſt of the reſpective Owners, and to pay, ſatisfy and diſcharge the ſame, and all ſuch Intereſt as is or ſhall be due on any of them carrying Intereſt, or to make forth Stock or tranſferrable Annuities in lieu of ſuch Receipts as he or they ſhould have paid, ſatisfied or diſcharged, or made forth on the ſaid original Bills, Tickets, Certificates, Receipts, Annuity Orders or other Orders, if the ſame had been produced, and ſhall be allowed all ſuch Payments, Sum or Sums of Money, in their reſpective Accounts; and in all Caſes where the Signing of the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer of *Great Britain* for the Time being, ſhall be neceſſary for making the ſaid Duplicates, or any of them, effectual for the Purpoſes aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the Lord High Treaſurer for the Time being, to ſign ſuch Duplicates accordingly.

Where it ſhall appear by Affidavit before the Barons of the Exchequer, that any Exchequer Bills, Lottery Tickets, &c. have been burnt, loſt or otherwiſe deſtroyed, the proper Officers, upon the producing to them a Certificate thereof from the Barons, and Security given them, are to make forth Duplicates of the ſaid Bills, &c. and pay off the Intereſt due thereon.

Treaſury impowered to ſign the Duplicates where neceſſary.

LXXII. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons, ſhall, at any Time or Times, be ſued or proſecuted for any Thing by him or them done or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence: And if, upon Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

CAP. VIII.

An Act for the Regulation of his Majesty's Marine Forces while on Shore.

Preamble. For former Laws Concerning Soldiers refer to 18 H. 6. c. 18 & 19. 7 H. 7. c. 1. 2 & 3 Ed. 6. c. 2. 43 El. c. 3. 31 Car. 2. c. 1. 12 Ann. st. 1. c. 13. 1 Geo. 1. c. 47. 3 Geo. 1. c. 2. 9 Geo. 2. c. 30. 22 Geo. 2. c. 44. 28 Geo. 2. c. 1.

WHEREAS it may be necessary for the Safety of this Kingdom, and the Defence of the Possessions of the Crown of *Great Britain*, that a Body of Marine Forces should be employed in his Majesty's Fleet and Naval Service, under the Direction of the Lord High Admiral, or Commissioners for executing the Office of Lord High Admiral of *Great Britain*: And whereas the said Marine Forces may frequently be quartered on Shore, where they will not be subject to the Laws relating to the Government of his Majesty's Forces by Sea; yet nevertheless it being requisite for the retaining of such Forces in their Duty, that an exact Discipline be observed; and that Marines who shall mutiny, or stir up Sedition, or shall desert his Majesty's Service, be brought to a more exemplary and speedy Punishment than the Law will allow;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *March* one thousand seven hundred and sixty, if any Person being entered, or in Pay, as an Officer of Marines, or who is or shall be listed, or in Pay, as a Private Man in any Company of Marines in his Majesty's Service, and on the twenty-fifth Day of *March* one thousand seven hundred and sixty, shall remain in such Service, or during the Continuance of this Act shall be voluntarily entered, and in Pay, as a Marine Officer or Private Man in his Majesty's Service, and being ordered or imployed in such Service, at any Time during the Continuance of this Act, on Shore, in any Place within the Realm of *Great Britain*, or in the Kingdom of *Ireland*, or in any of his Majesty's Dominions beyond the Seas respectively, shall begin, excite, cause or join in any Mutiny or Sedition, in the Company to which he doth or shall belong, or in any other Company, Troop or Regiment, either of Marine or Land Forces in his Majesty's Service, or shall not use his utmost Endeavours to suppress the same, or coming to the Knowledge of any such Mutiny, or intended Mutiny, shall not, without Delay, give Information thereof to his Commanding Officer; or shall desert his Majesty's Service; or being actually entered as a Marine in any Company, shall list himself in any other Company, Troop or Regiment, in his Majesty's Service, without first having a Discharge in Writing from the Officer commanding in Chief the Company in which he last served as a Marine; or shall be found sleeping upon his Post, or shall leave it before relieved; or shall hold Correspondence with any Rebel or Enemy of his Majesty, or give them Advice or Intelligence of any Kind, by any Ways or Means, or in any Manner whatsoever; or shall treat with such Rebels or Enemies, or enter into any Condition with them, without his Majesty's Licence, or Licence of the Lord High Admiral of *Great Britain*, or of three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being; or shall strike, or use any Violence against his superior Officer, being in the Execution of his Office; or shall disobey any lawful Command of his superior Officer; all and every Person and Persons so offending in any or either of the Matters before mentioned, on Shore, in any Part of this Kingdom, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, shall suffer Death, or such other Punishment as by a Court-martial shall be inflicted.

After 25 March 1760, during the Continuance of this Act, every Marine Officer and Private Man on Shore,

who shall mutiny, or desert, &c.

or list in any other Regiment, &c.

or shall be found sleeping on, or shall desert his Post, or hold illegal Correspondence with the Enemies of his Majesty,

or shall strike, or disobey his superior Officer; shall suffer Death, or such Punishment as a Court-martial shall inflict.

II. And be it further enacted by the Authority aforesaid, That it shall and may, from time to time, during the Continuance of this Act, be lawful to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, to grant a Commission under his or their respective Hand or Hands, to any Officer of Marines in his Majesty's Service, not under the Degree of a Field Officer, for the holding a General Court-martial, at any Place or Places on Shore in this Realm, or in *Ireland*, or in any of his Majesty's Dominions beyond the Seas; in every of which Courts-martial all or any of the Offences aforesaid, and all or any other of the Offences herein after specified, shall be tried and proceeded against in such Manner as by this Act is directed.

The Lord High Admiral, or Commissioners for executing that Office, may grant a Commission to hold General Courts-martial, &c.

III. And be it also enacted, That it shall and may be lawful to and for such Courts-martial respectively, by their Sentence or Judgment to inflict Corporal Punishment, not extending to Life or Limb, on any Marine, for Immorality, Misbehaviour, or Neglect of Duty, on Shore, in any Place or Places within this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, during the Continuance of this Act.¶

Courts-martial may inflict Corporal Punishment for Immoralities, &c.

IV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Lord High Admiral, or three or more of the Commissioners for executing the said Office of Lord High Admiral, at any Time during the Continuance of this Act, to make and establish Rules and Articles in Writing under his or their respective Hand or Hands, for the Punishment of Mutiny and Desertion, Immorality, Misbehaviour, and Neglect of Duty, in any of his Majesty's Marine Forces, while on Shore, in any Part of this Realm, or *Ireland*, or any of his Majesty's Dominions beyond the Seas, and for bringing Offenders against the same to Justice; and to erect and constitute Courts-martial, with Power to try, hear and determine any Crimes or Offences specified in such Rules and Articles, and inflict Punishments by Sentence or Judgment for the same, according to the true Intent and Meaning of this Act.

Lords, &c. of the Admiralty impowered to make Articles for Punishment of Mutiny and Desertion, &c.

and to constitute Courts-martial.

¶ V. Provided

V. Provided always, That no Person or Persons shall be adjudged to suffer any Punishment extending to Life or Limb, by the said Rules and Articles, within the Kingdom of *Great Britain* or *Ireland*, except for such Crime or Crimes as is or are expressed to be so punishable by this Act. None to be adjudged of Life or Limb, but for Crimes expressed to be so punishable by this Act.

VI. And it is hereby further enacted and declared, That no General Court-martial which shall have Power to sit by virtue of this Act, shall consist of a less Number than thirteen, whereof none to be under the Degree of a Commission Officer of Marines; and the President of such Court-martial shall not be under the Degree of a Field Officer of Marines, unless where such Field Officer cannot be had; in which Case the Marine Officer next in Seniority to such Field Officer, not being under the Degree of a Captain, shall preside at such Court-martial; and that such Court-martial shall have Power and Authority, and are hereby required to administer an Oath to every Witness, in order to the Examination or Trial of any of the Offences that shall come before them. General Court-martial not to consist of less than 13, and the President to be a Field Officer, or Officer next in Seniority, not under the Degree of a Captain. May administer an Oath to Witnesses.

VII. Provided always, That in all Trials of Offenders by General Courts-martial, to be held by virtue of this Act, every Officer present at such Trial, before any Proceedings be had thereupon, shall take the following Oaths upon the holy Evangelists, before the Court, and Judge Advocate, or his Deputy, who are hereby authorised to administer the same, in these Words; that is to say, Officers to be sworn.

'YOU shall well and truly try and determine, according to the Evidence which shall be given in the Matter now before you, between our Sovereign Lord the King's Majesty, and the Prisoner to be tried:' The Oath.

So help you God.

'I *A. B.* do swear, That I will duly administer Justice, according to an Act of Parliament now in Force for the Regulation of his Majesty's Marine Forces while on Shore; and according to the Rules and Articles made in pursuance of the said Act of Parliament, for the Punishment of Mutiny and Desertion, and other Crimes therein respectively mentioned, without Partiality, Favour or Affection; and if any Doubt shall arise (which is not explained by the said Act of Parliament, or the said Rules and Articles) according to my Conscience, the best of my Understanding, and the Custom of War in like Cases. And I further swear, That I will not divulge the Sentence of the Court, until it shall be approved by the Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral of *Great Britain*; neither will I, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice, in a due Course of Law:' The Oath.

So help me God.

And so soon as the said Oaths shall have been administered to the respective Members, the President of the Court is hereby authorised and required to administer to the Judge Advocate, or to the Person officiating as such, an Oath in the following Words: The Judge Advocate to be sworn.

'I *A. B.* do swear, That I will not, upon any Account, at any Time whatsoever, disclose or discover the Vote or Opinion of any particular Member of the Court-martial, unless required to give Evidence thereof, as a Witness, by a Court of Justice, in a due Course of Law:' The Oath.

So help me God.

And no Sentence of Death shall be given against any Offender by any such General Court-martial as aforesaid, unless nine Officers present shall concur therein; and if there be more Officers present than thirteen, then the Judgment shall pass by the Concurrence of Two Thirds of the Officers present; and no Proceeding or Trial shall be had upon any Offence, but between the Hours of Eight of the Clock in the Morning and Three in the Afternoon, except in Cases which require an immediate Example. In Sentences of Death, nine Officers to concur, &c. Hours of Trial.

VIII. Provided always, That the Party tried by any General Court-martial to be held as aforesaid, shall be intitled to a Copy of the Sentence and Proceedings of such Court-martial, upon Demand thereof made by himself, or by any other Person or Persons on his Behalf (he or they paying reasonably for the same) at any Time not sooner than three Months after such Sentence, whether such Sentence be approved or not; any Thing in this Act to the contrary notwithstanding. The Party tried, intitled to a Copy of the Sentence and Proceedings of the Court-martial.

IX. And be it enacted by the Authority aforesaid, That every Judge Advocate, or Person officiating as such, at any General Court-martial, to be held as aforesaid, do, and he is hereby required to transmit, with as much Expedition as the Opportunity of Time and Distance of Place can admit, the original Proceedings and Sentence of such Court-martial to the Secretary of the Admiralty for the Time being; which original Proceedings and Sentence shall be by him carefully kept and preserved in the Office of the Admiralty of *Great Britain*, to the End that the Persons intitled thereto may be enabled, upon Application to the said Office, to obtain Copies thereof, according to the true Intent and Meaning of this Act. Original Proceedings, &c. of Courts-martial, to be transmitted to the Secretary of the Admiralty, &c.

X. Provided always, and be it hereby declared and enacted, That no Marine, either Officer or Private Man, being acquitted or convicted of any Offence, at any such Court-martial as aforesaid, shall be liable to be tried a second Time by the same or any other Court-martial for the same Offence; None to be tried a second Time for the same Offence.

Sentence not to be revised more than once.

fence; and that no Sentence given by any Court-martial, and signed by the President thereof, be liable to be revised more than once.

Deserters beyond Sea, &c. may be tried here or in Ireland.

XI. And be it further enacted, That if any Officer or Private Man shall desert his Majesty's Service in any of his Dominions beyond the Seas, or elsewhere beyond the Seas, and shall escape and come into this Realm, or *Ireland*, before he be tried by a Court-martial for such Offence, and shall be apprehended for the same; such Officer or Private Man shall be tried for the same, as if the said Offence had been committed within this Realm.

This Act not to exempt any on Shore from ordinary Process.

XII. Provided always, That nothing in this Act contained shall extend, or be construed to extend, to exempt any Marine, either Officer or Private Man whatsoever, while on Shore, from being proceeded against by the ordinary Course of Law.

Persons acquitted by the Civil Magistrate, may only be cashiered by a Court martial.

XIII. Provided also, and be it further enacted, That no Person or Persons being acquitted or convicted of any Capital Crimes, Violences or Offences by the Civil Magistrate, shall be liable to be punished by a Court-martial for the same, otherwise than by cashiering.

Persons accused of Capital Crimes, &c. to be delivered over to the Civil Magistrate, &c.

XIV. Provided also, and be it further enacted, That if any Marine Officer, Non-commission Officer, or Private Man, shall be accused of any Capital Crime, or of any Violence or Offence against the Person, Estate or Property of any of his Majesty's Subjects, which is punishable by the known Laws of the Land; the Commanding Officer or Officers of every Company or Party, is and are hereby required to use his and their utmost Endeavours to deliver over such accused Person to the Civil Magistrate; and shall also be aiding and assisting to the Officers of Justice in the seizing and apprehending such Offender, in order to bring him to Trial: And if any such Commanding Officer shall wilfully neglect or refuse, upon Application made to him for that Purpose, to deliver over any such accused Person to the Civil Magistrate, or to be aiding and assisting to the Officers of Justice in the apprehending such Offender; every such Officer so offending, and being thereof convicted before any two or more Justices of the Peace for the County where the Fact is committed, by the Oath of two credible Witnesses, shall be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Civil or Military Office or Imployment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace for the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial.

Fictitious Names allowed by his Majesty's Order upon the Muster-rolls, for the Maintenance of Officers Widows, not to be construed a false Muster.

Paymaster to pay the full Pay of such Men to the Receiver.

XV. And whereas his Majesty hath been graciously pleased, in Compassion to the distressed Condition of several Widows of Officers of the Army, who have lost their Lives in the Service of the late War, or during the late Rebellion, by Orders made under his Royal Sign Manual, to direct his Commissary General of the Musters, to allow upon the Muster-rolls of all the Regiments, Troops and Companies, a Number of fictitious Names therein mentioned, instead of Private Men, in order to raise and settle a Fund for the Maintenance of such Widows of Officers as are or shall be intitled to his Royal Bounty: Therefore for the more effectually fulfilling his Majesty's said gracious Intentions, with respect to the allowing of fictitious Names upon the Muster-rolls of the said Marine Forces while on Shore, for the Purposes aforesaid; Be it further enacted and declared by the Authority aforesaid, That it shall and may be lawful, during the Continuance of this Act, to and for the said Lord High Admiral, or three or more of the said Commissioners for executing the said Office of Lord High Admiral for the Time being, by Orders in Writing under his or their respective Hand or Hands, to direct the Person for the Time being authorised to pay the said Marine Forces, to pay over the full Pay of such fictitious Private Men as shall be allowed on the Muster-rolls of the said Marine Forces while on Shore as aforesaid, to the proper Receiver appointed by his Majesty, according to such Orders and Instructions as his Majesty shall be pleased to make under his Sign Manual, for the Purpose aforesaid; and that no Allowance of any such fictitious Name upon any Muster-roll of the said Marine Forces while on Shore as aforesaid, shall be construed to be a false Muster; any Thing in this or any former Act contained to the contrary notwithstanding.

Constables, &c. to quarter Officers and Men in Inns, Alehouses, &c.

XVI. And whereas there is and may be Occasion for the marching and quartering of the said Marine Forces in several Parts of this Kingdom; Be it further enacted by the Authority aforesaid, That for and during the Continuance of this Act, and no longer (in pursuance of an Order or Orders in Writing in that Behalf, under the Hand of the said Lord High Admiral, or under the Hands of three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being) it shall and may be lawful to and for the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of Cities, Towns and Villages, and other Places within *England*, *Wales*, and the Town of *Berwick upon Tweed*, and in their Default or Absence, for any one Justice of the Peace inhabiting in or near any such City, Town, Village or Place, and for no others; and such Constables, and other Civil Magistrates as aforesaid, are hereby required to quarter and billet the Marines, both Officers and Private Men in his Majesty's Service, in Inns, Livery Stables, Alehouses, Victualling-houses, and the Houses of Sellers of Wine by Retail to be drank in their own Houses or Places thereunto belonging, and all Houses of Persons selling Brandy, Strong Waters, Cyder or Metheglin, by Retail, to be drank in Houses, other than and except the House or Houses of any Distillers, who keep Houses or Places of distilling Brandy and Strong Waters, and the House of any Shopkeeper, whose principal Dealings shall be more in other Goods and Merchandizes, than in Brandy and Strong Waters (so as such Distillers and Shopkeepers do not permit or suffer Tippling in his or their Houses) and in no other, and in no private Houses whatsoever,

But in no Distillers Houses, or Shopkeepers, or in any private Houses.

whatsoever, without the Consent of the Occupier; nor shall any more Billets at any Time be ordered, than there are effective Marines present to be quartered; and if any Constable, Tythingman, or such like Officer or Magistrate as aforesaid, shall presume to quarter or billet any such Officer or Private Man in any such private House, without the Consent of the Occupier; in such Case such Occupier shall have his or their Remedy at Law against such Magistrate or Officer, for the Damage that such Occupier shall sustain thereby; and if any Marine Officer shall take upon him to quarter Private Men, otherwise than is limited and allowed by this Act, or shall use or offer any Menace or Compulsion to any Mayors, Constables, or other Civil Officers before-mentioned, tending to deter and discourage any of them from performing any Part of their Duty hereby required or appointed; such Marine Officer shall for every such Offence (being thereof convicted before any two or more of the next Justices of the Peace of the County, by the Oath of two credible Witnesses) be deemed and taken to be *ipso facto* cashiered, and shall be utterly disabled to have or hold any Military Imployment within this Kingdom, or in his Majesty's Service; provided the said Conviction be affirmed at the next Quarter-Sessions of the Peace of the said County, and a Certificate thereof be transmitted to the Judge Advocate, who is hereby obliged to certify the same to the next Court-martial; and in case any Person shall find himself aggrieved, in that such Constable, Tythingman or Headborough, Chief Officer or Magistrate (such Chief Officer or Magistrate not being a Justice of the Peace) has quartered or billeted in his House a greater Number of Marines than he ought to bear in Proportion to his Neighbours; and shall complain thereof to one or more Justice or Justices of the Peace of the Division, City or Liberty where such Marines are quartered; or in case such Chief Officer or Magistrate shall be a Justice of the Peace, then on Complaint made to two or more Justices of the Peace of such Division, City or Liberty, such Justice or Justices respectively shall have, and is or are hereby declared to have Power to relieve such Person, by ordering such and so many of the said Marines to be removed, and quartered upon such other Person or Persons as they shall see Cause; and such other Person or Persons shall be obliged to receive such Marines accordingly.

Penalty on Officers quartering Private Men contrary to this Act, &c.

Persons aggrieved by being quartered on, may complain to any Justices, and be relieved.

XVII. Provided nevertheless, and it is hereby enacted, That the Marine Officers and Private Men so quartered and billeted as aforesaid, shall be received and furnished with Diet and Small Beer by the Owners of the Inns, Livery Stables, Alehouses, Victualling houses, and the Houses of Sellers of Wine by Retail, to be drank in their own Houses or Places thereunto belonging, and other Houses in which they are allowed to be quartered and billeted by this Act; paying and allowing for the same the several Rates herein after-mentioned to be payable out of the Subsistence-money for Diet and Small Beer.

Officers and Marines to be furnished at the Rates herein set for their Provisions.

XVIII. Provided always, That in case any Innholder or other Person on whom any Non-commission Officers or Private Men shall be quartered by virtue of this Act (except on a March, or imployed in Recruiting; and likewise except the Recruits by them raised, for the Space of seven Days at most, for such Non-commission Officers and Private Men who are recruiting, and Recruits by them raised) shall be desirous to furnish such Non-commission Officers or Private Men with Candles, Vinegar and Salt, and with either Small Beer or Cyder, not exceeding five Pints for each Man *per Diem*, *gratis*, and allow to such Non-commission Officers or Private Men the Use of Fire, and the necessary Utensils for dressing and eating their Meat, and shall give Notice of such his Desire to the Commanding Officer, and shall furnish and allow the same accordingly; then and in such Case the Non-commission Officers and Private Men so quartered shall provide their own Victuals; and the Officer to whom it belongs to receive, or who shall actually receive the Pay and Subsistence of such Non-commission Officers and Private Men, shall pay the several Sums herein after mentioned to be payable out of the Subsistence-money for Diet and Small Beer, to the Non-commission Officers and Private Men aforesaid, and not to the Innholder or other Person on whom such Non-commission Officers and Private Men are quartered; any Thing herein contained to contrary notwithstanding.

What Innholders may allow Men quartered on them, instead of Meat.

XIX. Provided always, and be it enacted by the Authority aforesaid, That if any Marine Officer shall take, or cause to be taken, or knowingly suffer to be taken, any Money of any Person for excusing the quartering of Officers or Private Men or any of them, in any House allowed by this Act, every such Officer shall be cashiered, and be incapable of serving in any Military Imployment whatsoever.

Penalty on taking Money to excuse any Person from quartering.

XX. And whereas it may be for the Benefit of the Service, for the Commanding Officer to have a Power to exchange the Billets or Quarters of Marines quartered in the same Town or Place; Be it therefore enacted by the Authority aforesaid, That the Commanding Officer of Marines in any Town or Place where such Marine Forces are quartered, shall, and he is hereby declared to have Power, from time to time, to exchange any Marine or Marines quartered in such Town or Place, for any other Marine or Marines quartered in the same Town or Place; provided the Number of Men do not exceed the Number at that Time billeted on such Houses respectively, where such Men shall be exchanged; and the Constables, Tythingmen, Headboroughs, and other Chief Officers and Magistrates of the Cities, Towns and Villages, or other Places where any of the said Marine Forces shall be quartered, are hereby required to billet such Men so exchanged accordingly.

Commanding Officer may exchange Marines in their Quarters.

Constables to billet the same accordingly.

XXI. And be it further enacted by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and sixty, no Paymaster, or other Officer or Person whatsoever, shall receive any Fees, or make any Deductions whatsoever out of the Pay of any Marine, either Officer or Private Man in his Majesty's Service, or from their Agents, which shall grow due from and after the said twenty-fifth Day of *March* one thousand seven hundred and sixty; other

No Paymaster, &c. to make Deductions out of Officers or Private Mens Pay.

Exceptions.

other than the usual Deductions for Cloathing, and twelve Pence in the Pound to be disposed of as his Majesty shall think fit, and the one Day's Pay in the Year for the Use of the Royal Hospital at *Chelsea*, and such other necessary Deductions as shall from time to time be directed by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, by Order in Writing under his or their respective Hand or Hands.

Officers to give Notice to Inkeepers of Subsistence-money in their Hands.

XXII. And that the Quarters both of the said Marine Officers and Private Men, while on Shore as aforesaid, may during the Continuance of this Act be duly paid and satisfied, and his Majesty's Duties of Excise better answered, Be it enacted by the Authority aforesaid, That from and after the said twenty-fifth Day of *March* one thousand seven hundred and sixty, every Officer or other Person to whom it belongs to receive, or that shall actually receive, the Pay or Subsistence-money, for one or more particular Company or Companies of the said Marine Forces, or otherwise, shall immediately, upon each Receipt of every particular Sum which shall from time to time be paid, returned, or come to his or their Hands, on account of Pay or Subsistence, give publick Notice thereof to all Persons keeping Inns, or other Places where Officers or private Men are quartered by virtue of this Act; and shall also appoint the said Inkeepers and others to repair to their Quarters at such Times as they shall appoint for the Distribution and Payment of the said Pay or Subsistence-money to such Officers or Private Men, which shall be within four Days at the farthest after the Receipt of the same as aforesaid; and the said Inkeepers and others shall then and there acquaint such Officer or Officers with the Accounts or Debts (if any shall be) between them and the Officers and private Men so quartered in their respective Houses; which Accounts the said Officer or Officers is or are hereby required to accept of, and immediately pay the same, before any Part of the said Pay or Subsistence be distributed either to the Officers or Private Men: Provided the said Accounts exceed not, for one Marine Commission Officer under the Degree of a Captain, for such Officer's Diet and small Beer, *per Diem*, one Shilling; and if such Officer shall have a Horse or Horses, for each such Horse or Horses, for their Hay and Straw, *per Diem*, six Pence; nor for one Private Man's Diet and Small Beer, *per Diem*, four Pence: And if any Officer or Officers as aforesaid, shall not give Notice as aforesaid, and shall not immediately upon producing such Account stated, satisfy, content, and pay the same; upon Complaint and Oath made thereof, by any two Witnesses, at the next Quarter Sessions for the County or City wherein such Quarters were (which Oath the Justices of the Peace at such Sessions are hereby authorized and required to administer) the Paymaster or Person for the Time being authorized to pay the said Marine Forces is hereby required and authorized (upon Certificate of the said Justices before whom such Oath was made, of the Sum due upon such Accounts, and the Persons to whom the same is owing) to pay and satisfy the said Sums out of the Arrears due to the said Marine Officer or Officers; upon Penalty that such Paymaster or Person shall forfeit their respective Place or Places of Paymaster or otherwise, and be discharged from holding the same for the future: And in case there shall be no Arrears due to the said Officer or Officers, then the said Paymaster or Person for the Time being authorized to pay the said Marine Forces, is hereby authorized and required to deduct the Sums he shall pay, pursuant to the Certificate of the said Justices, out of the next Pay or Subsistence-money of the Company to which such Officer or Officers shall belong; and such Officer or Officers shall for such their Offence, or for neglecting to give Notice of the Receipt of such Pay or Subsistence-money as aforesaid, be deemed and taken, and are hereby declared *ipso facto* cashiered.

Rates of Subsistence to be paid to Innkepers, &c. for Marines Quarters.

Officers not giving Notice of Subsistence-money, and paying Quarters.

Paymaster to satisfy them out of the Company's next Pay,

and Officer to be cashiered.

On moving from Quarters, the Officer to make up Accounts, and give Certificates for Money due, &c.

Paymaster to pay the Sum certified for.

XXIII. And where it shall happen that the Subsistence-money due to any Marine Officer or Private Man shall, by Occasion of any Accident, not be paid to such Officer or Private Man, or such Officer or Private Man shall neglect to pay the same, so that Quarters cannot be, or are not paid, as this Act directs; In every such Case it is hereby further enacted, That every such Officer shall before his or their Departure out of his or their Quarters, where such Company shall remain for any Time whatsoever, make up the Accounts as this Act directs, with every Person with whom such Company shall have Quartered, and sign a Certificate thereof, and give the said Certificate so by him signed, to the Party to whom such Money is due, with the Name of such Company to which he or they shall belong; to the end the said Certificate may be forthwith transmitted to the proper Paymaster of the Marines, who is hereby required immediately to make Payment thereof to the Person or Persons to whom such Money shall be due, to the end the same may be applied to such Company; under Pain as is before in this Act directed for Nonpayment of Quarters.

Officers, &c. to be quartered in Scotland, as the Laws in Force at the Union direct.

XXIV. And be it enacted by the Authority aforesaid, That it shall and may be lawful to quarter Officers and private Men of his Majesty's Marine Forces, in *Scotland*, in such and the like Places and Houses as Officers and private Men of the Land Forces might have been quartered in by the Laws in Force in *Scotland* at the Time of the Union; and that the Possessors of such Houses shall only be liable to furnish the said Marine Officers and Private Men quartered there, as by the said Laws in Force at the Time of the Union was provided with respect to the Officers and Private Men of the Land Forces; and that no such Marine Officer shall be obliged to pay for his Lodging, where he shall be regularly billeted, except in the Suburbs of *Edinburgh*.

Justices to order Constables to provide Carriages for the Marine Forces on their March.

XXV. And be it further enacted by the Authority aforesaid, That for the better and more regular Provision of Carriages for his Majesty's Marine Forces in their Marches, or for their Arms, Clothes or Accoutrements, in *England*, *Wales*, and the Town of *Berwick* upon *Tweed*, all Justices of the Peace, within their several Counties, Ridings, Divisions, Shires, Liberties, and Precincts being

ing duly required thereunto by the said Lord High Admiral, or three or more of the Commissioners for executing the Office of Lord High Admiral for the Time being, by an Order in Writing under his or their respective Hand or Hands, shall, as often as such Order shall be brought and shewn unto one or more such Justices by the Officer or Officers of the Company or Companies of Marines so ordered to march, issue out his or their Warrant or Warrants to the High Constables or Petty Constables of the Division, Riding, City, Liberty, Hundred, or Precinct, from, through, near, or to which such Company or Companies shall be ordered to march; requiring them to make such Provision for Carriages, with able Men to drive the same, as shall be mentioned in the said Warrant, allowing them sufficient Time to do the same, that the neighbouring Parts may not always bear the Burthen: And in case sufficient Carriages cannot be provided within any such Riding, City, Liberty, Hundred, Division, or Precinct; then the next Justice or Justices of the Peace of the County, Riding, or Division shall, upon such Order as aforesaid being brought or shewn to one or more of them, by any of the Marine Officers aforesaid, issue his or their Warrant or Warrants to the High Constables or Petty Constables of such next County, Riding, Liberty, Division, or Precinct, for the Purposes aforesaid, to make up such Deficiency; and the aforesaid Officer or Officers, who by virtue of the aforesaid Warrant or Warrants from such Justice or Justices of the Peace, is or are to demand the Carriage or Carriages therein mentioned, of the High Constable or Petty Constable to whom the Warrant is directed, is and are hereby required at the same Time to pay down in Hand to the said Constable or Petty Constable, for the Use of the Person who shall provide such Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horses shall travel; and the Sum of one Shilling for every Mile any Wain with six Oxen, or four Oxen with two Horses, shall travel; and the Sum of nine Pence for every Mile any Cart with four Horses shall travel; and so in Proportion for less Carriages; for which respective Sums so received, the said Constable or Petty Constable is hereby required to give a Receipt in Writing to the Person or Persons paying the same: And such Constable or Petty Constable shall order and appoint such Person or Persons, having Carriages within their respective Liberties, as they shall think proper, to provide and furnish such Carriages and Men, according to the Warrant aforesaid, who are hereby required to provide and furnish the same accordingly: And if any Marine Officer or Officers, for the Use of whose Company or Companies the Carriage was provided, shall force and constrain any Waggon, Wain, Cart, or Carriage, to travel more than one Day's Journey, or shall not discharge the same in due Time for their Return Home, or shall suffer any Marine or Servant (except such as are sick) or any Woman, to ride in the Waggon, Wain, Cart, or Carriage aforesaid, or shall force any Constable, or Petty Constable, by Threatenings or menacing Words, to provide Saddle Horses for themselves or Servants, or shall force Horses from the Owners by themselves, Servants, or Private Men; every such Officer, for every such Offence, shall forfeit the Sum of five Pounds; Proof thereof being made upon Oath before two of his Majesty's Justices of the Peace of the same County or Riding, who are to certify the same to the proper Paymaster of his Majesty's Marine Forces, who is hereby required to pay the aforesaid Sum of five Pounds accordingly to the Order and Appointment under the Hands and Seals of such Justices of the Peace, and is also hereby impowered to deduct the same out of such Officer's Pay.

Rates for Carriages.

Penalty on Officers forcing Waggons to travel more than one Day's Journey, &c.

XXVI. And be it enacted by the Authority aforesaid, That if any High Constable or Petty Constable shall wilfully neglect or refuse to execute any such Warrant of the said Justice or Justices of the Peace, as shall be directed unto such Constable or Petty Constable for providing Carriages as aforesaid; or if any Person or Persons, appointed by such Constable or Petty Constable to provide or furnish any Carriage and Man, shall refuse or neglect to provide the same; or any other Person or Persons whatsoever shall wilfully do any Act or Thing, whereby the Execution of any such Warrant or Warrants shall be hindered or frustrated; every such Constable or other Person or Persons so offending shall, for every such Offence, forfeit any Sum not exceeding forty Shillings, nor less than twenty Shillings, to the Use of the Poor of the Parish where any such Offence shall be committed: And all and every such Offence and Offences shall and may be enquired of, heard, and fully determined by two of his Majesty's Justices of the Peace, dwelling in or near the Place where such Offence shall be committed, who have hereby Power to cause the said Penalty to be levied by Distress and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) to the Owner.

Penalty on Constables, &c. Neglect.

'XXVII. And whereas the respective Sums of Money by this Act appointed to be paid to the 'Constables by the Officers demanding such Carriages, may not in many Cases be sufficient to an-'swer the Charge and Expence of providing the same, whereby the said Constables may be fre-'quently at great Charges, over and above what is received by them of the said Officers, to the great 'Burthen of the Township of which they are respectively Constables, or else the Persons furnishing 'such Carriages may be grievously oppressed:' To prevent which, and that such Overplus Charge may be borne by each County or Riding at the general Charge of such County or Riding; Be it further enacted by the Authority aforesaid, That the Treasurer or Treasurers of each respective County or Riding shall, without Fee or Reward, pay unto such Constable all and every such reasonable Sum or Sums of Money, so by him paid or laid out for such Carriages, over and above what was or ought to have been paid by the Marine Officer requiring such Carriages, out of the publick Stock of such County or Riding, according to such Rates, Orders, Rules and Directions, as the said Justices of the Peace, in their Quarter Sessions assembled, within their respective Jurisdictions shall, from time to time, during the Continuance of this Act, make, direct and appoint

Treasurers of the County to repay the Constable's extraordinary Charges.

appoint (which Orders shall be made without Fee or Reward); Regard being always had to the Season of the Year, and the Length and Condition of the Roads through which such Carriages are to travel.

The Money for those Purposes how to be raised.

XXVIII. And in case the said publick Stock of the County or Riding be not sufficient (over and above the other Purposes for which it was raised) to satisfy the extraordinary Charge of Carriages before mentioned; It is hereby further enacted, That the said Justices of the Peace in the General Quarter-Sessions shall have Power from time to time to raise Monies upon the respective Counties or Ridings in such Manner as they now raise Monies for building or repairing County Gaols and Bridges, to satisfy the said extraordinary Charge of Carriages.

No Waggon, &c. to carry above 20 hundred Weight.

XXIX. Provided always, and be it further enacted, That no Waggon, Wain, Cart, or Carriage, impressed by the Authority of this Act, shall be liable or obliged, by virtue of this Act, to carry above twenty hundred Weight; any thing in this Act contained to the contrary notwithstanding.

Carriages in Scotland how to be provided.

XXX. And be it further enacted, That the Carriages for the Service of the Marine Forces quartered or marching in *Scotland*, shall be provided in like Manner, and at the Rates, and the Furnisher of such Carriages shall be paid, as was directed by the Law in Force in *Scotland* at the Time of the Union, with regard to the furnishing Carriages for Land Forces.

Marines Wives, &c. not to be quartered without Consent.

XXXI. And be it enacted by the Authority aforesaid, That if any Officer, Military or Civil, by this Act authorized to quarter Marines in any Houses hereby appointed for that Purpose, shall at any Time, during the Continuance of this Act, quarter any of the Wives, Children, Men or Maid-servants of any Officer or Marine in any such Houses, against the Consent of the Owners; the Party offending, if an Officer of the Marine shall, upon Complaint and Proof thereof made to the Commissioners for executing the Office of Lord High Admiral, or Judge Advocate, be *ipso facto* cashiered; and if a Constable, Tythingman, or other Civil Officer, he shall forfeit to the Party aggrieved twenty Shillings, upon Complaint and Proof thereof made to the next Justice of the Peace, to be levied by Warrant of such Justice, by Distress and Sale of his Goods, rendering the Overplus to the Party, after deducting reasonable Charges in taking the same.

Penalty.

Penalty on Officers or Marines destroying the Game.

XXXII. And for the better Preservation of the Game, in or near such Place where any Officers or Soldiers shall at any Time be quartered; Be it enacted by the Authority aforesaid, That if, from and after the said twenty-fifth Day of *March* one thousand seven hundred and sixty, any Officer or Marine shall, without Leave of the Lord of the Manor, under his Hand and Seal first had and obtained, take, kill or destroy any Hare, Coney, Pheasant Partridge, Pigeon, or any other Sort of Fowls, Poultry or Fish, or his Majesty's Game, within the Kingdom of *Great Britain*; and upon Complaint thereof shall be, upon Oath of one or more credible Witness or Witnesses, convicted before any Justice or Justices of the Peace, who is and are hereby impowered and authorized to hear and determine the same; (that is to say) every Officer so offending shall for every such Offence forfeit the Sum of five Pounds, to be distributed among the Poor of the Place where such Offence shall be committed; and every Officer commanding in Chief upon the Place, for every such Offence committed by any Marine under his Command, shall forfeit the Sum of twenty Shillings, to be paid and distributed in Manner aforesaid: And if, upon Conviction made by the Justices of the Peace, and Demand thereof also made by the Constable or Overseers of the Poor, such Officer shall refuse or neglect, and not within two Days pay the said respective Penalties, such Officer so refusing or neglecting shall forfeit, and is hereby declared to have forfeited his Commission, and his Commission is hereby declared to be null and void.

Constables may apprehend Deserters, and carry them before a Justice.

'XXXIII. And whereas several Marines, who being duly entered, may afterwards desert, and 'be found wandering, or otherwise absenting themselves illegally from his Majesty's Service;' It is hereby further enacted, That it shall and may be lawful to and for the Constable, Headborough, or Tythingman of the Town or Place where any Person, who may be reasonably suspected to be such a Deserter, shall be found, to apprehend, or cause him to be apprehended, and to cause such Person to be brought before any Justice of the Peace living in or near such Town or Place, who is hereby impowered and required to examine such suspected Person; and if by his Confession, or the Testimony of one or more Witness or Witnesses, upon Oath, or by the Knowledge of such Justice of the Peace, it shall appear or be found, that such suspected Person is a Marine duly entered, and ought to be with the Company to which he belongs; such Justice of the Peace shall forthwith cause him to be conveyed to the Gaol of the County or Place where he shall be found; or to the House of Correction, or other publick Prison, in such Town or Place where such Deserter shall be apprehended; or to the *Savoy*, in case such Deserter shall be apprehended within the Cities of *London* or *Westminster*, or Places adjacent; and transmit an Account thereof to the Secretary of the Admiralty for the Time being, to the End such Person may be proceeded against according to Law: And the Keeper of such Gaol, House of Correction, or Prison, shall receive the full Subsistence of every such Deserter, during the Time he shall continue in his Custody, for the Maintenance of such Deserter; but shall not be entitled to any Fee or Reward, on account of the Imprisonment of any such Deserter; any Law, Usage or Custom to the contrary notwithstanding.

Justice to commit them.

and transmit an Account to the Secretary of the Admiralty.

Gaol keeper to receive the Subsistence of Deserters.

Reward for taking up Deserters.

XXXIV. And for the better Encouragement of any Person or Persons to secure or apprehend such Deserters; Be it further enacted by the Authority aforesaid, That such Justice of the Peace shall also issue his Warrant in Writing to the Collector or Collectors of the Land Tax Money of the Parish or Township where such Deserter shall be apprehended, for paying out of the Land Tax Money arisen or to arise in the Year one thousand seven hundred and sixty, into the Hands of such Person

Person or Persons who shall apprehend, or cause to be apprehended, any such Deserter from his Majesty's Service, the Sum of twenty Shillings for every such Deserter that shall be so apprehended and committed; which Sum of twenty Shillings shall be satisfied by such Collector or Collectors, to whom such Warrant shall be directed, and allowed upon his or their Account.

Penalty on Persons concealing Deserters, or buying their Arms, Clothes, &c.

XXXV. And be it further enacted, That if any Person shall harbour, conceal, or assist any Deserter from his Majesty's Marine Service, knowing him to be such; the Person so offending shall forfeit, for every such Offence, the Sum of five Pounds; or if any Person shall knowingly detain, buy, or exchange, or otherwise receive, any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, upon any Account or Pretence whatsoever, or cause the Colour of such Clothes to be changed; every such Person so offending, in each, any or either of the Cases aforesaid, shall forfeit for every such Offence the Sum of five Pounds; and upon Conviction by the Oath of one or more credible Witness or Witnesses, before any one or more of his Majesty's Justices of the Peace, the said respective Penalties of five Pounds, and five Pounds shall be levied by Warrant under the Hands of the said Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of the Offender; one Moiety of the said first mentioned Penalty of five Pounds to be paid to the Informer, by whose Means such Deserter shall be apprehended; and one Moiety of the said last mentioned Penalty of five Pounds to be paid to the Informer; and the Residue of the said respective Penalties to be paid to the Officer to whom any such Deserter or Marine did or doth belong: And in case any such Offender, who shall be convicted as aforesaid, of harbouring or assisting any such Deserter or Deserters; or having knowingly received any Arms, Clothes, Caps, or other Furniture belonging to the King; or of having caused the Colour of such Clothes to be changed, contrary to the Intent of this Act, shall not have sufficient Goods and Chattles, whereon Distress may be made, to the value of the Penalties recovered against him for such Offence, or shall not Pay such Penalties within four Days after such Conviction; then, and in such Case, such Justice or Justices of the Peace shall and may, by Warrant under his or their Hand and Seal, or Hands and Seals, either commit such Offender to the Common Gaol, there to remain without Bail or Mainprize for the Space of three Months, or cause such Offender to be publickly whipt, at the Discretion of such Justice or Justices.

This Act to extend to Deserters, &c. in Ireland.

XXXVI. Provided always, That so much of this Act as relates to the Punishment of such who shall harbour, conceal or assist Deserters, or shall knowingly detain, buy, exchange, or otherwise receive any Arms, Clothes, Caps, or other Furniture belonging to the King, from any Marine or Marine Deserter, or cause the Colour of such Clothes to be changed, shall extend, to all Ends and Purposes whatsoever, to *Ireland*, and shall be put in Execution in that Kingdom, by all Justices of the Peace, and other Officers respectively, according to the Tenor and during the Continuance of this Act.

Continuance of this Act.

XXXVII. And be it further enacted by the Authority aforesaid, That this Act, and every Thing herein contained, shall be and continue in Force from the said twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and sixty until the twenty-fifth Day of *March* in the Year of our Lord one thousand seven hundred and sixty-one.

No Volunteer liable to Process unless for some criminal Matter,

XXXVIII. And to prevent, as far as may be, any unjust or fraudulent Arrests that may be made upon Marines, whereby his Majesty and the Publick may be deprived of their Service; It is hereby further enacted by the Authority aforesaid, That no Person whatsoever, who is entered or shall enter himself as a Volunteer in his Majesty's Service, as a Marine, during the Continuance of this Act, shall be liable to be taken out of his Majesty's Service by any Process or Execution whatsoever, other than for some criminal Matter, unless for a real Debt or other just Cause of Action; and unless, before the taking out of such Process or Execution (not being for a criminal Matter) the Plaintiff or Plaintiffs therein, or some other Person or Persons on his or their Behalf, shall make Affidavit before one or more Judge or Judges of the Court of Record, or other Court, out of which such Process or Execution shall issue, or before some Person authorized to take Affidavits in such Courts, that to his or their Knowledge the original Sum justly due and owing to the Plaintiff or Plaintiffs from the Defendant or Defendants, in the Action or Cause of Action on which such Process shall issue, or the original Debt for which such Execution shall be issued out, amounts to the Value of ten Pounds at least, over and above all Costs of Suit in the same Action, or in any other Action on which the same shall be grounded; a Memorandum of which Oath shall be marked on the Back of such Process or Writ; for which Memorandum or Oath no Fee shall be taken: And if any Person shall nevertheless be arrested contrary to the Intent of this Act, it shall and may be lawful for one or more Judge or Judges of such Court, upon Complaint thereof made by the Party himself, or by any his superior Officer, to examine into the same by the Oath of the Parties, or otherwise, and by Warrant under his or their Hands and Seals, to discharge such Marine so arrested contrary to the Intent of this Act, without paying any Fee or Fees, upon due Proof made before him or them, that such Marine, so arrested, was legally entered as a Marine in his Majesty's Service, and arrested contrary to the Intent of this Act, and also to award to the Party so complaining, such Costs as such Judge or Judges shall think reasonable: For the Recovery whereof, he shall have the like Remedy that the Person who takes out the said Execution might have had for his Costs, or the Plaintiff in the like Action might have had for the Recovery of his Costs, in case Judgment had been given for him with Costs against the Defendant in the said Action.

or unless for a real Debt of the Value of 10 l.

Oath of the Debt to be made before a Judge,

and a Memorandum thereof marked on the Back of the Process;

otherwise Prisoner to be discharged, with Costs.

'XXXIX. And to the end that honest Creditors, who aim only at the Recovery of their just Debts 'due to them from Persons entered as Marines in his Majesty's Service, may not be hindered from 'suing for the same, but on the contrary may be assisted and forwarded in their Suits; and instead of 'an Arrest, which may at once hurt the Service, and occasion a great Expence and Delay to them-'selves, may be enabled to proceed in a more speedy and cheap Method;' Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any Plaintiff or Plaintiffs, upon Notice first given in Writing of the Cause of Action to such Person or Persons so entered, or left at his or their last Place of Residence before such entering, to file a common Appearance in any Action to be brought for or upon account of any Debt whatsoever, so as to intitle such Plaintiff to proceed therein to Judgment and Outlawry, and to have an Execution thereupon, other than against the Body or Bodies of him or them so entered as aforesaid; this Act, or any thing herein, or any former Law or Statute to the contrary notwithstanding.

Plaintiff giving Notice, may file a Common Appearance,

and proceed to Judgment and Execution.

XL. And be it further enacted by the Authority aforesaid, That if any High Constable, Constable, Bedel or other Officer or Person whatsoever, who, by Virtue or Colour of this Act, shall quarter or billet, or be employed in quartering or billeting any Marine Officers or private Men, shall neglect or refuse, for the Space of two Hours, to quarter or billet such Officers or Marines when thereunto required, in such Manner as is by this Act directed, provided sufficient Notice be given before the Arrival of such Forces; or shall receive, demand, contract or agree for any Sum or Sums of Money, or any Reward whatsoever, for or on account of excusing, or in order to excuse any Person or Persons whatsoever from quartering or receiving into his, her or their House or Houses any such Officer or Marine; or in case any Victualler or any other Person, liable by this Act to have any Officer or Marine billeted or quartered on him or her, shall refuse to receive or victual any such Officer or Marine so quartered or billetted upon him or her as aforesaid; or shall refuse to furnish or allow, according to the Directions of this Act, the several Things herein before respectively directed to be furnished or allowed to Non-commission Officers and Marines so quartered or billeted on him or her as aforesaid, at the Rate herein before-mentioned, and shall be thereof convicted before any one or more Justice or Justices of the Peace of the County, City or Liberty, within which such Offence shall be committed, either by his own Confession, or by the Oath of one or more credible Witness or Witnesses (which Oath the said Justice or Justices is and are hereby impowered to administer); every such High Constable, Constable, Bedel or other Officer or Person so offending, shall forfeit, for every such Offence, the Sum of five Pounds, or any Sum of Money not exceeding five Pounds, nor less than forty Shillings, as the said Justice or Justices, before whom the Matter shall be heard, shall in his or their Discretion think fit; to be levied by Distress and Sale of the Goods of the Person offending, by Warrant under the Hand and Seal, or Hands and Seals, of such Justice or Justices, before whom such Offender shall be convicted, or of one or more of them, to be directed to any other Constable within the County, City or Liberty, or to any of the Overseers of the Poor of the Parish where the Offender shall dwell; and the said Sum of five Pounds, or the said Sum not exceeding five Pounds, nor less than forty Shillings, when levied, to be paid to the Overseers of the Poor of the Parish where the Offence shall be committed, or to some one of them, for the Use of the Poor of such Parish.

Penalty on Constables, &c. neglecting to quarter Marines.

Penalty on taking Money to excuse any Person from quartering,

and on Victuallers refusing to receive Marines.

XLI. And for the better preventing Abuses in quartering or billeting the Marines, in pursuance of this Act; Be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for any one or more Justice or Justices of the Peace, within their respective Counties, Cities or Liberties, by Warrant or Order under his or their Hand and Seal, or Hands and Seals, at any Time or Times, during the Continuance of this Act, to require and command any High Constable, Constable Bedel or other Officer, who shall quarter or billet any Marines in pursuance of this Act, to give an Account in Writing unto the said Justice or Justices requiring the same, of the Number of Officers and private Men who shall be quartered or billeted by them, and also the Names of the Housekeepers or Persons, upon whom every such Officer or private Man shall be quartered or billeted, together with an Account of the Street or Place where every such Housekeeper dwells, and the Signs (if any) belonging to their Houses; to the end it may appear to the said Justice or Justices where such Officers and private Men are quartered or billeted, and that he or they may thereby be the better enabled to prevent or punish all Abuses in the quartering or billeting of them.

To prevent Abuses in quartering, Justices may order Constables to give an Account of the Number of Officers and private Men, and where quartered.

XLII. Provided nevertheless, and it is hereby declared by the Authority aforesaid, That from and after the twenty-fifth Day of *March* one thousand seven hundred and sixty, when and as often as any Person or Persons shall be inlisted as a Marine or Marines in his Majesty's Service, he and they shall within four Days, but not sooner than twenty-four Hours, after such inlisting respectively, be carried before the next Justice of the Peace of any County, Riding, City or Place, or Chief Magistrate of any City or Town Corporate (not being an Officer of Marines) and before such Justice or Chief Magistrate, he or they shall be at Liberty to declare his or their Dissent to such inlisting; and upon such Declaration, and returning the Inlisting-money, and also each Person so dissenting paying the Sum of twenty Shillings for the Charges expended or laid out upon him, such Person or Persons so inlisted shall be forthwith discharged and set at Liberty, in the Presence of such Justice or Chief Magistrate; but if such Person or Persons shall refuse or neglect, within the Space of twenty-four Hours, to return and pay such Money as aforesaid, he or they shall be deemed and taken to be inlisted, as if he or they had given his or their Assent thereto before the said Justice or Chief Magistrate; or if such Person or Persons shall declare his or their having voluntarily inlisted himself or themselves,

Clause for Relief of Persons hastily listing themselves.

themselves, then such Justice or Chief Magistrate shall, and he is hereby required forthwith to certify under his Hand that such Person or Persons is or are duly inlisted; setting forth the Place of the Birth, Age and Calling of him or them respectively (if known) and that the second and third Sections of the Articles of War for the better Government of his Majesty's Marine Forces while on Shore in *Great Britain* or *Ireland*, were read to him or them, and that he or they had taken the Oath of Fidelity mentioned in the twelfth Section of the said Articles of War; and if any such Person or Persons, so to be certified as duly inlisted, shall refuse to take the said Oath of Fidelity before the said Justice or Chief Magistrate, it shall and may be lawful for such Officer, from whom he has received such Money as aforesaid, to detain or confine such Person or Persons, until he or they shall take the Oath before required; and every Officer of Marines that shall act contrary hereto, or offend herein, upon Proof thereof upon Oath made by two Witnesses, before a General Court-martial to be thereupon called, shall, for such Offence, be forthwith cashiered and displaced from such his Office, and shall be thereby utterly disabled to have or hold any Civil or Military Office or Employment within this Kingdom, or in his Majesty's Service.

Marine Forces being borne as Part of the Complement of any Ships of War, are liable to be governed by the Rules established by Act 22 Geo. 2. c. 33.

XLIII. Provided always, and it is hereby declared, That all his Majesty's Marine Forces, as well Officers as private Men, shall, from Time to Time, during their being respectively borne as Part of the Compliment of any of his Majesty's Ships or Vessels, be subject or liable in like Manner, in all Respects, as any Officers or Seamen employed in his Majesty's Sea Service are subject and liable to be governed and proceeded against, and punished for Offences committed by them during the Time they shall be borne as Part of the Compliment of such Ships or Vessels, according to the Purport, Tenor, Effect and true Intent and Meaning of an Act of Parliament made in the twenty-second Year of his present Majesty's Reign, intituled, *An Act for amending, explaining, and reducing into one Act of Parliament, the Laws relating to the Government of his Majesty's Ships, Vessels and Forces by Sea*; this present Act, or any Thing herein contained notwithstanding.

CAP. IX.

An Act for preventing the excessive Use of Spirituous Liquors, by laying additional Duties thereon; for shortening the Prohibition of making Low Wines and Spirits from Wheat, Barley, Malt or other Grain, and from Meal, Flour and Bran; for encouraging the Exportation of *British* made Spirits; and for more effectually securing the Duties payable upon Spirits, and preventing the fraudulent relanding or Importation thereof.

For former Laws concerning Spirituous Liquors refer to 12 *Car.* 2. *c.* 23 & 24. 22 *Car.* 2. *c.* 4. 2 *W. & M. st.* 2. *c.* 9. 7 & 8 *W.* 3. *c.* 30. 8 & 9 *W.* 3. *c.* 19. 10 & 11 *W.* 3. *c.* 4 & 21. 12 *W.* 3. *c.* 11. 1 *Ann. st.* 2. *c.* 14.

4 *Ann. c.* 12. 12 *Ann. st.* 2. *c.* 3. 3 *Geo.* 1. *c.* 4. 6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18. 11 *Geo.* 1. *c.* 30. 2 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 17. 7 *Geo.* 2. *c.* 14. 9 *Geo.* 2. *c.* 23. 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 26. 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29.

Preamble.

'WHEREAS the high Price of Spirituous Liquors hath been a principal Cause of the Diminution of the Home Consumption thereof, and hath thereby greatly contributed to the Health, Sobriety and Industry of the common People: And whereas it is therefore of the utmost Importance to the publick Welfare, that some timely Provision should be made for preventing the Return of all those Mischiefs which must unavoidably ensue, in case such Spirituous Liquors should again be suffered to be sold at as low a Rate as formerly: And forasmuch as the most effectual and expedient Method of continuing the high Price of Spirituous Liquors, will be by laying a large additional Duty on such Spirituous Liquors;' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-first Day of *April* one thousand seven hundred and sixty there shall be raised, levied, collected and paid unto his Majesty, his Heirs and Successors, throughout the Kingdom of *Great Britain*, for the several Kinds of Spirituous Liquors herein after mentioned, specified and enumerated (over and above all Duties, Charges and Impositions, by any former Act or Acts of Parliament thereupon respectively set, rated and imposed) the several additional Rates and Duties of Excise, herein after mentioned and expressed; that is to say,

The additional Duties following laid on Spirituous Liquors, to take Place from and after 21 April 1760.

The Duties.

For every Gallon of Low Wines, or Spirits of the first Extraction, made or drawn from any Sort of Drink or Wash, brewed or made from any Sort of Malt or Corn, or from Brewers Wash or Tilts, or any Mixture with such Brewers Wash or Tilts, to be paid by the Distillers or Makers thereof, five Pence.

For every Gallon of Strong Waters or *Aqua Vitæ*, made for Sale of the Materials aforesaid, or any of them, to be paid by the Distillers or Makers thereof, one Shilling and three Pence.

For every Gallon of Low Wines, or Spirits of the first Extraction, made or drawn from any foreign or imported Materials, or any Mixture therewith, to be paid by the Distillers or Makers thereof, one Shilling and Three-pence.

For every Gallon of Spirits made or drawn from any foreign or imported Materials, or any Mixture therewith, to be paid by the Distillers or Makers thereof, eight Pence.

For

For every Gallon of Low Wines, or Spirits of the first Extraction, made or drawn from Cyder, or any Sort or Kind of *British* Materials, except those before mentioned, or any Mixture therewith, to be paid by the Distillers or Makers thereof, six Pence three Farthings.

For every Gallon of Spirits made for Sale from Cyder or any Sort or Kind of *British* Materials, except those before mentioned, to be paid by the Distillers or Makers thereof, one Shilling and one Penny three Farthings.

For every Gallon of single Brandy Spirits, or *Aqua Vitæ*, imported into *Great Britain* from beyond the Seas, to be paid by the Importer before landing, one Shilling.

For every Gallon of Brandy Spirits, or *Aqua Vitæ*, above Proof, commonly called *Double Brandy*, imported into *Great Britain* from beyond the Seas, to be paid by the Importer before landing, two Shillings.

The Duties in England to be under the Receipt and Management of the Commissioners and Officers of Excise there; and those in Scotland, under the Commissioners and Officers of Excise there.

II. And for the better ascertaining, charging, collecting, raising, levying and securing the Rates and Duties by this Act imposed on the said Spirituous Liquors, and preventing Frauds therein, Be it further enacted by the Authority aforesaid, That such of the said Rates and Duties by this Act granted, as are charged upon Spirituous Liquors made, extracted and manufactured in, or imported into *England*, *Wales*, or the Town of *Berwick upon Tweed*, shall be under the Receipt and Management of the Commissioners and Officers of his Majesty's Revenues of Excise in *England* for the Time being; and such of the said Rates and Duties, as are imposed by this Act upon Spirituous Liquors made, extracted, and manufactured in, or imported into *Scotland*, shall be under the Receipt and Management of the Commissioners and Officers of Excise in *Scotland* for the Time being; and the said respective Commissioners of Excise, or the major Part of them, have hereby Power, by Commission under their respective Hands and Seals, to constitute and appoint under them such Officers as shall be necessary in that Behalf: And all Monies arising by the said Duties in *Great Britain*, or any Part thereof (the necessary Charges of raising and accounting for the same excepted) shall, from Time to Time, be paid into the Receipt of his Majesty's Exchequer at *Westminster*, distinctly and apart from all other Branches of the publick Revenues; and shall stand appropriated and be applied to the same Uses and Purposes respectively as the present Duties on Spirituous Liquors are now applicable and appropriated unto.

The Monies arising thereby, to be paid into the Exchequer at Westminster, separate from all other Branches of the publick Revenues.

Concerning Spirituous Liquors see further ch. 28, and 2 Geo. 3. c. 5.

The additional Duties upon Rum imported from the British Plantations, to be paid in like Manner as the former Duties charged thereon.

III. Provided always, and be it enacted by the Authority aforesaid, That the additional Rate or Duty hereby charged upon Rum or Spirits of the Growth, Produce or Manufacture of the *British* Sugar Plantations, imported into this Kingdom, shall be paid and payable in such Manner only, and under such Regulations and Restrictions, as the Rates and Duties of Excise heretofore charged on such Rum or Spirits are now by Law paid and payable.

Act 30 Geo. 2.

and 32 Geo. 2.

'IV. And whereas by an Act made in this present Session of Parliament, it was enacted, That 'an Act made in the thirtieth Year of his present Majesty's Reign, intituled, *An Act to prohibit, 'for a limited Time, the making of Low Wines and Spirits from Wheat, Barley, Malt or any other Sort 'of Grain, or from any Meal or Flour*; which by several subsequent Acts, was continued until the 'twenty-fourth Day of *December* one thousand seven hundred and fifty-nine; and also so much of 'an Act made in the last Session of Parliament, intituled, *An Act to continue, for a further Time the 'Prohibition of the Exportation of Corn, Malt, Meal, Flour, Bread, Biscuit and Starch; and also to 'continue for a further Time the Prohibition of the making of Low Wines and Spirits from Wheat, Barley, 'Malt or any other Sort of Grain, or from Meal or Flour; and to prohibit for a limited Time the making 'of Low Wines and Spirits from Bran*, as prohibits the making of Low Wines and Spirits from 'Bran; which was to continue until the twenty-fourth Day of *December* one thousand seven hundred and fifty-nine, should be, and the same were thereby continued from the Expiration thereof, 'until the twenty-fourth Day of *December* one thousand seven hundred and sixty, unless such Continuation of the said Acts, or of any Parts thereof, should be abridged or shortened by any other 'Act to be made in this present Session of Parliament;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-first Day of *April* one thousand seven hundred and sixty, the Prohibition established and enacted by the said Acts of making, extracting, or distilling Low Wines and Spirits from Wheat, Barley, Malt or any other Sort of Grain, and from Meal, Flour or Bran, or any Mixture therewith, and all Penalties, Powers and Regulations in the said Acts, so far as the same could or might extend or operate with respect to the making of Low Wines and Spirits from the Materials aforesaid, after the said twenty-first Day of *April* one thousand seven hundred and sixty, shall cease, and be no longer in Force or Effect; any thing in the said Acts contained to the contrary notwithstanding.

The Prohibition of extracting Spirits from the Materials mentioned in the recited Acts, taken off;

unless during the Recess of Parliament, the Price of Wheat shall exceed, for two successive Market Days, 48 s. per Quarter in the Port of London; in which Case, the King may, by Proclamation, continue the Prohibition.

V. Provided always, and be it further enacted by the Authority aforesaid, That if at any Time or Times after the said twenty-first Day of *April* one thousand seven hundred and sixty, during the Recess of Parliament, the Price of Wheat shall exceed forty-eight Shillings the Quarter *Winchester* Measure, for two successive Market Days, in the Port of *London*, and it shall appear expedient to his Majesty, his Heirs or Successors, to prohibit the making of Low Wines and Spirits from Wheat, Barley, Malt and any other Sort of Grain, and from Meal, Flour and Bran, or any Mixture therewith, it shall and may be lawful to and for his Majesty, his Heirs and Successors, from Time to Time, by his or their Royal Proclamation or Proclamations, to be issued by and with the Advice of

his or their Privy Council, or by his or their Order in Council, to be published in the *London Gazette*, from time to time, to prohibit the making, extracting or distilling of any Kind of Low Wines or Spirits from any Wheat, Barley, Malt, and any other Sort of Grain, and from Meal, Flour and Bran, or any Mixture therewith, for any Time or Times during such Recess, or until twenty Days after the Commencement of the then next Session of Parliament.

'VI. And whereas the Oath appointed by an Act of Parliament made in the sixth Year of his 'Majesty's Reign, intituled, *An Act for repealing an Act for laying a Duty on Compound Waters or Spi-'rits; and for licensing the Retailers thereof; and for determining certain Duties on French Brandy, and 'for granting other Duties in lieu thereof; and for inforcing the Laws for preventing the Running of Bran-'dies*, to be taken by the Exporters of Spirits drawn from Corn in *Great Britain*, has prevented the 'Exportation of such Spirits after they have been rectified;' Be it therefore enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, upon the Exportation of such rectified Spirits, instead of the Oath aforesaid, in order to intitle the Exporter to the Drawback, Allowance or Bounty on the Exportation thereof, Oath shall or may be made that the same were drawn or made in *Great Britain* from Corn, without any Mixture with any other Materials, either native or foreign, except what has been necessary for the rectifying thereof; and that the Duties of the said Spirits have been duly paid; and that the said Spirits are to be really and truly exported as Merchandize to be spent beyond the Seas.

Act 6 Geo. 2. c. 17.

The Oath to be taken by the Exporter, in order to intitle him to the Drawback, instead of the Oath appointed by the recited Act.

VII. And for the further Encouragement of the Exportation of Spirits drawn or made in *Great Britain* from the Materials aforesaid, or any of them, Be it enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, there shall be an additional Drawback or Allowance of twenty-four Pounds ten Shillings for every Ton of such Spirits so drawn or made in *Great Britain*, which shall be exported to Parts beyond the Seas; and upon Oath being made before any two or more of the Commissioners of Excise, or Justices of the Peace for the County or Place from whence any such Spirits are intended to be exported, that the Duties of the same are duly paid, and that the same are to be exported for Merchandize to be spent beyond the Seas; and upon producing a Certificate under the Hand or Hands of the Officer or Officers of Excise for the Port or Place where such Spirits were shipped, of the Quantities so shipped, and that the same were Proof Spirits, and shipped in the Presence of such Officer or Officers; the Distiller or Distillers, or other Person or Persons exporting the same, shall be allowed or paid back by the Commissioners of Excise, or their Collector for the Port or Place where such Spirits shall be shipped off, the said additional Drawback or Allowance of twenty-four Pounds ten Shillings for every Ton of such Spirits so shipped off, and so in Proportion for any greater or less Quantity; and that the same Drawbacks and Allowances which are given by this or any former Act or Acts of Parliament now in Force on the Exportation of *British* made Spirits to Parts beyond the Seas, as Merchandize, shall be allowed and paid to the Distiller or Distillers, Merchant or Merchants, on his, her or their shipping any such Spirits as Stores to be spent and consumed on Board in any Voyage to Parts beyond the Seas: And when any Distiller or Distillers, Merchant or Merchants, shall be desirous of shipping any such Spirits as Stores as aforesaid, and shall give five Days Notice thereof to the respective Commissioners of Excise, or to such other Person or Persons as they shall respectively from time to time appoint for that Purpose, mentioning in such Notice the exact Destination of the intended Voyage, the Tonage of the Ship or Vessel, and the Number of the Mariners intended to be imployed in navigating the same, it shall and may be lawful to and for the said respective Commissioners of Excise, or the Person or Persons so to be respectively appointed by them as aforesaid, to ascertain the Quantity of such Spirits which shall be shipped on Board such Ship or Vessel as Stores, and for which such Drawbacks and Allowances shall be paid, and also the Size and Marks of the Cask or Casks in which such Spirits shall be so shipped; and on Oath being made before any one or more of the Commissioners of Excise, or Justices of the Peace for the County or Place from whence any such Spirits are intended to be exported, or before such other Person or Persons as shall be respectively authorised by the respective Commissioners of Excise for that Purpose, that the Duties of the same are duly paid, and that the same are to be shipped as Stores to be spent and consumed in the Voyage; and upon producing a Certificate under the Hand or Hands of the Officer or Officers of Excise for the Port or Place where such Spirits were shipped, of the Quantity so shipped, and that the same were Proof Spirits, and shipped in the Presence of such Officer or Officers; the Distiller or Distillers, Merchant or Merchants shipping the same as aforesaid, shall be allowed or paid back by the Commissioners of Excise, or their Collector for the Port or Place where such Spirits shall be so shipped, the said Drawbacks and Allowances for such Spirits so shipped as aforesaid.

An additional Drawback of 24*l.* 10*s.* per Ton allowed on all British made Spirits exported; Oath being made of the Payment of the Duties, and a Certificate produced of the Quantities shipped; and of the same being Proof Spirits.

The same Drawbacks and Allowances to be made on Spirits shipt as Stores;

giving previous Notice thereof, and of the Destination of the Voyage, the Ship's Tonage and Hands;

and the proper Officer ascertaining the Quantity, and the Size and Mark of the Vessels;

Oath being also made that the Duties were duly paid;

and a Certificate produced of the Quantity shipped.

VIII. Provided always, That neither the said Drawback or Allowance, or any other Drawback, Allowance or Bounty, shall be made or paid for any Quantity of such Spirits which shall be exported as Merchandize in any Cask which shall contain less than one hundred Gallons; nor shall any such Drawback or Allowance whatsoever be made or paid for any Quantity of Spirits which shall be exported as Merchandize, or shipped for Stores as aforesaid, that shall be shipped on Board of any Vessel or Vessels of less Burden than one hundred Tons.

No Drawback allowed for any Spirits exported as Merchandize, in Casks containing less than 100 Gallons, nor shipped on Board Vessels under 100 Tons Burthen.

IX. Provided always, and be it further enacted by the Authority aforesaid, That in case any such Spirits shall be entered for Exportation to *Ireland*, or his Majesty's Plantations in *America*, the

Exporter to give Bond, and Security in double the Value, that the Goods shall be duly exported to, and landed where the same are entered for Exportation;

Exporter

Exporter or Exporters thereof, in order to intitle him, her or themſelves to the Drawback or Allowance given by this Act, or any other Drawback, Allowance or Bounty, ſhall, before the ſhipping of the Spirits, and the granting any ſuch Certificate in conſequence thereof, give Bond, with ſufficient Security, to his Majeſty, his Heirs and Succeſſors, to be approved of by the reſpective Commiſſioners of Exciſe for the Time being, or any three of them, or by ſuch Perſon or Perſons as they ſhall from time to time appoint for that Purpoſe, in double the Value of the Goods, Drawback, Allowance and Bounty, that the ſame, and every Part thereof, ſhall (the Danger of the Seas and Enemies excepted) be really and truly exported to, and landed in ſuch Port of the Kingdom of *Ireland*, or ſuch Place in his Majeſty's Plantations in *America*, for which the ſame was ſo entered for Exportation; and that the ſame ſhall not be exported or carried to any other Place or Country whatſoever, nor relanded in any Part of *Great Britain*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark* or *Man*, or either of them; and ſuch Bonds ſo entered into ſhall not be delivered up or diſcharged, until a Certificate ſhall be produced under the Hand and Seal of the Collector, Comptroller, or Surveyor of the Cuſtoms, or other chief Officer of the Port in *Ireland*, or the Plantations in *America*, where ſuch Spirits ſhall be landed, teſtifying the Landing thereof, and deſcribing the Number of the Casks or other Package containing the Spirits, and the particular Marks of ſuch Casks or Package, and the exact Quantity of Spirits landed, and alſo teſtifying that the Maſter, Mate, Purſer, or other Perſon having the Charge of the Ship or Veſſel during the Voyage in which the ſaid Spirits were exported, had made Oath before him, That the ſaid Spirits, and every Part thereof, were fairly landed there, and that at the Time of Landing they were of the ſame Quality as when ſhipped on Board; and that no Part of ſuch Spirits had been wilfully or fraudulently diminiſhed, relanded or unſhipped ſince the Exportation thereof (which Oath the ſaid reſpective Officers in *Ireland*, and the Plantations in *America*, are hereby impowered to adminiſter) and until Oath ſhall be made before the reſpective Commiſſioners of Exciſe in *Great Britain* for the Time being, or any one or more of them, or ſuch other Perſon or Perſons as they ſhall reſpectively appoint for that Purpoſe (who is or are hereby reſpectively impowered to adminiſter ſuch Oath) by the Merchant Exporter (if living) that to the beſt of his, her or their Knowledge or Belief, the ſaid Spirits had been diſpoſed of at the Place or Places mentioned in the Oath referred to in the Certificate: And the Condition of all ſuch Bonds to be given for the Exportation of any ſuch Spirits to *Ireland*, ſhall be, to produce ſuch Certificate in ſix Months from the Date thereof (the Danger of the Seas and Enemies excepted); and the Condition of all ſuch Bonds to be given for the Exportation of any ſuch Spirits to the Plantations in *America*, ſhall be, to produce ſuch Certificate in eighteen Months from the Date thereof (the Danger of the Seas and Enemies excepted:) And in caſe any ſuch Spirits ſhall be entered for Exportation to any other Parts beyond the Seas in *Europe*, then the Exporter or Exporters thereof ſhall, before the ſhipping of ſuch Spirits and the granting ſuch Certificate, give Bond, with ſufficient Security, to his Majeſty, his Heirs and Succeſſors, to be approved of as aforeſaid, in double the Value of the Goods, Drawback, Allowance and Bounty, that the ſame and every Part thereof, ſhall (the Danger of the Seas and Enemies excepted) be really and truly exported to, and landed in ſuch Port or Place for which the ſame was ſo entered for Exportation; and that the ſame ſhall not be exported or carried to any other Place or Country whatſoever, or relanded in any Part of *Great Britain*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark* or *Man*, or either of them: And ſuch Bonds ſo entered into ſhall not be delivered up or diſcharged, until a like Certificate ſhall be produced under the Hand and Seal of the *Britiſh* Conſul, or other Perſon acting as ſuch, in the Port or Place where ſuch Goods ſhall be entered for and landed, and the like Oath made by the Merchant Exporter, if living (which reſpective Oaths the reſpective *Britiſh* Conſuls, or other Perſons acting as ſuch, and the reſpective Commiſſioners of Exciſe, or other Perſon or Perſons as they ſhall reſpectively appoint, are hereby reſpectively impowered to adminiſter); and the Condition of ſuch laſt mentioned Bonds ſhall be, to produce ſuch Certificate in fifteen Months from the Date thereof (the Danger of the Seas and Enemies excepted): And in caſe any ſuch Spirits ſhall be entered for Exportation to any Parts beyond the Seas in *Africa*, then the Exporter or Exporters thereof ſhall, before the Shipping of ſuch Spirits, and the granting ſuch Certificate, give Bond, with ſufficient Security, to his Majeſty, his Heirs and Succeſſors, to be approved of as aforeſaid, in double the Value of the Goods, Drawback, Allowance and Bounty, that the ſame and every Part thereof, ſhall (the Danger of the Seas and Enemies excepted) be really and truly exported to, and landed in ſuch Port or Place for which the ſame was ſo entered for Exportation; and that the ſame ſhall not be exported or carried to any other Place or Country whatſoever, or relanded in any Part of *Great Britain*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark* or *Man*, or either of them; and ſuch Bonds ſo entered into ſhall not be delivered up or diſcharged, until Proof is made by the Oath of the Maſter, Mate, Purſer, or other Perſon having the Charge of the Ship or Veſſel during the Voyage in which the ſaid Spirits were exported, that the ſaid Spirits, and every Part thereof, were fairly landed or diſpoſed of in or on ſome Part of the Coaſt of *Africa*, and that at the Time of being ſo landed or diſpoſed of they were of the ſame Quality and Condition as when ſhipped; and that no Part of ſuch Spirits had been wilfully or fraudulently diminiſhed, or relanded in any Part of *Great Britain*, or the Iſlands of *Guernſey*, *Jerſey*, *Alderney*, *Sark* or *Man*, or either of them; and by the Oath of the Merchant Exporter (if living) that to the beſt of his, her or their Knowledge and Belief, the ſaid Spirits had been diſpoſed of at the Place or Places mentioned in the Oath made by the Maſter, Mate, Purſer, or other Perſon having the Charge of the Ship or Veſſel during the Voyage; which Proof ſhall be made within eighteen Months from the Date

and not exported to or relanded in any other Place.

The Bonds not to be diſcharged till a Certificate be produced from the proper Officer Abroad, of the due Landing thereof,

and of Oath made by the Maſter, &c. that the ſame were fairly landed there, and without any Fraud in the Quantity or Quality of the Spirits;

and Oath alſo made by the Exporter at Home, that the Spirits were diſpoſed of at the Place mentioned in the Oath referred to in the Certificate.

Certificates from Ireland, to be conditioned to be returned within ſix Months;

and from America, within eighteen Months.

Like Security, &c. to be given on exporting Spirits to any other Parts of Europe;

and like Certificates to be produced from the Britiſh Conſul in thoſe Ports, &c.

and the Certificates to be conditioned to be returned within 15 Months.

Like Security, &c. to be given upon Exportation of Spirits to Africa;

and like Oath to be made by the Maſter of the due landing thereof, &c.

and be ſupported by the Oath of the Exporter;

the ſaid Proofs to be made within eighteen Months,

Date of each respective Bond; which respective Oaths last mentioned the respective Commissioners of Excise in *Great Britain* for the Time being, or such other Person or Persons as they shall respectively appoint for that Purpose, are hereby respectively impowered to administer: And in case no such Certificates shall respectively be produced, or Proof respectively made as aforesaid, within the respective Times herein before mentioned, it shall and may be lawful for the said respective Commissioners of Excise to cause such Bonds to be put in Suit, unless they shall find sufficient Cause to forbear the same; any Law, Custom or Usage to the contrary in any wise notwithstanding.

The Bonds may be put in Suit, if the Certificates or Proofs be not duly produced.

X. And for the preventing the Relanding of such Spirits after the same shall be shipped, Be it further enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, in case any such Spirits entered as Merchandize for Exportation, shall not be really and *bona fide* shipped and exported (the Danger of the Seas and Enemies excepted) or in case any such Spirits entered as Merchandize for Exportation, or shipped for Stores, shall be landed again in any Part of *Great Britain*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, or either of them, unless in case of Distress to save the Goods from perishing, which shall be presently made known to the Officer or Officers of Excise, and the Principal Officers of the Customs in the Port; then not only all such Spirits, and the Casks or other Package, shall be forfeited and lost, but also the Person or Persons who shall bring, or cause or procure to be relanded such Spirits, or any Part thereof, into any Part of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark* or *Man*, or either of them, or be assisting or otherwise concerned in the unshipping the same, or to whose Hands the same shall knowingly come after the unshipping thereof, or by whose Privity, Knowledge or Direction the said Spirits, or any Part thereof shall be so relanded, shall forfeit double the Amount of the Drawback, Allowance and Bounty for such Spirits, and the Casks and other Package containing the same, together with the Vessels and Boats, and all the Horses, or other Cattle and Carriages whatsoever, made use of in the landing, removing, Carriage or Conveyance of the same, which shall and may be seized by any Officer or Officers of the Customs or Excise; and if any Master, Commander, or other Person belonging to any Ship or Vessel, shall assist in or connive at the fraudulent landing any such Spirits as aforesaid, he, she or they (over and above all other Penalties provided by this or any other Act or Acts now in Force) shall for every such Offence suffer Imprisonment for the Space of six Months without Bail or Mainprize: And in Case the Package of such Spirits so entered as Merchandize for Exportation, or any Part thereof, shall be altered at any Time after the Shipping thereof, and before the Arrival of the Ship at the Port or Place of Discharge, the Master or other Person taking Charge of every such Ship or Vessel shall forfeit and lose the Sum of one hundred Pounds.

If any Spirits entered for Exportation, or as Stores, shall be fraudulently relanded, or not exported, (except in Cases of Distress, to be made known forthwith to the proper Officers) such Spirits are liable to be forfeited with the Package, together with double the Amount of the Drawback, &c. and the Boats, Horses and Carriages, &c. imployed in relanding the same; and the Master, &c. if privy to or assisting therein, may be committed for six Months; and if the Package be altered before Arrival at the Place of Discharge, the Master forfeits 100*l*.

XI. And for the preventing of Frauds which may be committed in the Exportation of such Spirits so drawn or made in *Great Britain*, Be it further enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, all such Spirits so to be exported shall be Proof Spirits; and in order that the same may be properly examined, and the Casks marked, when any Person or Persons shall be desirous of shipping any Quantity of such Spirits, they are hereby required to give Notice thereof in Writing to the Officer of Excise of the Division or Place where such Spirits are intended to be shipped, five Days next before such Spirits shall be put on Ship-board; in which Notice shall be expressed the Number of Casks, and the Quantity of Spirits so intended to be shipped; and it shall be lawful to and for the Gaugers, or other Officers of Excise, to mark all and every such Casks or other Package, in such Manner as the respective Commissioners of Excise shall direct, before such Spirits are shipped; and also before the Shipping thereof, as well as when on Ship-board, to take a Sample or Samples, not exceeding one Pint in the Whole out of each of the said Casks, or other Package containing such Spirits, paying for such Sample or Samples (if demanded) according to the Market Price Spirits of the like Quality shall be sold for at the Time such Sample or Samples shall be taken: And in case any Person or Persons shall put on Ship-board any such Spirits for Exportation as Merchandize, or to be used as Stores, without having given such Notice as aforesaid, or shall obstruct or hinder the Gaugers, or other Officers of Excise in the marking such Casks, or in taking such Sample or Samples, he, she or they shall respectively forfeit for every such Offence the Sum of one hundred Pounds: And if the Spirits so intended for Exportation as Merchandize shall, after the Shipping thereof, be altered or reduced in Quality or Quantity, after any Officer or Officers of Excise shall have examined the same, the said Spirits, and the Cask or Casks, or other Package or Packages containing the same, shall be forfeited and lost, and the Person or Persons who shall have so altered or reduced such Spirits, or caused or procured the same to be altered or reduced, shall forfeit and lose the Sum of one hundred Pounds for every such Offence; and no Drawback, Allowance or Bounty shall be allowed for the same.

All Spirits to be exported, are required to be Proof Spirits.

Five Days Notice is to be given, before the Shipping thereof, to the proper Officer, who is to mark the Casks; and take Samples, paying for the same (if demanded.)

The Penalty on not giving such Notice, or obstructing the Officer in the Execution of his Duty, is 100*l*. and the Penalty of altering or reducing the Quality or Quantity of the Spirits, after being shipped, is Forfeiture of the Spirits, and 100*l*. &c.

XII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall knowingly or wittingly grant any false Certificate, or counterfeit, erase, or alter any Oath or Certificate made or given pursuant to this Act, or shall knowingly or wittingly publish or make use thereof, such Person or Persons shall forfeit five hundred Pounds; which Forfeiture shall and may be prosecuted in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*; one Moiety whereof to be for the Use of his Majesty, his Heirs and Successors, and the other Moiety to him or them who will sue for, prosecute and recover the same; wherein no Essoin, Protection or Wager of Law shall be allowed, nor any more than one Imparlance; and

The Penalty of granting a false Certificate; or counterfeiting or altering any Oath or Certificate, or making use thereof, is 500*l*. One Moiety to the Crown, and the other to the Prosecutor.

such Oath or Certificate so falsified, counterfeited, erased or altered, shall be invalid, and of no Effect.

Persons liable to be deemed common Distillers,

XIII. And for the more effectual securing the Payment of the Duties upon Spirits, Be it further enacted and declared by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, every Person or Persons making or keeping any Wash, Cyder, or other Materials fit for Distillation, and having in his, her or their Possession or Occupation any Still or Stills, containing separately or together ten Gallons or upwards; Proof being made thereof by the Oath of one or more credible Witness or Witnesses before any one or more of the Commissioners of Excise for the Time being, or one or more of his Majesty's Justices of the Peace, who are hereby respectively impowered to administer the same; shall be deemed and taken to be a common Distiller for Sale, and shall be liable to the several Rates and Duties of Excise, and be subject to the Survey of the Officers of Excise, and to the several Penalties and Forfeitures imposed by this or any former Act or Acts of Parliament now in Force, in any wise relating to Distillers; any Law or Statute to the contrary in any wise notwithstanding.

and to be surveyed, &c. accordingly.

Distiller is to give six Hours Notice to the proper Officer before charging his Still;

except within the Times herein mentioned;

XIV. And for preventing of Frauds that may be committed by Distillers charging their Stills privately with Wash that has not been duly taken an Account of by the Officers of Excise, it is hereby further enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, no Distiller or Maker of Low Wines, Spirits, *Aqua Vitæ*, or Strong Waters, shall on any Pretence begin to charge his or her Still with Wash, Spirits, or other Materials, without first giving to the proper Officer or Officers of the Division or Place where his or her Distilling-house shall be situate, six Hours Notice at the least of his or her Intention to charge such Still, unless at such Times as are herein after mentioned; that is to say, From the twenty-ninth Day of *September* to the twenty-fifth Day of *March* yearly, between the Hours of Five in the Morning and Eight in the Evening; and from the twenty-fifth Day of *March* to the twenty-ninth Day of *September* yearly, between the Hours of Three in the Morning and Nine in the Evening: And in case such Distiller or Maker of Low Wines, Spirits, *Aqua Vitæ*, or Strong Waters, shall not begin to charge his or her Still at the Time mentioned in such Notice, or within one Hour next after, such Notice shall be void; and the Distiller shall be obliged to give another like Notice in Writing before he or she begins to charge his, her or their Still: And if any Distiller or Distillers shall begin to charge his, her or their Still or Stills with Wash, Spirits, or other Materials, except within the respective Times aforesaid, without having first given such Notice or Notices respectively, every such Distiller or Distillers shall, for every such Offence, respectively forfeit and lose the Sum of one hundred Pounds.

and not charging his Still at the Times, or in an Hour after, fresh Notice to be given; and if he charge his Still, except within the Times limited, without due Notice, he forfeits 100*l*.

and using above one Quarter of Wheat, to two Quarters of other Grain in his Grist for Wash, he forfeits 50*l*.

XV. And it is hereby further enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, if any Distiller or Distillers in preparing his Grist for Wash, in order for Distillation, shall use or cause to be used more Wheat than in the Proportion of one Quarter of Wheat to two Quarters of any other Grain, every such Distiller or Distillers shall for every such Offence forfeit and lose the Sum of fifty Pounds.

Recital of Clauses in Act 8 Geo. 1. c. 18.

'XVI. And whereas by an Act made in the eighth Year of the Reign of his late Majesty King 'GEORGE the First, intituled, *An Act to prevent the clandestine Running of Goods, and the Danger of 'Infection thereby; and to prevent Ships breaking their Quarentine; and to subject Copper Ore, of the 'Production of the* British *Plantations, to such Regulations as other enumerated Commodities of the like 'Production are subject*; it was enacted that if any Foreign Brandy, Arrack, Strong Waters, or Spirits, of any Kind whatsoever, should, from and after the twenty-fifth Day of *March* one thousand 'seven hundred and twenty-two, be imported or brought into *Great Britain*, or into any Port, Harbour, Haven, or Creek thereof, in any Ship, Vessel, or Boat of the Burthen of forty Tons or 'under, according to the Admeasurement prescribed in the Act therein mentioned (except only for 'the Use of the Seamen then belonging to and on Board such Ship, Vessel, or Boat, not exceeding 'two Gallons for each such Seaman) every such Ship, Vessel or Boat, with all her Tackle, Furniture and Apparel, as also all such Brandy, Arrack, Strong Waters, or Spirits, or the Value thereof, should be forfeited, and should and might be seized by any Officer or Officers of the Customs, 'and should and might be prosecuted and divided in such Manner and Form as was prescribed in 'certain Acts therein mentioned: And also further enacted, That if any Boat, Wherry Pinnace, 'Barge, or Galley, rowing, or made or built to row, with more than four Oars, should be found 'within the Limits therein mentioned, such Boat, Wherry, Pinnace, Barge or Galley, with all 'her Tackle and Furniture, or the Value thereof, should be forfeited, and should and might be 'seized by any Officer or Officers of the Customs; and the Owner or Owners thereof, or any Person using or rowing in such Boat, Wherry, Pinnace, Barge, or Galley, should also forfeit and lose 'the Sum of forty Pounds; with a Proviso, exempting certain Vessels therein mentioned from the said 'Forfeitures: And by the said Act it was directed, That the Ship, Vessel, or Boat importing Foreign Brandy, Arrack, Strong Waters, or Spirits, or such Boat, Wherry, Pinnace, Barge, or 'Galley as aforesaid, should, after Condemnation thereof, be burnt and wholly destroyed; and the 'Tackle, Furniture, and Apparel thereunto belonging, be publickly sold to the best Advantage:

and 12 Geo. 1. c. 28.

'And whereas by an Act made in the twelfth Year of the Reign of his late Majesty, intituled, *An 'Act for the Improvement of his Majesty's Revenues of Customs, Excise, and Inland Duties*, the Commissioners of his Majesty's Customs were impowered to cause any such Ship, Vessel, Boat, Wherry, 'Pinnace, Barge, or Galley (except as before excepted) which should be seized and condemned 'as aforesaid, to be used by the Officers of his Majesty's Customs, together with the Tackle, Furniture,

'niture, Apparel, and Materials belonging thereunto, the Officer or Officers who seized the same 'being first paid his or their Share or Shares: And whereas by an Act made in the eleventh Year 'of the Reign of his said late Majesty, for more effectually preventing Frauds and Abuses in the 'publick Revenues; for preventing Frauds in the Salt Duties; and for other Purposes; certain 'Powers were given to the Officers of the Revenue of Excise to enter into any Ship or Vessel within 'the Limits of any Port in this Kingdom, and search for and seize Arrack, Rum, Brandy, Spirits, 'or Strong Waters, and Coffee, Tea, Cocoa Nuts, Chocolate, and Cocoa Paste, with the Packages 'thereof, in the Manner and for the Reasons therein mentioned: And whereas no Provision is made 'by the Laws in being to impower the Officers of Excise to seize any Ships, Vessels, Boats, Wher-'ries, Pinnaces, Barges, or Gallies, and it would be a further Means to prevent the Clandestine Im-'portation of Spirituous Liquors, if they were impowered to seize such Ships, Vessels, Boats, Wher-'ries, Pinnaces, Barges, or Gallies, in the same Manner the Officers of the Customs may now legally 'do;' Be it therefore enacted by the Authority aforesaid, That from and after the said twenty-first Day of *April* one thousand seven hundred and sixty, it shall and may be lawful to and for the Officers of Excise, and every of them, and they and each of them are hereby required to seize all and every such Ships, Vessels, Boats, Wherries, Pinnaces, Barges, or Gallies, as are declared to be forfeited for any of the Reasons contained in the said Acts, or any of them, in like Manner as the Officers of the Customs may now legally do; which Ships, Vessels, Boats, Wherries, Pinnaces, Barges, or Gallies, so seized by the Officers of Excise, shall and may be proceeded against and condemned by such Forms, Ways and Methods, on the Part and Behalf of his Majesty and the Officers of Excise, as now are or may be used on the Part and Behalf of his Majesty and the Officers of the Customs; and after Condemnation, burnt, destroyed, or used, and the Tackle, Furniture, and Apparel thereof disposed of and applied by and under the Direction of the Commissioners of Excise and their Officers, in like Manner as is directed with respect to the Commissioners of the Customs and their Officers.

Officers of Excise, as well as those of the Customs, may seize all Vessels liable to be so seized by the recited Acts;

and proceed to Condemnation, &c. in like Manner as is done by the Officers of the Customs.

'XVII. And whereas many Evils have arisen to the Publick by reason of the compounding or rec-'tifying of Spirits by Persons practising the Trade or Business of Making or Distilling Spirits from 'Corn or Grain;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-first Day of *April* one thousand seven hundred and sixty, if any Person practising the Trade or Business of Making, Extracting or Distilling Low Wines or Spirits from Corn or Grain, or any Mixture therewith, or having any Interest, Share or Property in any such Trade or Business shall, directly or indirectly, either by him or herself or any other Person or Persons in Trust, or for his or her Benefit, rectify, compound or make any Sort of Spirits into the Liquor commonly called *Gin*, or into Brandy, or any other compound Spirituous Liquors whatsoever, every such Person shall, for every such Offence, forfeit and Pay the Sum of one hundred Pounds; and that the Heirs, Executors, Administrators, or Assigns of any Person who shall, after the said twenty-first Day of *April* one thousand seven hundred and sixty, have been guilty of the Offence aforesaid, shall not be intitled unto or maintain any Cause, Action or Suit, for Recovery, either in Law or Equity, of any Sum or Sums of Money, Debt or Demand whatsoever, on account or by reason of any Interest or Property in, or Profit or Advantage arising in respect of, any Spirits made, extracted or distilled from Corn or Grain, or any rectified or compounded Spirituous Liquors whatsoever.

This Clause repealed by 2 Geo. 3. c. 5. s. 3.

Malt Distiller compounding or rectifying Spirits into Gin, Brandy, or other compound Spirituous Liquors,

forfeits 100 l.

and his Heirs, or Executors, &c. are disabled to sue for or recover any Debt on that Trade.

See further 3 *Geo.* 2. *c.* 28.

XVIII. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties, and Forfeitures, Clauses, Matters, and Things, which in and by an Act made in the twelfth Year of the Reign of King CHARLES the Second, intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service and Purveyance; and for settling a Revenue upon his Majesty in lieu thereof*, or by any other Law now in Force, relating to his Majesty's Revenue of Excise upon Beer, Ale or other Liquors, are provided, settled, or established, for securing enforcing managing, raising, levying, collecting, mitigating, or recovering, adjudging or ascertaining the Duties or Penalties thereby granted, and for preventing, detecting and punishing Frauds relating thereto (not otherwise altered by this Act) shall be exercised, practised, applied, used, imposed, levied, recovered, and put in Execution, for the securing, enforcing, managing, raising, levying, collecting, mitigating, adjudging, ascertaining, recovering, and paying, the Duties and Penalties hereby granted, and for preventing, detecting, and punishing Frauds relating thereto, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Penalties, and Forfeitures, Clauses, Matters, and Things, were particularly repeated and again enacted in the Body of this present Act.

The Powers, Rules, Penalties, Clauses, &c. in Act 12 Car. 2. c. 24. or in any other Law of Excise now in Force, extended to this Act.

15 *Car.* 2. *c.* 11.
16 & 17 *Car.* 2. *c.* 4.
22 & 23 *Car.* 2. *c.* 5.
1 *W. & M. St.* 1. *c.* 24.
2 *W. & M. Sess.* 2. *c.* 10.
4 *W. & M. c.* 3.
5 *W. & M. c.* 20.
7 *W.* 3. *c.* 30.
8 *W.* 3. *c.* 19.
10 *W.* 3. *c.* 21.
12 *W.* 3. *c.* 11 & 12.
1 *Ann. St.* 2 *c.* 3.
4 *Ann. c.* 6.
8 *Ann. c.* 7.
10 *Ann. c.* 19 & 26. 12 *Ann. c.* 9. 6 *Geo.* 1. *c.* 21. 11 *Geo.* 1. *c.* 30. 12 *Geo.* 1. *c.* 28. 1 *Geo.* 2. *c.* 16. 19 *Geo.* 2. *c.* 34. 23 *Geo.* 2. *c.* 26. 31 *Geo.* 2. *c.* 17.

XIX. And be it further enacted and declared by the Authority aforesaid, That all Fines, Penalties and Forfeitures imposed by this Act, not hereby otherwise directed to be recovered, shall be sued for levied, recovered or mitigated by such Ways, Means and Methods as any Fine, Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws of Excise (not otherwise directed by this Act) or by Action of Debt, Bill, Plaint, or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*; and that one Moiety of every such

Recovery, Mitigation, and Application of Penalties in general.

Fine, Penalty or Forfeiture shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall discover, inform, or sue for the same.

General Issue.

XX. And be it hereby further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested, or prosecuted for any Thing done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence in his or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her or them, upon Demurrer or otherwise; then such Defendant or Defendants shall have have Treble Costs awarded to him, her or them, against any such Plaintiff or Plaintiffs.

Treble Costs. *See further ch. 28. and 2 Geo. 3. c. 5.*

CAP. X.

An Act to enable his Majesty to make Leases and Copies of Offices, Lands, and Hereditaments, Parcel of his Dutchy of *Cornwall*, or annexed to the same; and for other Purposes therein mentioned.

Preamble.

'WHEREAS his most Excellent Majesty now stands seized of the Dutchy of *Cornwall*, and the Possessions thereof: And whereas some Doubts may arise in relation to his Majesty's granting Leases, and making Copies of Offices, Lands, and Hereditaments, Parcel of his said Dutchy, or thereunto annexed or belonging: For obviating whereof, and for the Ease and Quiet of the Minds of such Persons as have taken, or shall hereafter take Leases from his said most Excellent Majesty; and to the end that such Persons may be sure to have good and indefeazable Estates, and be encouraged to lay out Monies in building and repairing, or otherwise improving the several Lands and Tenements to them demised or to be demised;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Leases and Grants, made or to be made by Copy of Court Roll, according to the Custom of the respective Manor or Manors of the said Dutchy, or thereunto annexed or belonging; and all Leases and Grants made, or to be made within seven Years next ensuing, by Letters Patents or Indentures, under the Great Seal of *Great Britain* or Seal of the Court of *Exchequer*, or by Copy of Court Roll, according to the Custom of the respective Manors, of any Offices, Messuages, Parks, Lands, Tenements, Hereditaments (other than Honours, Lordships or Manors) Parcel of the Possessions of the said Dutchy of *Cornwall*, or annexed to the same, shall be good and effectual in Law, according to the Purport and Contents of the same Copies, Leases and Grants, against our Sovereign Lord the King, his Heirs and Successors, and against all and every other Person or Persons that shall at any Time hereafter have, inherit or enjoy the said Dutchy, by Force of any Act of Parliament, or by other Limitation whatsoever.

Leases and Grants made by Copy of Court Roll, or by Letters Patents or Indentures within seven Years to come, of any Offices, Lands, or Hereditaments, Parcel of the Dutchy of Cornwall, or annexed thereto, declared to be good against the Crown;

so as such Leases be not for more than 3 Lives, or 31 Years; or a Term determinable upon three Lives at the most: And if in Expectancy or Reversion, not exceeding 3 Lives, or 31 Years, and so as the same be not dispunishable of Waste; and the usual Rent, or, where there was none before, a reasonable Rent be reserved.

II. Provided always, That every Lease or Grant so made, or to be made, be not for more than one, two or three Lives, or for one and thirty Years, or under, or for some Term of Years determinable upon one, two or three Lives, and not above; and if such Leases or Grants be made in Reversion or Expectancy, that then the same, together with the Estates in Possession, do not exceed three Lives, or the Term of one and thirty Years, and be not any wise made dispunishable of Waste; and so as upon every such Lease or Grant be, or shall be, reserved the antient or most usual Rent, or more, or such Rent as hath been reserved, yielded or paid for the same Manors, Lands or Hereditaments, for the greater Part of twenty Years next before the making of the said Leases; and where no such Rent hath been reserved or payable, that then, upon every such Lease, there be, or shall be, reserved a reasonable Rent, not being under the twentieth Part of the clear yearly Value of the Manors, Messuages, Parks, Lands, Tythes, Tenements or Hereditaments, contained in such Lease or Grant; and all Leases and Grants otherwise made, or to be made, shall be null and void.

The Covenants, &c. in such Leases or Grants deemed good in Law.

III. And be it further ordained and enacted by the Authority aforesaid, That all Covenants, Conditions, Reservations, and other Agreements, contained in every Lease, Grant, or Copy of Court Roll, made or to be made as aforesaid, shall be good and effectual in Law, according to the Words and Contents of the same, as well for and against them to whom the Reversions of the same Lands, Tenements and Hereditaments shall come, as for and against them to whom the Interest of the said Leases, Grants, or Copies shall come respectively, as if our Sovereign Lord the King's Majesty, at the Time of making such Covenants Conditions, and Reservations, and other Agreements, were seized of an absolute Estate, in Fee Simple, in the same Lands, Tenements, or Hereditaments.

Reservation of Rights.

IV. Saving always, to all and every Person and Persons, Bodies Politick and Corporate, their Heirs and Successors, Executors, Administrators, and Assigns (other than to our said Sovereign Lord the King, and his Heirs and Successors; and the Duke and Dukes of *Cornwall* for the Time being, and his and their Heirs; and all and every other Person and Persons that shall hereafter have, inherit or enjoy the said Dukedom of *Cornwall*, by force of any Act of Parliament or other Limitation whatsoever) all such Rights, Titles, Estates, Customs, Interests, Tenures, Claims, and Demands whatsoever, of what Nature, Kind or Quality soever, of, in, to, or out of, the said Offices, Lands,

Lands, Tenements, or Hereditaments, or any of them, as they or any of them had or ought to have had before the making of this Act, to all Intents and Purposes, and in as large and ample Manner and Form, as if this Act had never been had or made; this Act, or any Thing herein contained to the contrary notwithstanding.

CAP. XI.

An Act for taking down and removing the Magazine for Gunpowder, and all Buildings thereto belonging, situate near *Greenwich* in the County of *Kent*; and erecting, instead thereof, a new Magazine for Gunpowder at *Purfleet*, near the River of *Thames*, in the County of *Essex*; and applying a Sum of Money granted in this Session of Parliament towards those Purposes; and for obviating Difficulties arisen upon an Act made in the last Session of Parliament, for making Compensation for Lands and Hereditaments purchased for his Majesty's Service at *Portsmouth*, *Chatham*, and *Plymouth*.

Preamble.

'WHEREAS the Powder Magazine near the Town of *Greenwich* in the County of *Kent*, is very improperly and dangerously situated; and notwithstanding great Care has been taken to support the said Magazine, the same is utterly incapable of being effectually repaired: And whereas *Purfleet*, near the River *Thames*, in the County of *Essex*, is a proper Place for erecting a Powder Magazine;' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Master General of his Majesty's Ordnance for the Time being, or for the Lieutenant General and principal Officers of his Majesty's Ordnance for the Time being, or any three or more of them, to take down and remove the said Powder Magazine situate near the Town of *Greenwich*, and all the Buildings thereto belonging; and, instead thereof, to erect and build a Magazine for Gunpower, for Land and Sea Service together, with Barracks, Guardhouse, and other Houses and Buildings necessary and convenient for the Care and Management of such Magazine, and of the Gunpowder that shall from time to time be deposited in it, at *Purfleet* aforesaid.

The Powder Magazine near Greenwich, to be taken down and removed, by the Board of Ordnance, and a new one, together with Barracks, &c. to be erected at Purfleet.

'II. And whereas it will be necessary to purchase certain Messuages, Mills, Lands, Tenements and Hereditaments, in order to build such intended Magazine for Gunpowder, and other Buildings, at *Purfleet*;' Be it therefore further enacted by the Authority aforesaid, That it shall and may be lawful to and for his Majesty, by one or more Commission or Commissions by Letters Patent under the Great Seal of *Great Britain*, to authorize and appoint any Number of Persons to be Commissioners for surveying and setting out all such Messuages, Mills, Lands, Tenements and Hereditaments, and for executing the other Purposes of this Act, in Manner herein after mentioned.

Commissioners to be appointed by his Majesty for surveying, &c. Lands, &c. proper for that Purpose;

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for the said Commissioners so to be appointed, or any five or more of them, or such Persons as they or any five or more of them shall appoint, to enter upon, make Surveys of, and set out and describe by Lines, Stakes, or other Marks, such Messuages, Mills, Lands, Tenements, and Hereditaments, at *Purfleet* aforesaid, as they the said Commissioners so to be appointed, or any five or more of them, shall think proper to be purchased, in order for the erecting and building a Magazine for Gunpowder, and the Guardhouse, Barracks, and other convenient Buildings there.

who are impowered to enter upon and set out the Lands, &c. accordingly.

IV. And be it further enacted by the Authority aforesaid, That from and immediately after the making of every such Survey respectively, and the entering thereof in the Books of the said Commissioners as herein after directed, all the Messuages, Mills, Lands, Tenements, and Hereditaments, lying within the Boundaries of such Descriptions respectively as aforesaid, shall be and are hereby vested, and declared to be in the actual and real Possession and Seisin of the Right Honourable *Arthur Onslow* Speaker of the House of Commons, *William Harvey* Esquire, Sir *William Maynard* Baronet, the Honourable *Lewis Watson*, and the Honourable *Robert Fairfax*, their Heirs and Assigns; in Trust nevertheless for such Person and Persons, Bodies Politic or Corporate, Ecclesiastical or Civil, as at the Time of making such Survey respectively are or shall be interested therein, according to their several Estates and Interests, in Possession, Reversion, Remainder, or otherwise, until the Purchase Monies for the same shall be paid, or Certificates for the Payment thereof shall be made forth and deposited in such Manner as is herein after directed.

The Lands, &c. so surveyed, vested in Trustees;

in Trust for the Persons interested, till Payment of the Purchase Monies.

V. And be it further enacted by the Authority aforesaid, That the said Commissioners so to be appointed, or any five or more of them, may, and they are hereby impowered to treat and agree with the Owners and Persons interested in such Messuages, Mills, Lands, Tenements and Hereditaments as aforesaid, for the absolute Purchase thereof, according to their respective Interests therein; and all such Agreements by the Owners and Persons interested of and in such Messuages, Mills, Lands,

Commissioners impowered to treat for the absolute Purchase of such Lands,

Lands, Tenements and Hereditaments, with the Commissioners so to be appointed, or any five or more of them (being entered in a Book or Books in Manner herein after directed) shall be valid and effectual to all Intents and Purposes whatsoever: And in case any Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, shall refuse or neglect to treat or agree as aforesaid, or shall refuse to accept what the said Commissioners, or any five or more of them, shall think a reasonable Recompence or Satisfaction for the same, for the Space of thirty Days after Notice in Writing given to such Person or Persons, or to the principal Officer or Officers of such Bodies Politick or Corporate, Ecclesiastical or Civil, or left at his, her or their respective Place or Places of Abode, or deliver to the Tenant or Tenants of the Premisses; or if, through any Disability by Non-age, Coverture or Special Limitations in any Settlement or Settlements, or by reason of any Controversy depending in Law or Equity, or any other Impediment, such Owners or Persons cannot dispose of their respective Properties or Interests; in every such Case the said Commissioners so to be appointed, or any five or more of them, may and are hereby authorized and required to issue forth their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County of *Essex*, thereby commanding him to impanel, summon and return before the said Commissioners so to be appointed, or any five or more them, at such Time and Place, or Times and Places, as shall be appointed in such Warrant or Warrants, twenty-four substantial and indifferent Inhabitants of the said County of *Essex*, qualified to serve upon Juries at the Assizes, who upon their Oaths (which Oaths the said Commissioners so to be appointed, or any five or more of them, are hereby impowered to administer) shall enquire into, and by their Verdict ascertain and assess the true and real Value of such Messuages, Mills, Lands, Tenements and Hereditaments, and of the respective Estates, and Interests therein: And the said Sheriff is hereby required to impanel, summon and return, such Number of Inhabitants as aforesaid; and, at the Return of such Warrant or Warrants, to attend the said Commissioners, with his Bailiffs or Officers, to prove, if necessary, upon Oath (which Oath the said Commissioners so to be appointed, or any five or more of them, are hereby impowered to administer) the Summoning of the Jurors so impanelled and returned respectively; and all Persons shall have their lawful Challenges (but shall not challenge the Array of the Panel) against any of the said Jurymen when they come to be sworn: And in case the said Sheriff shall neglect or refuse (being duly served with such Warrant or Warrants six Days or more before the Return thereof) to impanel, summon and return such Jury; or shall not attend the said Commissioners, so to be appointed, with his Bailiffs and Officers, who shall have executed such Warrant or Warrants; then, and in either of the said Cases, the said Commissioners, so to be appointed, or any five or more of them, are hereby authorized and required to impose a Fine upon such Sheriff, not exceeding twenty Pounds, nor less than ten Pounds for any one Offence: And if any Person so to be impanelled, summoned and returned, shall not appear at the Return of such Warrant or Warrants; or appearing shall refuse to be sworn for the Purposes aforesaid, or being sworn shall depart without the Licence of the said Commissioners so to be appointed, or any five or more of them, before the Verdict is given; or shall not give his Verdict, or in any other Manner neglect his Duty in the Premisses; in every such Case the major Part of the Commissions so to be appointed, then assembled, may and are hereby impowered to set a Fine upon such Person so offending, and not having lawful Excuse (to be allowed by such Commissioners so to be appointed) not exceeding the Sum of ten Pounds, upon any one Person for any one Offence: All which Fines the said Commissioners so to be appointed, or any five or more of them, are hereby authorized and required to estreat in his Majesty's Court of Exchequer, to be levied to the Use of his Majesty.

Agreements entered into deemed valid.

Where Persons shall refuse or neglect to treat,

er shall be disabled from treating,

the Commissioners are to issue their Warrant to the Sheriff of the County,

to summon and return a Jury to ascertain the Value of the Premisses.

Sheriff to attend at the Return of the Warrant, with his Officers to prove the summoning the Jurors.

Jury may be challenged.

Sheriff neglecting his Duty, may be fined in a Sum not exceeding 20 l.

and Juryman in a Sum not exceeding 10 l.

Fines to be returned into the Exchequer.

VI. And be it enacted by the Authority aforesaid, That in case a sufficient Jury shall not appear, upon the Return of the said Warrant or Warrants, to take the Inquest, it shall be lawful for the said Commissioners so to be appointed, or any five or more of them, from Time to Time, to adjourn the Inquest to any future Day, not exceeding fourteen Days, nor less than seven Days, from the Adjournment thereof; and to issue out their Warrant or Warrants for impanelling, summoning and returning a Number of Jurors, double the Number of Jurors making Default, to attend such Commissioners so to be appointed at such adjourned Meeting, together with the Jurors before returned by the said Sheriff, or at any future Meeting or Meetings to be held by Adjournment or Adjournments, which the said Commissioners so to be appointed are hereby authorized to make from Time to Time.

Where a sufficient Jury shall not appear, the Inquest may be adjourned,

and a fresh Warrant issued for returning double the Number of Jurors making Default.

VII. Provided always, and be it further enacted by the Authority aforesaid, That twelve good and lawful Men shall be sufficient to take the Inquest aforesaid; and that in case twelve or more shall appear upon the Return of the said Warrant or Warrants, then, and in such Case, the said Commissioners, or any five or more of them, shall proceed to take the said Inquest, and give Judgment, and make Decrees thereon.

Twelve sufficient to take the Inquest.

VIII. And be it further enacted by the Authority aforesaid, That the said Commissioners so to be appointed, or any five or more of them, may and are hereby impowered to summon, by Writing under their Hands, any Person or Persons to attend any Jury to be summoned by virtue of this Act, and to examine such Person or Persons upon Oath, in relation to the Matters in Question; which Oath the said Commissioners so to be appointed, or any five or more of them, are hereby impowered to administer.

Witnesses may be summoned, and examined upon Oath.

IX. And be it further enacted by the Authority aforesaid, That five or more of the said Commissioners so to be appointed, shall cause Notice to be given in Writing of the the Days appointed for the Meeting of such Juries as aforesaid, seven Days at least before every such Meeting; which Notices shall be affixed upon the Door of the Miller's House, and of the Publick House at *Purfleet* called *The*

Notice to be given of the Days appointed for the Meeting of the Juries,

Crown, and published in the *London Gazette*; and if any Person or Persons shall not appear pursuant to such Notice, that then the said Commissioners so to be appointed, and also the said Jury, shall proceed and determine upon the best Information they can then procure or obtain: And if any Persons summoned to attend such Commissioners so to be appointed, and Jury so to be impanelled and sworn, as a Witness, shall not appear, or appearing refuse to be sworn or to give Evidence, the major Part of the Commissioners then assembled may impose a Fine upon every Person so offending, and not having lawful Excuse (to be allowed by such Commissioners) not exceeding five Pounds upon any one Person for any one Offence: All which Fines shall be estreated and levied, in such Manner as the Fines herein before mentioned are directed to be estreated and levied.

Witnesses refusing to attend, or to give Evidence, may be fined in any Sum not exceeding 5 l.

X. And be it further enacted by the Authority aforesaid, That the Orders and Decrees which shall be made by the said Commissioners so to be appointed, or any five or more of them, relating to or concerning such Agreements, which shall be made between the said Commissioners so to be appointed, or any five or more of them, and such Owners and Persons interested as aforesaid; and also all the Verdicts of such Juries, and the Judgments and Decrees of the said Commissioners so to be appointed, or any five or more of them, thereupon; shall be final, and shall be binding and conclusive to all and every Person and Persons, Bodies Politick and Corporate, Ecclesiastical and Civil, their Heirs, Successors, Executors, Administrators and Assigns, and all other Persons whatsoever, claiming or to claim, in Remainder, Reversion or in any other Manner howsoever, notwithstanding any Disability or Incapacity; any Law, Statute or Custom, or other Matter or Thing whatsoever to the contrary notwithstanding.

Orders and Decrees of the Commissioners,

and Verdicts of the Juries, and the Judgments thereupon, are to be final and conclusive to all Parties.

XI. And be it further enacted by the Authority aforesaid, That the said Commissioners so to be appointed, or any five or more of them, shall cause all their Surveys, Orders, Judgments and Decrees, and also all such Agreements and Verdicts, to be entered in a Book or Books; and in such Surveys, Orders, Judgments, Decrees and Agreements respectively, shall be expressly mentioned and specified the respective House or Houses, Mill or Mills, Building or Buildings, Number of Acres or Parcels of Land, with their several Abuttals and Boundaries, and the Name or Names of every Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, who shall be interested therein, and also the respective Sum or Sums of Money which shall be agreed for between the said Commissioners so to be appointed and Parties interested, or which shall be assessed by such Jury to be paid for the same respectively: And all such Surveys, Orders, Judgments, Decrees, Agreements and Verdicts, shall be also fairly ingrossed on Parchment, and certified under the Hands and Seals of five or more of the said Commissioners so to be appointed, to the Clerk of the Crown in *Chancery*, and to the King's Remembrancer in his Majesty's Court of *Exchequer*.

Surveys, Orders, Judgments, Agreements and Verdicts, to be entered at Length in proper Books;

and Copies thereof to be ingrossed on Parchment, and certified by the Commissioners to the Clerk in Chancery, and the Remembrancer of the Exchequer.

XII. And be it further enacted by the Authority aforesaid, That the said Commissioners so to be appointed, or any five or more of them, shall be and are hereby required, without Fee or Reward, to give their Certificate or Certificates in Writing, under their Hands, to every Proprietor and other Person interested in the Premisses, expressing the respective House or Houses, Mill or Mills, Building or Buildings, Number of Acres or Parcels of Land, and their several Abuttals and Boundaries, with the Name or Names of the Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, and the Sum or Sums he, she or they, is or are to receive for the same; and such Certificates respectively shall authorize the Surveyor General of the Ordnance for the Time being, to make out and allow a Bill or Bills to the Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, mentioned in such Certificates respectively, and in which Bill or Bills shall likewise be expressed the respective House or Houses, Mill or Mills, Building or Buildings, Number of Acres or Parcels of Land, and their several Abuttals and Boundaries, together with the Name or Names of the Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil as aforesaid, and the respective Sum or Sums to be paid; and thereupon one or more Debenture or Debentures shall be prepared for the several and respective Sums as aforesaid, by the Clerk of the Ordnance for the Time being, and signed by three or more of the Principal Officers of the Ordnance for the Time being; and such Debentures are hereby required to be paid, with Interest after the Rate of four Pounds *per Centum per Annum*, from the Time of demanding the Principal Sums mentioned therein, out of the Money hereby appropriated, or hereafter to be granted by Parliament for the Purpose aforesaid, by the Treasurer of the Ordnance for the Time being, who shall take Acquittances from the Persons indorsed thereon; and that immediately from and after the Delivery of such Certificates to the Persons interested as aforesaid, the Trustees before mentioned shall be deemed and adjudged to stand seised of the Premisses mentioned in such Certificates respectively, to and for the Use of his Majesty, his Heirs and Successors for ever: And if any Person or Persons, Bodies Politick or Corporate, Ecclesiastical or Civil, shall wilfully refuse to accept of or receive any such Certificate; that then, and in such Case, it shall and may be lawful for the said Commissioners so to be appointed, or any five or more of them, to leave and deposit such Certificates with the Clerk of the Peace of the said County of *Essex*, and shall make an Entry in their Books of the same, which shall be taken and deemed to be valid; and such Messuages, Mills, Lands, Tenements and Hereditaments respectively, shall from thenceforth be vested to the Use of his Majesty, his Heirs and Successors, as if such Certificates had been received by the Parties intitled thereto.

Certificates of the Purchases to be given by the Commissioners to the Proprietors,

and Bills for the Sums due to be made out by the Surveyor General of the Ordnance;

and Debentures thereupon to be granted them, with Interest after the Rate of 4 l. per Cent. per Ann.

The Trustees thereupon deemed to stand seised of the Premisses.

In case of Refusal to accept such Certificates, they may deposited with the Clerk of the Peace for Essex, &c.

XIII. And be it further enacted by the Authority aforesaid, That if any such Messuages, Mills, Lands, Tenements or Hereditaments, or any Interest therein, shall belong to any Corporation, or Body Politick, Ecclesiastical or Civil, or to any other Person or Persons whatsoever, who, by Reason of any Disability, are not able or capable by Law to take and dispose of the several Sums which shall

Where the Premisses shall belong to any Corporate Body, or to other Persons under a Disability to take and dispose of the Purchase Money,

it is then to be paid over to the Deputy Remembrancer for their Use.

shall be due and payable for and in respect of their several Interests; in every such Case, such Sums of Money shall be paid into the Hands of the Deputy King's Remembrancer of his Majesty's Court of *Exchequer* at *Westminster* for the Time being, to and for the Uses, Intents and Purposes, herein after mentioned.

Act 31 Geo. 2. c. 39.

'XIV. And whereas by virtue and in pursuance of an Act of Parliament passed in the thirty-first 'Year of the Reign of his present Majesty, intituled, *An Act for vesting certain Messuages, Lands, 'Tenements and Hereditaments, for the better securing his Majesty's Docks, Ships and Stores at* Portsmouth, Chatham *and* Plymouth, *and for the better fortifying the Town of* Portsmouth, *and Citadel of* 'Plymouth, *in Trustees, for certain Uses, and for other Purposes therein mentioned*; and of another Act 'made and passed in the last Session of this present Parliament, for making Compensation to the 'Proprietors of such Lands and Hereditaments, as had been purchased for that Purpose, divers 'Lands, Grounds, Tenements and Hereditaments, situate, lying and being near the said Docks re-'spectively, and particularly certain Lands and Grounds belonging to Sir *John Saint Aubin* Baronet, 'which were valued by his Majesty's Commissioners at seventeen thousand Pounds, and upwards, 'and which he was not qualified to convey in Fee Simple; and also certain Lands, Grounds and 'Hereditaments, belonging to the Rectory and Church of *Stoke Damarell*, which could not by Law 'be aliened in Fee Simple; and several other Lands near the said several Docks; have respectively 'been taken and made use of for fortifying and securing the said Docks respectively, and are vested 'in Trustees for that Purpose; and Bills and Debentures have been made out and allowed by the 'Surveyor General of the Ordnance, for several Sums of Money payable for the Purchase, or as 'the Value of the Lands, Tenements and Hereditaments respectively; and the several Sums of Mo-'ney which, by the said Act of the last Session, were directed to be paid into the Hands of such De-'puty Remembrancer for the Time being, are now ready to be paid pursuant to and for the Pur-'poses of the same Act: But as Doubts and Difficulties have arisen touching the Execution of the 'said Act; therefore, for obviating and removing such Doubts and Difficulties, and for the more 'effectually carrying the said Act of the last Session, and this present Act into Execution;' Be it further enacted by the Authority aforesaid, That the several and respective Sums of Money which, in and by the said last mentioned Act and this present Act respectively, are directed and appointed to be paid and applied for the Benefit of any Corporation, Body Politick, or Person under such Disability as aforesaid, shall be paid to the Deputy of the King's Remembrancer at the Court of *Exchequer* at *Westminster* for the Time being, who is hereby authorized, impowered and required to receive the same; and shall, upon the Receipt of each of the several Sums so paid in for the Use and Benefit of each of the said Owners and Proprietors respectively, sign a Certificate to the Barons of the said Court of *Exchequer*, under his Hand, purporting and signifying, that every such Sum was received by and paid to him in pursuance of the said former Acts, and of this present Act, for the Use and Benefit of such Owner or Proprietor respectively; and who, in such Certificate, shall be named and described; and which Certificate shall be filed in the said Court of *Exchequer*, and a true Copy thereof, signed by the said Deputy of the King's Remembrancer, shall and may be read and allowed as Evidence for the Purposes herein after mentioned.

The Monies payable by the recited and present Acts, to Corporate Bodies, or Persons under a legal Disability to receive and apply the same, to be paid over to the Deputy Remembrancer;

who is to grant Certificates for the same to the Owners and Proprietors;

which are to be filed in the Exchequer.

The Money received by him to be paid into the Bank.

XV. And it is hereby further enacted and declared, That the said Deputy Remembrancer for the Time being, upon Receipt of any Sum or Sums of Money hereby directed and appointed to be paid to him as aforesaid, shall pay the same into the Bank of *England*.

Barons of the Exchequer impowered to make Orders for placing out the Monies in the Funds,

XVI. And it is hereby further enacted, That the Barons of his Majesty's Court of *Exchequer* of the Degree of the Coif, for the Time being, or any two of them, shall be and are hereby authorized and impowered, in a summary Way, upon Motion, or by Petition, for and on the Behalf of the Person or Persons who shall be interested in, or intitled to the Benefit of the Money so to be paid to, and received by the said Deputy Remembrancer, or shall be intitled to receive the Interest or Produce thereof; and upon reading the Certificate directed to be signed by the said Deputy Remembrancer concerning the same as aforesaid, and receiving such further Satisfaction as they shall think necessary; to make and pronounce such Orders and Directions as they shall think just and reasonable for the placing out the said Money in the publick Funds, or upon Government or real Securities, and for calling in, disposing of, and placing out the same again, in or upon such new or other Funds or Securities as aforesaid; and for Payment of the Dividends, Interest or Produce thereof, to the several and respective Persons intitled to receive the same, or for laying out the said Principal Sums, or any Part thereof, in the Purchases of other Messuages, Mills, Lands, Tenements or Hereditaments, to be conveyed and settled to, for and upon the same Uses, Trusts, Intents and Purposes, as the former Estates were settled at the Time they became vested in the Trustees of the said former Act, or at the Time they shall become vested in the Trustees appointed by this Act, or as near as the same can be done, or for and concerning the receiving, issuing, paying, applying and disposing of the said Money, for the Benefit of the Person and Persons intitled to the same respectively, by virtue of, and according to the Tenor and Purport of the said former Acts, and this present Act.

and for Payment of the Dividends thereon,

or laying out the Principal in other Purchases, to be settled and applied to the same Uses.

All Mortgages, Stocks, &c. vested by this or the recited Acts in the Deputy Remembrancer, to vest, upon his Death or Removal, in his Successor, subject to the same Trusts;

XVII. And it is hereby further enacted and declared, That upon the Death or Removal of the present or any future Deputy of the King's Remembrancer of the said Court of *Exchequer*, all Mortgages, Stocks and Securities, vested in him by virtue and in pursuance of the said former Acts, and this present Act, shall vest in the succeeding Deputy of the King's Remembrancer for the Time being, subject to the Trusts, and for the Purposes herein before mentioned, without any Assignment

or Transfer; and all Monies paid into the Bank in pursuance of this Act, or remaining in the Hands of the present or any future Deputy of the King's Remembrancer at the Time of his Death or Removal, and not invested in the Funds, or placed out on Securities as aforesaid, shall be paid over by the Executors or Administrators of such deceased Deputy of the King's said Remembrancer, to the succeeding Deputy of the King's said Remembrancer for the Time being.

and the Monies then remaining in his Hands to be paid over by his Executors, &c.

XVIII. And it is hereby further enacted and declared, That if on the Death or Removal of the present or any future Deputy of the King's Remembrancer of the said Court of *Exchequer*, the King's Remembrancer shall execute the said Office in Person, then and in such Case the several Trusts, Powers and Authorities in and by the said former Acts, and this present Act, vested in the said Deputy of the King's Remembrancer, and his Successors, shall, during such Time as no Deputy of the King's Remembrancer shall be appointed, vest in, and be executed by the said King's Remembrancer of the said Court of *Exchequer* for the Time being.

If there shall be no Deputy Remembrancer, the Trusts, &c. under the present and former Acts, are to vest in the Principal Remembrancer.

'XIX. And whereas the Mills commonly called *The Purfleet Mills*, by keeping back the fresh 'Water, and admitting the salt Water out of the *Thames* into the Fleet or Cut called *Mar Ditch*, 'have been found very detrimental to the adjacent Lands as well as to the Health of the Country 'in general, and may prove pernicious to the Garrison intended for the Guard of the said Maga-'zine;' Be it further enacted by the Authority aforesaid, That as soon as the said Commissioners so to be appointed by virtue of this Act shall be in actual Possession and Seisin of the said Mills, the Master General of his Majesty's Ordinance for the Time being, or the Lieutenant General and Principal Officers of his Majesty's Ordnance for the Time being, or any three or more of them, shall effectually take down the said Mills; and that no Mills shall hereafter, on any Account, be built, either at the Mouth of the said Fleet or Cut called *Mar Ditch*, or in any other Part thereof that shall by virtue of this Act be vested in the said Commissioners before mentioned; but that the said Fleet or Cut shall be left free and open according to the Directions herein after mentioned; any Thing in this Act to the contrary thereof in any wise notwithstanding.

The Mills at Purfleet to be taken down;

and the Fleet to be left open;

XX. And be it further enacted by the Authority aforesaid, That the Master General of his Majesty's Ordnance for the Time being, or the Lieutenant General and Principal Officers of his Majesty's Ordnance for the Time being, or any three or more of them, shall, when the said Mills shall have been taken down, fix such proper Flood-Gates, not less than fourteen Feet in Width, to be laid at least three Feet lower than the Mill Water-Way now is, as shall effectually keep the Sea Water out of the said Fleet, and permit the fresh Water to go off with the Ebb Tides; and shall from time to time clear the Silt from the Mouth of the said Fleet, and cause such other Works to be erected, and such Repairs to be made thereunto, as may be sufficient for the Purpose aforesaid; any Thing in this Act to the contrary thereof notwithstanding.

and proper Flood Gates to be erected to keep out the Sea Water,

and permit the fresh Water to go off with the Ebb Tides, &c.

XXI. And be it further enacted by the Authority aforesaid, That the said Fleet commonly called *Mar Ditch*, and all the Works erected or to be erected thereon, shall still continue under the Authority of the Commissioners of Sewers for the Levels of *Avely* and *West Thurrock*, to be preserved by them for the Benefit of the Country in the State they are directed to be by this Act; nevertheless, so as all the Expences of erecting and keeping in Repair the said Flood-Gates, and other Works, shall be borne and paid for out of the Monies granted or to be granted by Parliament for the Service of the Ordnance; any Thing herein contained to the contrary thereof notwithstanding.

The Fleet to be under the Commissioners of Sewers for the Levels of Avely and W. Thurrock; but the Expences of the Repairs, &c. to be paid out of the Monies granted for the Ordnance Service.

XXII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the said Commissioners, or any five or more of them, upon the Complaint of any Owner or Owners, Occupier or Occupiers of any other Messuages, Lands and Hereditaments, adjoining to any Part of the Lands and Hereditaments by this Act vested in the said Trustees, that he, she or they have received any Damage by bringing, loading, or carrying any Materials necessary to erect or compleat any of the Works thereto belonging, or by any other Means whatsoever, to examine into and hear every such Complaint; and if the same shall be made out to their Satisfaction, then such Commissioners, or any five or more of them, are hereby authorised to make such Recompence for such Damages to the Party or Parties injured, out of the Monies hereby granted, as to the said Commissioners, or any five or more of them, shall from time to time seem just and reasonable.

Commissioners impowered to hear and redress Grievances of the Owners and Occupiers of Lands;

and make Satisfaction for Damages.

XXIII. And be it further enacted by the Authority aforesaid, That out of all or any the Aids and Supplies granted to his Majesty for the Service of the Year one thousand seven hundred and sixty, there shall and may be issued and applied any Sum or Sums of Money, not exceeding the Sum of fifteen thousand Pounds, towards the taking down and removing the said Magazine, and all Buildings belonging thereto, situate near the Town of *Greenwich*, and erecting a new Magazine for Gunpowder, and other Buildings necessary thereto, at *Purfleet* aforesaid, and purchasing Messuages, Mills, Lands, Tenements and Hereditaments for that Purpose.

15,000 l. granted out of the Supplies for the Year 1760, towards removing the said Magazine, and building a new one.

XXIV. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Master General and Principal Officers of his Majesty's Ordnance for the Time being, to appoint proper Secretaries, Clerks, Assistants, or other Officers, for the more effectual carrying this Act into Execution; and that the necessary Expences and Charges attending the same shall be paid out of the Monies hereby granted.

Board of Ordnance to appoint Officers for carrying this Act into Execution.

XXV. And be it further enacted by the Authority aforesaid, That an Account of the Application of the Monies hereby appropriated towards taking down and removing the said Magazine, situate near the said Town of *Greenwich*, and all Buildings thereto belonging, and towards building the said Magazine, Guardhouse, Barracks, and other convenient Buildings, at *Purfleet* aforesaid,

Accounts to be laid before Parliament.

said, shall be laid before both Houses of Parliament within thirty Days after the opening of every Session of Parliament.

Charges of this Act to be first paid.

XXVI. And be it further enacted by the Authority aforesaid, That all such Costs and Charges as shall be incurred in obtaining this Act, shall be in the first Place paid out of the Monies hereby granted.

Limitation of Actions.

XXVII. And be it further enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, every such Action and Suit shall be commenced within the Space of six Calendar Months next after the Cause of such Action or Suit shall have arisen, and not afterwards; and the Defendant or Defendants in all

General Issue.

such Actions and Suits may plead the General Issue, and give the Special Matter in Evidence, at any Trial to be had thereupon; and that the same was done in pursuance of this Act: And if the same shall appear to have been so done, or if any such Action or Suit shall not be commenced within the Time before limited; then and in either of such Cases, the Jury shall find for the Defendant or Defendants; and if a Verdict shall be found for the Defendant or Defendants, or if the Plaintiff or Plaintiffs shall be nonsuited, or suffer a Discontinuance, after the Defendant or Defendants shall have appeared, or if upon any Demurrer, Judgment shall be given for the Defendant or Defen-

Treble Costs.

dants; in each of the Cases aforesaid, the Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have for recovering Costs in other Cases by Law.

CAP. XII.

An Act for adding certain Annuities granted in the Year one thousand seven hundred and fifty-nine, to the Joint Stock of Three *per Centum* Annuities, consolidated by the Acts of the twenty-fifth, twenty-eighth, twenty-ninth, and thirty-second Years of his present Majesty's Reign, and for carrying the several Duties therein mentioned to the Sinking Fund; and for cancelling such Lottery Tickets as were made forth in pursuance of an Act of the thirtieth Year of his present Majesty's Reign, and were not disposed of.

Preamble.

'WHEREAS in pursuance of an Act of Parliament made in the thirty-second Year of his present Majesty's Reign, intituled, *An Act for granting to his Majesty a Subsidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom; and an additional Inland Duty on Coffee and Chocolate; and for raising the Sum of six millions six hundred thousand Pounds, by way of Annuities and a Lottery, to be charged on the said Subsidy and additional Inland Duty*; several Persons, Bodies Politick or Corporate, have advanced and lent the Sum of six millions six hundred thousand Pounds, upon the Credit of the Subsidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom, and the additional Inland Duty on Coffee and Chocolate, by the said Act granted, for the Puachase of Annuities, after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*, and redeemable by Parliament: And whereas an additional Capital of fifteen Pounds, was by the said Act directed to be added to every one hundred Pounds advanced towards the said Sum of six millions six hundred thousand Pounds, amounting to nine hundred and ninety thousand Pounds, to be attended with like Annuities, after the Rate of three Pounds *per Centum per Annum*: And whereas it is thought necessary that the said principal Sum of six millions six hundred thousand Pounds, together with the said additional Capital of fifteen Pounds added to every one hundred Pounds advanced towards the said Sum of six millions six hundred thousand Pounds, amounting to nine hundred and ninety thousand Pounds, should be (with the Consent of the Proprietors thereof, to be signified within the Time herein after mentioned) added to, and made a Part of the Joint Stock of Three Pounds *per Centum* transferrable Annuities at the Bank of *England*; and that the Charges and Expences in respect thereof, should be charged upon and paid out of the Fund commonly called *The Sinking Fund*, until Redemption thereof by Parliament, in the same and like Manner as the Annuities aforesaid are paid and payable; and that the Subsidy of Poundage upon certain Goods and Merchandizes to be imported into this Kingdom, and the additional Inland Duty on Coffee and Chocolate, which by the said Act were made a Fund for Payment of the said three Pounds *per Centum* Annuities, should be carried to and made a Part of the said Fund, commonly called *The Sinking Fund*:' May it therefore please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the fifth Day of *January* one thousand seven hundred and sixty, the principal Sum of six millions six hundred thousand Pounds, borrowed by virtue of the said before recited Act, together with the said additional Capital of fifteen Pounds added to every one hundred Pounds advanced towards the said Sum of six millions six hundred thousand Pounds, amounting to nine hundred and ninety thousand Pounds, carrying an Interest after the Rate of three Pounds *per Centum per Annum*, payable at the Bank of *England*, shall with the Consent of the Proprietors as aforesaid, be added to and made a Part of the Joint Stock of three Pounds *per Centum* transferrable Annuities at the Bank of *England*, consolidated by the Acts made in the twenty-fifth, twenty-eighth, twenty-

The principal Sum of 6,600,000l. borrowed on the Credit of the recited Act, together with the additional Capital of 990,000l. added thereto, to be made with the Consent of the Proprietors, Part of the Joint Stock of 3l. per Cent. Annuities consolidated by Acts 25, 28, 29 & 32 Geo. 2.

ninth

ninth, and thirty-second Years of his present Majesty's Reign, and shall be transferrable at the Bank of *England*; and the Charges and Expences in respect thereof, shall be charged upon and paid out of the Fund, commonly called *The Sinking Fund*, until Redemption thereof by Parliament, in the same and like Manner as the Annuities consolidated as aforesaid are transferrable, and as the Charges and Expences in respect thereof are payable; any Thing in the said Act made in the thirty-second Year of his present Majesty's Reign to the contrary thereof in any wise notwithstanding.

and the Charges to be paid out of the Sinking Fund.

II. And be it further enacted by the Authority aforesaid, That such Proprietors who shall not, on or before the twentieth Day of *June* one thousand seven hundred and sixty, signify their Dissent to such Consolidation as aforesaid, in Books to be opened at the Bank of *England* for that Purpose, shall be deemed and taken to assent thereto; any Thing to the contrary thereof in any wise notwithstanding.

Proprietors dissenting, to enter their Dissent on or before 20 June 1760.

III. And be it further enacted by the Authority aforesaid, That all the Monies which have arisen since the fifth Day of *January* one thousand seven hundred and sixty, or that shall or may hereafter arise, of the Subsidy of Poundage upon certain Goods and Merchandizes imported, or to be imported into this Kingdom, and the additional Inland Duty on Coffee and Chocolate, which were made a Fund for Payment of three Pounds *per Centum per Annum*, at the Bank of *England*, on six millions six hundred thousand Pounds, borrowed by virtue of the said Act made in the thirty-second Year of the Reign of his present Majesty, towards the Supply of the Year one thousand seven hundred and fifty-nine, as also on the said additional Capital of fifteen Pounds added to every one hundred Pounds advanced towards the said Sum of six millions six hundred thousand Pounds, amounting to nine hundred and ninety thousand Pounds, shall be carried to and made a Part of the Fund, commonly called *The Sinking Fund*; and the same shall be deemed and taken to be Part of the said Sinking Fund, and shall be issued and applied to such Uses and Purposes as the several Excesses, Surpluses or Overplus Monies composing the said Sinking Fund, are or may be issued and applied; any Thing in the said before recited Act to the contrary thereof in any wise notwithstanding.

The Duties appropriated for Payment of the Annuities chargeable on the said Principal Sums, to be carried to the Sinking Fund;

and made a Part thereof;

and to be applied accordingly.

'IV. And whereas by an Act of Parliament made in the thirtieth Year of the Reign of his present Majesty, intituled, *An Act for granting to his Majesty a Sum not exceeding one million fifty thousand and five Pounds and five Shillings, to be raised by way of Lottery*; the Managers and Directors of the said Lottery were required to cause such of the Tickets contained in the outermost Column of the Books to be prepared in pursuance of the said Act, which should not have been disposed of to Contributors, and also the Tickets upon which Defaults of Payments should have been made, to be delivered into the Receipt of his Majesty's Exchequer, there to be retained and kept as Cash, to be issued and disposed of for the Purposes of the said Act, in such Manner as the Commissioners of his Majesty's Treasury, or any three or more of them then being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being should direct: And whereas the Managers and Directors of the said Lottery did, in pursuance of the said Act, deliver into the Receipt of his Majesty's Exchequer six hundred and forty seven thousand two hundred and eighty-one Tickets, there to be retained and kept as Cash, which at one Pound one Shilling each amounted to the Sum of six hundred and seventy-nine thousand six hundred and forty-five Pounds one Shilling: And whereas the Commissioners of his Majesty's Treasury did afterwards by their Warrant appoint *Robert Jennings*, *John Dive*, *Barwell Smith*, *Daniel Wray*, and *Frederick Atherton Hindley*, to receive from his Majesty's Exchequer the said six hundred and forty-seven thousand two hundred and eighty-one Tickets, and to sell and dispose of the same; who accordingly did receive the said Tickets from the Tellers of the said Receipt, and did sell and dispose of sixty-six thousand five hundred and seventy-four Tickets, Part of the said Tickets, which at one Pound one Shilling each amounted to sixty-nine thousand nine hundred and two Pounds fourteen Shillings, and paid the said Sum into the said Receipt of Exchequer, and did return five hundred and eighty thousand seven hundred and seven Tickets, which remained in their Hands undisposed of, into the said Receipt, which are now retained and kept as Cash there, and computed at the Rate of one Pound and one Shilling each, amount to the Sum of six hundred and nine thousand seven hundred and forty-two Pounds and seven Shillings;' Be it therefore enacted and declared by the Authority aforesaid, That it shall and may be lawful to and for the Commissioners of his Majesty's Treasury, or any three or more of them, or the High Treasurer for the Time being, to issue the said five hundred and eighty thousand seven hundred and seven Tickets to any Person or Persons whatsoever, to be by them cancelled and destroyed, that thereby the Tellers of his Majesty's Receipt of Exchequer may be discharged of the Total Amount of the Cash or Value of the said five hundred and eighty thousand seven hundred and seven Tickets, at the Rate of one Pound one Shilling each; and that the said *Robert Jennings*, *John Dive*, *Barwell Smith*, *Daniel Wray*, and *Frederick Atherton Hindley*, shall be and are hereby discharged of their Account touching the same; and the Managers and Directors of the said Lottery, or any five or more of them, or the Person or Persons in whose Custody the Columns containing the Duplicates of, and the Tickets of the Numbers and Classes corresponding with, the said five hundred and eighty thousand seven hundred and seven Tickets, do or shall remain, may, and is and are hereby authorised and impowered to cancel and destroy such Part of the said Columns as contain the said Duplicates, and Tickets of the corresponding Numbers and Classes as aforesaid; any Thing in the said Act, or any other Act contained to the contrary notwithstanding.

Clause in Act 30 Geo. 2. c. 5.

The Commissioners of the Treasury to issue an order for cancelling such Lottery Tickets as were made forth in pursuance of the recited Acts, and were not disposed of;

and the Tellers, &c. to be discharged of their Account touching the same.

Managers to cancel the Duplicates.

Farther Time given till 25 Dec. 1760. Refer to 3 Geo. 1. c. 18. See further 2 Geo. 3. c. 26.

CAP. XIII.

An Act for allowing further Time for Inrollment of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers. *EXP.*

CAP. XIV.

An Act for enlarging the Times for the first Meetings of Commissioners or Trustees for putting in Execution certain Acts of this Session of Parliament.

Preamble.

'WHEREAS by several Acts of this present Session of Parliament, the first Meeting of the 'Commissioners or Trustees for putting such Acts, or any Part or Parts thereof in Execu- 'tion, hath been or may be appointed or directed to be held before or upon the Day of the passing 'of such Acts respectively, whereby several Doubts and Difficulties may arise with respect to the 'due Execution of the said Acts;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That in case any Act of Parliament hath passed, or doth or shall pass at any Time whatsoever during this present Session of Parliament, upon or after the Day specified in any such Act for the first Meeting of the Commissioners or Trustees appointed to put the same or any Part thereof in Execution, in each and every such Case, such Commissioners or Trustees respectively, or the same Number of such respective Commissioners or Trustees as is or shall be authorized to hold such first Meeting, or any greater Number of them, shall and may hold their first Meeting upon the twenty-first Day after the passing of this Act, at such Places as were respectively appointed in such Acts for holding the first Meetings on the Days therein specified; and all such Commissioners or Trustees, or any Number of them as aforesaid, being so assembled respectively on the said twenty-first Day after the passing of this Act, shall and may proceed to the Execution of such Acts respectively; and then, and from time to time afterwards adjourn, and do and perform all such Matters and Things, and execute all the Powers and Authorities granted to them in the said Acts respectively, in the same Manner, and as fully and effectuallly to all intents and Purposes, as if such Commissioners or Trustees had been assembled in pursuance of, and on the respective Days specified or appointed in such Acts for holding the first Meeting of such Commissioners or Trustees; any thing therein contained to the contrary notwithstanding.

Where any Act of this Session shall pass upon or after the Day specified therein for the first Meeting of Commissioners or Trustees to act, they shall hold their first Meeting on the 21st Day after passing this Act.

CAP. XV.

An Act for rendering the Exportation of Culm from the Harbour of *Milford* in the County of *Pembroke*, and the Limits thereof, to the neighbouring Counties, more easy to the Proprietors and Purchasers of the same; and for better securing the Duties payable thereon.

Preamble.

For former Duties on Culm refer to 9 & 10 W. 3 c. 13. 10 & 11 W. 3 c. 21. 8 Ann. c. 4. 9 Ann. c. 6. 5 Geo. 1. c. 9.

'WHEREAS the carrying of Culm in small Vessels from the Port of *Milford* in the County 'of *Pembroke*, and the Limits thereof, to the neighbouring Places and Counties, is at present 'very Expensive, and attended with many Inconveniencies:' For Remedy whereof, may it please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fifth Day of *June* one thousand seven hundred and sixty, if any Person shall have Occasion to carry any Culm to be used for the burning of Lime, in any Ships, Vessels, or Boats, not exceeding thirty Tons Burthen, from any Place within the said Port of *Milford*, or the Limits thereof, to any other Place within the Counties of *Pembroke*, *Carmarthen*, *Cardigan*, or *Merioneth*, or any of them, the Master of such Ship, Vessel, or Boat, on Board whereof such Culm is to be loaded, may apply to the Collector of the said Port, or to his Deputy, for a Sufferance to ship or put such Culm on Board such Ship, Vessel, or Boat, and the said Collector or his Deputy are hereby required to grant every such Master a Sufferance accordingly, in which shall be inserted a Quantity of Culm so to be shipped; and the Officer to whom the Sufferance shall be directed is hereby required to attend the Shipping or putting on Board such Ship, Vessel, or Boat, all the Culm which shall be expressed in the Sufferance, and likewise to certify on the Back of the Sufferance the true Quantity of Culm so shipped or put on Board such Ship, Vessel, or Boat; and the Master or Owner thereof shall forthwith pay to the Collector of the Port or Place where such Culm shall be shipped or put on Board as aforesaid, or to his Deputy, the Sum of one Shilling for every Chaldron of such Culm, being the Duty payable for the same; and the Collector or his Deputy shall, upon Receipt of such Duty, forthwith grant a Certificate under the Seal of his Office, to every such Master, setting forth the true Quantity of Culm shipped or put on Board such Ship, Vessel, or Boat, and that his Majesty's Duties have been duly paid for the same; and every such Certificate shall be a sufficient Let-pass or Clearance for every such Ship, Vessel, or Boat, on Board whereof such Culm shall be shipped or put, to any Place within the Counties aforesaid; for which Certificate shall be lawful for such Collector or his Deputy to

Sufferances may be granted, upon Application, for exporting Culm in small Vessels, from the Port of Milford to the neighbouring Counties.

Officer to attend the shipping thereof.

Duty of 1 s. per Chaldron to be paid for the same,

For which a Certificate is to be given;

the same deemed a sufficient Clearance.

to receive the Sum of one Shilling, and no more: And it shall not be lawful for the said Collector or his Deputy, or any other Officer, to demand, receive or take any other Fee, Gratuity or Reward whatsoever, either upon account of granting the said Sufferance, or the Certificate on the Back of the same, or on any other Account or Pretence whatsoever relating to the loading or sailing of any such Ship, Vessel, or Boat, loaded with Culm as aforesaid; any Law, Statute, or Custom to the contrary notwithstanding.

Fee of 1 s. and no more, to be paid for the Certificate.

II. And, to prevent Frauds in the shipping or loading of Culm within the Limits aforesaid; Be it further enacted by the Authority aforesaid, That the Master of every such Ship, Vessel, or Boat, on Board whereof any Culm shall have been shipped or put, within the Limits aforesaid, shall, upon his Return to the said Port of *Milford* from the Place where he unloaded such Culm, make Oath before the Collector of the said Port, or his Deputy (which Oath such Collector or his Deputy are hereby impowered to administer) of the Place where, and Time when, he landed his former Cargo of Culm; and such Master shall not be permitted to ship or put on Board his said Ship, Vessel, or Boat, any other Cargo or Quantity of Culm, until he shall have made Oath as aforesaid: And in Case such Master shall fraudulently change or alter either his own Name, or the Name of the Ship, Vessel, or Boat, of which he has the Conduct, in order to prevent a Discovery being made of the Place to which he carried his former Cargo of Culm, and shall be convicted thereof, either upon his own Confession, or upon the Oath of one or more credible Witness or Witnesses, before any one or more Justice or Justices of the Peace of the County where the Offence shall be committed (which Oath such Justice or Justices is and are hereby impowered to administer) every such Master so offending shall, for every such Offence, forfeit and pay the Sum of five Pounds; and it shall and may be lawful for the said Collector or his Deputy, or any other Person or Persons as he or they shall appoint, to seize such Ship, Vessel, or Boat, and to detain the same until the said Sum of five Pounds shall be paid, and also the reasonable Costs and Charges of seizing and detaining such Ship, Vessel, or Boat; which said Penalty of five Pounds shall be applied in the same Manner as other Penalties or Forfeitures are, by the Laws now in being relating to the Duties of Customs, directed to be applied.

Master of the Vessel, upon his Return to the Port of Milford, to make Oath of the Place and Time of landing his former Cargo, before he ships another Loading.

Penalty of fraudulently changing his own or the Ship's Name, &c. 5 l.

III. And be it further enacted by the Authority aforesaid, That whenever any Culm which shall have been shipped or put on Board any such Ship, Vessel, or Boat, at any Port or Place within the Limits aforesaid, for which the Duty hath been duly paid, shall be actually lost, Proof thereof being made upon Oath before the Collector of such Port, or his Deputy (which Oath such Collector or his Deputy are hereby impowered to administer) it shall be lawful for such Collector or his Deputy, and he and they are hereby impowered and required to permit the Owner of such Culm, which hath been so lost, to ship the like Quantity of Culm so lost Duty-free, and without any Charge whatsoever, other than the Fee of one Shilling as aforesaid; any Law, Statute or Custom to the contrary notwithstanding.

Where any Culm shall be lost, for which Duty has been paid, the like Quantity to be shipped Duty-free.

CAP. XVI.

An Act to continue several Laws therein mentioned relating to the clandestine Running of uncustomed Goods, and preventing Frauds relating to the Customs; to prevent the clandestine Running of Goods, and the Danger of Infection thereby; to the granting Liberty to carry Rice from his Majesty's Province of *Carolina* in *America*, directly to any Part of *Europe*, Southward of *Cape Finisterre*, in Ships built and navigated according to Law; to the free Importation of Chochineal and Indico; to the prohibiting the Importation of Books reprinted Abroad, and first composed, written, and printed in *Great Britain*; and for allowing further Time for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Sollicitors, and filing thereof.

Preamble.

'WHEREAS the several Laws herein after-mentioned, are near expiring;' May it therefore please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the several Clauses in an Act made in the fifth Year of the Reign of his late Majesty, intituled, *An Act against clandestine Running of uncustomed Goods, and for the more effectual preventing of Frauds relating to the Customs*, relating to such foreign Goods, Wares and Merchandizes as shall be taken in at Sea out of any Ship or Vessel, in order to be landed, or put into any other Ship or Vessel, or Boat, and also relating to Goods not reported and found after clearing Ships; and whereby further Remedies are provided against relanding Goods prohibited to be worn in this Kingdom, and foreign Goods shipped out for Parts beyond the Seas; and also relating to the opening or altering the Package of Goods on Board Ships Outward Bound; and also relating to hovering Ships or Vessels of the Burthen of fifty Tons or under; and also concerning the Bales or Package in which Coffee shall be exported; and also relating to Rum imported in Casks or Vessels not containing twenty Gallons at the least; and also relating to Certificate Goods entered in order to be exported to *Ireland*; which were to have

Clauses in Act 5 Geo. 1. c. 11. relating to foreign Goods taken in at Sea, &c.

have Continuance for the Term of three Years from the ſeveral Times of the Commencement thereof, and from thence to the End of the then next Seſſion of Parliament reſpectively; and which by ſeveral ſubſequent Act paſſed in the ninth Year of his ſaid late Majeſty's Reign, and in the ſecond, eighth, fifteenth and ſixteenth, and twentieth and twenty-ſeventh Years of his preſent Majeſty's Reign, were further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof to the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty ſeven, and from thence to the End of the then next Seſſion of Parliament.

9 *Geo.* 1. *c.* 8.
2 *Geo.* 2. *c.* 28.
8 *Geo.* 2. *c.* 21.
15 *Geo.* 2. *c.* 33.
20 *Geo.* 2. *c.* 47.
27 *Geo.* 2. *c.* 18.
further continued to 29 Sept. 1767.

II. And be it further enacted by the Authority aforeſaid, That an Act made in the eighth Year of the Reign of his late Majeſty, intituled, *An Act to prevent the clandeſtine Running of Goods, and the Danger of Infection thereby; and to prevent Ships breaking their Quarentine; and to ſubject Copper Ore, of the Production of the* Britiſh *Plantations, to ſuch Regulations as other enumerated Commodities of the like Production are ſubject*; which was to be in Force for two Years from the twenty-fifth Day of *March* one thouſand ſeven hundred and twenty-two, and from thence to the End of the then next Seſſion of Parliament; and which by ſeveral ſubſequent Acts (except the Clauſes obliging all Ships and Veſſels to perform Quarentine) was to have further Continuance from the firſt Day of *June* one thouſand ſeven hundred and forty-ſeven, and from thence to the End of the then next Seſſion of Parliament; and which by an Act made in twentieth Year of the Reign of his preſent Majeſty, was intended to be further continued to the firſt Day of *June* one thouſand ſeven hundred and fifty-four; but, by Miſtake, the Year one thouſand ſeven hundred and forty-ſeven was inſerted therein inſtead of the ſaid Year one thouſand ſeven hundred and fifty-four; and which by ſeveral ſubſequent Acts made in the twenty-firſt and twenty-ſeventh Years of his preſent Majeſty's Reign was further continued from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof to the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

Act 8 Geo 1. *c.* 18. to prevent the clandeſtine Running of Goods, &c.
(except the Clauſes relating to Quarentine)
21 *Geo.* 2. *c.* 33.
27 *Geo.* 2. *c.* 18.
further continued to 29 Sept. 1767.

III. And be it further enacted by the Authority aforeſaid, That an Act made in the third Year of the Reign of his preſent Majeſty, intituled, *An Act for granting Liberty to carry Rice from his Majeſty's Province of* Carolina *in* America, *directly to any Part of* Europe *Southward of* Cape Finiſterre, *in Ships built in and belonging to* Great Britain, *and navigated according to Law*; which was to be in Force for five Years from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty, and from thence to the End of the then next Seſſion of Parliament; and alſo an Act made in the eighth Year of the Reign of his preſent Majeſty, to continue the ſaid Act from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and forty-two, and from thence to the End of the then next Seſſion of Parliament, and to extend that Liberty to his Majeſty's Province of *Georgia* in *America*; which ſaid Acts, by ſeveral ſubſequent Acts made in the fifteenth and ſixteenth, twentieth and twenty-ſeventh Years of his preſent Majeſty's Reign, were further continued from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty, and from thence to the End of the then next Seſſion of Parliament; ſhall be, and the ſame is hereby further continued from the Expiration thereof to the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred and ſixty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

Act 3 Geo. 2. c. 28. for allowing Rice to be brought from Carolina to Europe,
and alſo Act 8 Geo. 2. c. 19. for continuing the ſaid Act, and extending the ſaid Liberty to Georgia in America,
15 *Geo.* 2. *c.* 33.
20 *Geo.* 2. *c.* 47.
26 *Geo.* 2. *c.* 32.
further continued to 29 Sept. 1761.

IV. And be it further enacted by the Authority aforeſaid, That an Act made in the ſeventh Year of the Reign of his preſent Majeſty, intituled, *An Act for the Revival of an Act made in the thirteenth Year of the Reign of his late Majeſty King* George *the Firſt*, intituled, *An Act for the free Importation of Cochineal during the Time therein limited; and alſo for the free Importation of* Indico; which was to continue in Force from the twenty-fourth Day of *June* one thouſand ſeven hundred and thirty-four, for the Term of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and which by ſeveral ſubſequent Acts paſſed in the fourteenth, twentieth, and twenty-ſeventh Years of his preſent Majeſty's Reign, was further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thouſand ſeven hundred and and ſixty, and from thence to the End of the then next Seſſion of Parliament; ſhall be and the ſame is hereby further continued from the Expiration thereof to the ſaid twenty-ninth Day of *September* one thouſand ſeven hundred ſixty-ſeven, and from thence to the End of the then next Seſſion of Parliament.

Act 7 Geo. 2. *c.* 18. for reviving a former Act for the free Importation of Cochineal and Indico,
14 *Geo.* 2. *c.* 24.
20 *Geo.* 2. *c.* 47.
27 *Geo.* 2. *c.* 18.
further continued to 29 Sept. 1767.

V. And be it further enacted, That ſo much of an Act made in the twelfth Year of the Reign of his preſent Majeſty, intituled, *An Act for prohibiting the Importation of Books reprinted Abroad, and firſt compoſed or written, and printed in* Great Britain; *and for repealing ſo much of an Act made in the eighth Year of the Reign of her late Majeſty Queen* Anne, *as impowers the limiting of Prices of Books*; which Act was to continue in Force from the twenty-ninth Day of *September* one thouſand ſeven hundred and thirty-nine, for the Space of ſeven Years, and from thence to the End of the then next Seſſion of Parliament; and which, ſo far as relates to the prohibiting the Importation of Books reprinted Abroad, and firſt compoſed or written, and printed in *Great Britain*, by ſeveral ſubſequent Acts made in the twentieth and twenty-ſeventh Years of his preſent Majeſty's Reign, was further continued from the Expiration thereof until the twenty-ninth Day of *September* one thouſand ſeven hundred

So much of Act 12 Geo. 2. *c.* 36. as relates to the prohibiting the Importation of Books reprinted Abroad,
20 *Geo.* 2. *c.* 47.
27 *Geo.* 2. *c.* 18.

hundred and sixty, and from thence to the End of the then next Session of Parliament, shall be, and the same is hereby further continued from the Expiration thereof to the said twenty-ninth Day of *September* one thousand seven hundred and sixty-seven, and from thence to the End of the then next Session of Parliament. further continued to 29 Sept. 1767.

'VI. And whereas some Persons have omitted to cause Affidavits to be made, and afterward to be 'filed in the proper Office, of the actual Execution of several Contracts, in Writing, entered into 'by them to serve as Clerks to Attornies or Sollicitors, within the Time in which the same ought 'to have been done; and many Infants and others may thereby incur certain Disabilities; For preventing whereof, and for relieving such Persons, Be it likewise enacted by the Authority aforesaid, That every Person who hath neglected or omitted to cause any such Affidavit or Affidavits as aforesaid, to be made and filed, and who, on or before the sixth Day of *November* one thousand seven hundred and sixty, shall cause one or more Affidavit or Affidavits to be made, and afterwards to be filed in such Manner as the same ought to have been made and filed, in due Time, shall be and is hereby indemnified, freed and discharged, from and against all Penalties, Forfeitures, Incapacities and Disabilities, in or by any Act or Acts of Parliament mentioned and incurred, or to be incurred, for or by Reason of any such Neglect or Omission, in not causing such Affidavit or Affidavits to be made and filed in such Manner as the same ought to have been; and every such Affidavit and Affidavits so to be made, and which shall be duly filed, on or before the said sixth Day of *November* as aforesaid, shall be as effectual to all Intents and Purposes as if the same had been made and filed, within the respective Times the same ought, by the Laws now in being for that Purpose, to have been so made and filed. Further Time allowed to 6 Nov. 1760, for making and filing Affidavits of the Execution of Contracts to serve as Clerks to Attornies, &c.

CAP. XVII.

An Act to continue an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain.

'WHEREAS the Law herein after mentioned is near expiring;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the twelfth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for the better Encouragement of the making of Sail Cloth in* Great Britain, which was to continue in Force for seven Years, and from thence to the End of the then next Session of Parliament; and which by several subsequent Acts made in the fifth and tenth Years of the Reign of his late Majesty King GEORGE the First, and in the eighth, fifteenth, twentieth and twenty-seventh Years of his present Majesty's Reign, was further continued from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament; shall be, and the same is hereby further continued from the Expiration thereof, to the twenty-ninth Day of *September* one thousand seven hundred and sixty-seven, and from thence to the End of the then next Session of Parliament. Preamble. Act 12 Annæ, st. 1. c. 16. which was continued by several subsequent Acts. 5 *Geo.* 1. *c.* 25. 10 *Geo.* 1. *c.* 17. 8 *Geo.* 2. *c.* 18. 15 *Geo.* 2. *c.* 35. 20 *Geo.* 2. *c.* 45. 27 *Geo.* 2. *c.* 18. further continued to 29 Sept. 1767.

CAP. XVIII.

An Act for enabling his Majesty to raise the Sum of one million for the Uses and Purposes therein mentioned; and for further appropriating certain Supplies granted in this Session of Parliament.

Most Gracious Sovereign,

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, having taken into our serious Consideration your Majesty's most gracious 'Message, signifying your Majesty's Desire to be enabled by your faithful Commons to defray any 'extraordinary Expences of the War incurred, or to be incurred, for the Service of the Year one 'thousand seven hundred and sixty; and to take all such Measures as may be necessary to disappoint 'or defeat any Enterprizes or Designs of your Majesty's Enemies, and as the Exigency of Affairs 'may require, have resolved to give and grant to your Majesty the Sum of one million for that 'Purpose;' And do therefore most humbly beseech your Majesty that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury now, or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and sixty-one, to cause or direct any Loans to be taken or received at his Majesty's Exchequer from any Person or Persons, Natives or Foreigners, Body or Bodies Politick Preamble. Credit of Loan granted to his Majesty for 1,000,000 l. Treasury may raise the same by Loans or Exchequer Bills.

or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the whole, the said Sum of one million, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and sixty*, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

In like Manner as is prescribed by the Land Tax Act of this Session, concerning Loans or Exchequer Bills thereby to be made out.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last-mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Clauses, &c. in the said Act relating to the Loans or Exchequer Bills,

extended to the Loans and Exchequer Bills to be made forth in pursuance of this Act;

III. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate and Charges, incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and sixty-one, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges, incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies, as, at any Time or Times at or after the said fifth Day of *July* one thousand seven hundred and sixty-one, shall be or remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies and other Revenues composing the Fund commonly called *The Sinking Fund*, (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

Principal and Interest, with the Charges attending, to be paid out of the next Supplies,

and if none sufficient be granted before 5 July 1761,

then they are to be paid out of the Sinking Fund;

IV. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Excesses, Overplus Monies, or other Revenues composing the Sinking Fund, shall, from Time to Time, be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

and the Monies so issued to be replaced out of the first Supplies.

V. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty in like Manner at the Receipt of the Exchequer, upon the Credit of the Loan granted by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of one million; any thing in an Act made in the fifth and sixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding.

The Bank impowered to advance on the said Credit of Loan, any Sum or Sums not exceeding 1,000,000 l.

the Act of 5 & 6 W. & M. c. 20. notwithstanding.

VI. Provided always, and it is hereby enacted by the Authority aforesaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and sixty*; and so much Money, if any such be, of the Tax thereby granted, as shall arise or remain after all the Loans or Exchequer Bills made or to be made on the same Act; and all the Interest, Premium, Rate and Charges thereon, and the Charges allowable thereby for raising the said Land Tax should be satisfied, or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Session of Parliament, intituled, *An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder and Perry for the Service of the Year one thousand seven hundred and sixty*; and so much Money, if any such be, of the Duties thereby granted, as shall arise or remain, after all the Loans or Exchequer Bills made or to be made on the same Act, and all the Interest, Premium, Rate and Charges thereon, and the Charges thereby allowable for raising the said Duties, shall be satisfied or Money sufficient shall be reserved in the Exchequer to satisfy and discharge the same; and also all the Monies coming into the Exchequer by Contributions for Annuities and a Lottery, granted by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty several Duties upon Malt; and for raising the Sum of eight millions by Way of Annuities and a Lottery, to be charged on the said Duties; and to prevent the fraudulent obtaining of Allowances in the gauging of Corn making into Malt; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, lost, burnt or otherwise destroyed*; and also the Sum of two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence, out of such Monies

Appropriation of the Supplies in general. 33 *Geo.* 2. *c.* 1.

The Monies arising by the Land Tax,

Malt Act, 33 *Geo.* 2. *c.* 3.

Lottery Act, 33 *Geo.* 2. *c.* 7.

and Sinking Fund.

Monies as shall or may arise of the Surplusses, Exceesses or Overplus Monies, and other Revenues composing the Fund, commonly called *The Sinking Fund*, directed to be issued and applied by one other Act of this Session of Parliament, intituled, *An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thousand seven hundred and sixty*; and the further Sum of one million by this Act granted, shall be further appropriated, and are hereby appropriated for and towards the several Uses and Purposes herein after expressed; that is to say,

with the Sum of 1000,000l. granted by this Act;

VII. It is hereby enacted and declared by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding three millions five hundred seventy-two thousand six hundred twenty-nine Pounds five Shillings and one Penny, for or towards the Naval Services herein after particularly expressed; that is to say, For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and for or towards Sea Services in the Office of Ordnance, performed and to be performed, and for or towards defraying the Ordinary of his Majesty's Navy, and for Half-pay to Sea Officers; and for or towards maintaining eighteen thousand three hundred and fifty-five Marines; and for or towards the Buildings, Rebuildings and Repairs of his Majesty's Ships, for the Year one thousand seven hundred and sixty.

viz. Out of the Aids in general, 3,57 ,629 l. 5 s. 1 d. towards Naval Services herein specified.

VIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, towards carrying on the Works of the Hospital for sick and wonnded Seamen building at *Hasler* near *Gosport*, for the Year one thousand seven hundred and sixty.

[illegible]00 l. towards finishing the Hospital at Hasler near Gosport.

IX. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, towards carrying on the Works of the Hospital for sick and wounded Seamen building near *Plymouth*, for the Year one thousand seven hundred and sixty.

10,000 l. towards finishing the Hospital near Plymouth.

X. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding eight thousand Pounds, towards purchasing Ground, erecting Jetty Heads for careening Wharfs, Capstand Houses, Store Houses, and other Accommodations necessary for refitting his Majesty's Fleet at *Halifax*, for the Year one thousand seven hundred and sixty.

8,000 l. towards erecting careening Wharfs and Store Houses, &c. at Halifax.

XI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding ten thousand Pounds, upon Account, towards the Support of the Royal Hospital at *Greenwich*, for the better Maintenance of the Seamen of the said Hospital worn out and become decrepit in the Service of their Country.

10,000 l. towards the Support of Greenwich Hospital.

XII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding five hundred and ten thousand eight hundred and sixty Pounds one Shilling and five Pence, for the Charge of the Office of Ordnance for Land Service for the Year one thousand seven hundred and sixty, and for defraying the extraordinary Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament, in one thousand seven hundred and fifty-nine.

510,860 l. 1 s. 5 d. for Charge of the Office of Ordnance for Land Service.

XIII. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding six millions six hundred forty-three thousand five hundred and twelve Pounds sixteen Shillings and six Pence Farthing, for and towards maintaining his Majesty's Land Forces, and other Services herein after more particularly expressed; that is to say, Any Sum or Sums of Money, not exceeding one million three hundred eighty-three thousand seven hundred forty-eight Pounds and ten Pence, for defraying the Charge of fifty-seven thousand two hundred ninety-four effective Men, including those in *Germany*, and including Commission and Non-commission Officers, and also four thousand and ten Invalids for Guards and Garrisons, and other his Majesty's Land Forces in *Great Britain*, *Guernsey* and *Jersey*, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding eight hundred forty-six thousand one hundred sixty-eight Pounds and nineteen Shillings, for maintaining his Majesty's Forces and Garrisons in the Plantations, *Gibraltar*, *Guadeloupe*, *Africa* and the *East Indies*, and for Provisions for the Garrisons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Providence*, *Cape Breton*, *Gaudeloupe*, *Senegal* and *Goree*, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding thirty-five thousand seven hundred and forty-four Pounds eight Shillings and four Pence, for defraying the Charge of four Regiments of Foot on the *Irish* Establishment serving in *North America*, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding fifty-four thousand four hundred fifty-four Pounds eleven Shillings and nine Pence, for the Pay of the General and General Staff Officers, and Officers of the Hospitals for his Majesty's Land Forces, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding one hundred and two thousand and six Pounds four Shillings and eight Pence, for defraying the Charge of the embodied Militia of the several Counties in *South Britain*, and of the fencible Men of *Argyleshire*, and Lord *Sutherland*'s Battalion of Highlanders in *North Britain*, for one hundred twenty-two Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine, to the twenty-fifth Day of *April* one thousand seven hundred and sixty, both Days inclusive; and any Sum or

6,643,512 l. 16 s. 6 d. 1 q. towards the Land Forces in general

of which 1,383,748 l. 10 d. for defraying the Expence of 57,294 effective Men, including those in Germany, &c.

846,168 l. 19 s. for Guards and Garrisons, &c. in the Plantations, Gibraltar, &c.

35,744 l. 8 s. 4 d. for Troops on the Irish Establishment serving in North America.

54,454 l. 11 s. 9 d. for Pay of the General and General Staff Officers, and Officers of Hospitals for the Land Forces.

102,006 l. 4 s. 8 d. for defraying the Charge of the embodied Militia in S. Britain, and the fencible Men of Argyleshire, and a Battalion of Highlanders in N. Britain, from 25 Dec. 1759, to Sums 25 April 1760.

260,104l. 16s. 8d. for defraying the Charge of the said Militia, Argyleshire Men, and Highlanders, to 24 Dec. 1760.

30,722l. for Cloathing for the imbodied Militia for 1760.

2,042l. for Pensions to Widows of reduced Officers who died on Half-pay.

35,651l. 9s. to the reduced Officers of the Land Forces and Marines.

2,946l. Allowances to the Officers and private Gentlemen of the two Troops of Horse Guards, and Regiment of Horse reduced, and superannuated Gentlemen of the four Troops of Horse Guards.

25,000l. for Out-Pensioners of Chelsea Hospital.

953,302l. 15s. 5d. 2q. for extraordinary Expences of the Land Forces, &c. to 24 Nov. 1759, not provided for.

500,000l. towards the Charge of Forage, Bread, and other Contingences of the Army under Prince Ferdinand.

134,139l. 17s. 4d. for Charge of Augmentations to the Forces, since the Estimate for 1760 was presented, to 24 Dec. 1760.

12,874l. 15s. 10d. for Charge of a Regiment of Light Dragoons, and an additional Company to Lieut. Colonel Vaughan's Corps.

447,882l. 10s. 5d. 2q. for Charge of the Troops of Hanover, Wolfenbuttle, Saxe Gotha, and Count Buckeburg, to 24 Dec. 1760, to be issued two Months in Advance; the Troops to be mustered by an English Commissary.

268,874l. 16s. 8d. for Charges of the Troops of Hesse Cassel, to 24 Dec. 1760, together with the Subsidy to the said Time, pursuant to Treaty.

97,850l. 4s. 10d. for Charge of an additional Corps of Troops of Hesse Cassel, to 31 Dec. 1760, pursuant to Treaty.

34,333l. 8s. for Charge of Augmentation of the Troops of Hanover to 24 Dec. 1760.

20,776l. 5s. 5d. for Charge of Augmentation of the Troops of Hesse Cassel, to 24 Dec. 1760.

Sums of Money not exceeding two hundred and sixty thousand one hundred and four Pounds sixteen Shillings and eight Pence, for defraying the Charge of the embodied Militia of the several Counties in *South Britain*, from the respective Times that they were embodied, and of the fencible Men of *Argyleshire*, and Lord *Sutherland*'s Battalion of Highlanders in *North Britain*, from the Commencement of their Establishment, to the twenty-fourth Day of *December* one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding thirty thousand seven hundred and twenty-two Pounds, upon Account, for defraying the Charge of Cloathing for the imbodied Militia, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding two thousand and forty-two Pounds, for the paying of Pensions to the Widows of such reduced Officers of his Majesty's Land Forces and Marines as died upon the Establishment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thousand seven hundred and sixteen, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding thirty-five thousand six hundred fifty-one Pounds and nine Shillings, upon account of the reduced Officers of his Majesty's Land Forces and Marines, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding two thousand nine hundred and forty-six Pounds, for defraying the Charge for Allowances to the several Officers and private Gentlemen of the two Troops of Horse Guards and Regiment of Horse reduced, and to the superannuated Gentlemen of the four Troops of Horse Guards, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding twenty-five thousand Pounds, upon Account, for Out-Pensioners of *Chelsea* Hospital, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding nine hundred fifty-three thousand three hundred and two Pounds fifteen Shillings and five Pence Halfpenny, for defraying the extraordinary Expences of his Majesty's Land Forces, and other Services incurred to the twenty-fourth Day of *November* one thousand seven hundred and fifty-nine, and not provided for by Parliament; and any Sum or Sums of Money not exceeding five hundred thousand Pounds, upon Account, as a present Supply, towards defraying the Charges of Forage, Bread, Bread Waggons, Train of Artillery, and of Provisions, Wood, Straw, *et cetera*, and other extraordinary Expences, and Contingences of his Majesty's Combined Army under the Command of Prince *Ferdinand*; and any Sum or Sums of Money not exceeding one hundred thirty-four thousand one hundred thirty-nine Pounds seventeen Shillings and four Pence, for defraying the Charge of several Augmentions to his Majesty's Forces, since the Estimate of Guards and Garrisons, for the Year one thousand seven hundred and sixty, was presented, from their respective Commencements, to the twenty-fourth Day of *December* one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding twelve thousand eight hundred seventy-four Pounds fifteen Shillings and ten Pence, for defraying the Charge of a Regiment of Light Dragoons, and of an additional Company to Lieutenant Colonel *Vaughan*'s Corps, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding four hundred forty-seven thousand eight hundred eighty-two Pounds ten Shillings and five Pence Halfpenny, for defraying the Charge of thirty-eight thousand seven hundred fifty Men, of the Troops of *Hanover*, *Wolfenbuttle*, *Saxe Gotha*, and Count of *Buckeburg*, together with that of General and Staff Officers, actually imployed against the Common Enemy, in concert with the King of *Prussia*, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine, to the twenty-fourth Day of *December* one thousand seven hundred and sixty, both inclusive, to be issued in Advance, every two Months, in like Manner as the Pay of the *Hessian* Forces now in the Service of *Great Britain*; the said Body of Troops to be mustered by an *English* Commissary, and the effective State thereof to be ascertained by the Signature of the Commander in Chief of the said Forces; and any Sum or Sums of Money not exceeding two hundred sixty-eight thousand eight hundred seventy-four Pounds sixteen Shillings and eight Pence, for defraying the Charge of two thousand one hundred twenty Horse, and nine thousand nine hundred Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, for three hundred sixty-six Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine, to the twenty-fourth Day of *December* one thousand seven hundred and sixty, both Days inclusive, together with the Subsidy for the said Time, pursuant to Treaty; and any Sum or Sums of Money not exceeding ninety-seven thousand eight hundred and fifty Pounds four Shillings and ten Pence, for defraying the Charge of an additional Corps of nine hundred twenty Horse, and six thousand seventy-two Foot, together with the General and Staff Officers, the Officers of the Hospital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, for three hundred sixty-six Days, from the first Day of *January* one thousand seven hundred and sixty, to the thirty-first Day of *December* following, both Days inclusive, pursuant to Treaty; and any Sum or Sums of Money not exceeding thirty-four thousand three hundred thirty-three Pounds and eight Shillings, for defraying the Charge of an Augmentation of one thousand and one Light Cavalry, the Troops of *Hanover*, in the Pay of *Great Britain*, for three hundred sixty-six Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine, to the twenty-fourth Day of *December* one thousand seven hundred and sixty, both Days inclusive; and any Sum or Sums of Money not exceeding twenty thousand seven hundred and seventy-six Pounds five Shillings and five Pence, for defraying the Charge of an Augmentation of four Squadrons of Hunters and Hussars, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, from the twenty-fifth Day of

of *December* one thousand seven hundred and fifty-nine, to the twenty-fourth Day of *December* one thousand seven hundred and sixty, both Days inclusive; and any Sum or Sums of Money not exceeding fifty-two thousand nine hundred and three Pounds nineteen Shillings and two Pence, for defraying the Charge of an Augmentation of five Battalions to the King's Army in *Germany*, each Battalion consisting of one Troop of one hundred and one Men, and four Companies of Foot, of one hundred and twenty-five Men in each Company, with a Corps of Artillery, for three hundred sixty-six Days, from the twenty-fifth Day of *December* one thousand seven hundred and fifty-nine, to the twenty-fourth Day of *December* one thousand seven hundred and sixty, both Days inclusive; and any Sum or Sums of Money not exceeding sixty-six thousand nine hundred twenty-six Pounds three Shillings and one Farthing, for defraying the Charge of nine hundred and fifty-nine Cavalry, and one thousand four hundred and fifty-four Infantry, the Troops of the reigning Duke of *Brunswick*, in the Pay of *Great Britain*, pursuant to Treaty; and any Sum or Sums of Money not exceeding twenty-three thousand eight hundred forty-three Pounds five Shillings and eleven Pence, for defraying the Charge of an Augmentation to the Troops of the reigning Duke of *Brunswick*, in the Pay of *Great Britain*, pursuant to an ulterior Convention concluded and signed at *Paderborn*, the fifth Day of *March* one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding one hundred and one thousand and ninety-six Pounds three Shillings and two Pence, for defraying the Charge of two additional Squadrons of Hussars, and two Companies of *Chasseurs*, together with an Augmentation to the Horse Dragoons and Foot, the Troops of the Landgrave of *Hesse Cassel*, in the Pay of *Great Britain*, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding four hundred and twenty thousand one hundred and twenty Pounds and one Shilling, for defraying the extraordinary Expences of his Majesty's Land Forces, and other Services incurred from the twenty-fourth Day of *November* one thousand seven hundred and fifty-nine, to the twenty-fourth of *December* following, and not provided for; and any Sum or Sums of Money not exceeding six hundred and seventy thousand Pounds, to enable his Majesty to make good his Engagements with the King of *Prussia*, pursuant to a Convention between his Majesty and the King of *Prussia*, concluded *November* the ninth one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding sixty thousand Pounds, to enable his Majesty to make good his Engagements with the Landgrave of *Hesse Cassel*, pursuant to the separate Article belonging to a Treaty between his Majesty and the Landgrave of *Hesse Cassel*, concluded *January* the seventeenth one thousand seven hundred and fifty-nine, and renewed by a Treaty concluded *November* the ninth one thousand seven hundred and fifty-nine; the said Sum of sixty thousand Pounds, to be paid as his Most Serene Higness shall think it most convenient, in order to facilitate the Means by which the Most Serene Landgrave may again fix his Residence in his own Dominions, and give fresh Courage to his faithful Subjects by his Presence, which is so much wished for.

52,903 l. 19 s. 2 d. for Charge of Augmentation to the Army in Germany to 24 Dec. 1760.

66,926 l. 3 s. 1 q. for Charge of the Troops of Brunswick, pursuant to Treaty.

23,843 l. 5 s. 11 d. for Charge of Augmentation to the Troops of Brunswick, pursuant to Treaty.

101,096 l. 3 s. 2 d. for Charge of Augmentation of the Troops of Hesse Cassel for 1760.

420,120 l. 1 s. for extraordinary Expences of Land Forces, and other Services incurred in 1759, and not provided for.

670,000 l. to the King of Prussia, pursuant to Treaty.

60,000 l. to the Landgrave of Hesse Cassel, pursuant to Treaty.

XIV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million, to enable his Majesty to discharge the like Sum raised in pursuance of an Act made in the last Session of Parliament, and charged upon the first Aids or Supplies to be granted in this Session of Parliament.

1,000,000 l. to discharge the like Sum borrowed, pursuant to a Vote of Credit of the last Session.

XV. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding one million, upon Account, to enable his Majesty to defray any extraordinary Expences of the War, incurred or to be incurred, for the Service of the Year one thousand seven hundred and sixty; and to take all such Measures as may be necessary to disappoint or defeat any Enterprizes or Designs of his Enemies, and as the Exigency of Affairs may require.

1,000,000 l. upon Account to defray any extraordinary Expences of the War which may be incurred in 1760.

XVI. And it is hereby also enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding eleven thousand seven hundred eighty-five Pounds six Shillings and ten Pence, upon Account, for supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, for the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding five thousand eight hundred fifty-one Pounds four Shillings and nine Pence, upon Account, for defraying the Charges incurred by supporting and maintaining the Settlement of his Majesty's Colony of *Nova Scotia*, in the Year one thousand seven hundred and fifty-eight, and not provided for by Parliament; and any Sum or Sums of Money not exceeding four thousand fifty-seven Pounds and ten Shillings, upon Account, for defraying the Charges of the Civil Establishment of his Majesty's Colony of *Georgia*, and other incidental Expences attending the same, from the twenty-fourth of *June* one thousand seven hundred and fifty-nine, to the twenty-fourth of *June* one thousand seven hundred and sixty.

11,785 l. 6 s. 10 d. for Support of the Colony of Nova Scotia for 1760.

5,851 l. 4 s. 9 d. for Support of the said Colony in 1758, not provided for.

4,057 l. 10 s. for Charge of the Civil Establishment of Georgia, to 24 June 1760.

XVII. And it is hereby also further enacted by the Authority aforesaid, That out of all or any the Aids or Supplies provided as aforesaid, there shall and may be issued and applied any Sum or Sums of Money not exceeding five hundred and one thousand seventy-eight Pounds sixteen Shillings and six Pence, for the Charge of Transport Service between the first Day of *January* and the thirtieth Day of *September* one thousand seven hundred and fifty-nine, including the Expence of victualling his Majesty's Land Forces within the said Time; and any Sum or Sums of Money not exceeding fifteen thousand Pounds, upon Account, towards enabling the Principal Officers of his Majesty's Ordnance to defray the necessary Charges and Expences of taking down and removing the present

501,078 l. 16 s. 6 d. for Transport Service, &c. in 1759.

15,000 l. to the Board of Ordnance for taking down the Magazine at Greenwich, and erecting a new one elsewhere.

5,000l. to the Governors of the Foundling Hospital, to be issued without any Deduction or Fee.

44,157l. 10s. for maintaining and apprenticing the Children of the said Hospital, admitted on or before 8 Feb. 1760, to be issued in like Manner.

3,127l. 10s. towards Maintenance, &c. of the Children admitted into the said Hospital, between 8 Feb. and 26 March 1760, to be issued in like Manner.

15,000l. for repairing London Bridge.

124,736l. 7s. 1d. 2q. to make good the Deficiency on 5 July 1759, of the Duties upon Offices, Pensions, Houses, and Window Lights.

84,741l. 15s. 8d. to make good the Deficiency on 5 July 1759, of the Subsidy of Poundage upon Goods imported, and Duties upon Coffee and Chocolate.

8,752l. 6s. 10d. to make good the Deficiency on 5 Jan. 1759, of the Duties on Glass, and Spirituous Liquors.

7,651l. 9s. 8d. 2q. to make good the Deficiency on 5 Jan. 1759, of the additional Stamp Duties, Licences for Wine, Duty on Coals, &c. Surplus Duties on Licences for retailing Spirituous Liquors.

200,000l. as a Compensation to the Provinces in North America, for Expences incurred in levying, &c. Troops there.

20,000l. to the East India Company, for defraying the Expence of a Military Force there.

2,977l. 7s. 8d. to reimburse the Colony of New York their Expences in furnishing Provisions, &c. to the Troops raised in 1756.

10,000l. for supporting the British Forts, &c. in Africa.

75,170l. 3d. 1q. to make good the Deficiency of the Grants for 1759.

2,000l. to make good the like Sum issued, pursuant to an Address of the House, to Jane Hardinge.

present Magazine for Gunpowder, and all Buildings belonging thereto, situated near the Town of *Greenwich*, in the County of *Kent*, and of erecting a new Magazine for Gunpowder, and other Buildings necessary thereto, in some more proper and less dangerous Situation, and to enable the said Principal Officers to purchase Lands for that Purpose; and any Sum or Sums of Money not exceeding five thousand Pounds, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to continue to carry into Execution the good Purposes for which they were incorporated, and that the said Sum be issued and paid for the Use of the said Hospital without Fee or Reward, or any Deduction whatsoever; and any Sum or Sums of Money not exceeding forty-four thousand one hundred fifty-seven Pounds and ten Shillings, upon Account, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to maintain, educate, and bind Apprentice, such Children as were admitted into the said Hospital on or before the eighth Day of *February* one thousand seven hundred and sixty; and that the said Sum be issued and paid for the Use of the said Hospital without Fee or Reward, or any Deduction whatsoever; and any Sum or Sums of Money not exceeding three thousand one hundred twenty-seven Pounds and ten Shillings, upon Account, towards enabling the Governors and Guardians of the Hospital for the Maintenance and Education of exposed and deserted young Children, to maintain and educate such Children as were admitted into the said Hospital between the eighth Day of *February* and the twenty-sixth Day of *March* one thousand seven hundred and sixty, and that the said Sum be issued and paid for the Use of the said Hospital without Fee or Reward, or any Deduction whatsoever; and any Sum or Sums of Money not exceeding fifteen thousand Pounds, to be paid into the Chamber of the City of *London*, to be applied towards the improving, widening and inlarging the Passage over and through *London Bridge*, without Account, other than as is directed for the Monies raised by an Act made in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act to improve, widen and enlarge the Passage over and through* London Bridge; and any Sum or Sums of Money not exceeding one hundred twenty-four thousand seven hundred thirty-six Pounds seven Shillings and one Penny Halfpenny, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July* one thousand seven hundred and fifty-nine, of the several Rates and Duties upon Offices and Pensions, and upon Houses, and upon Windows or Lights, which were made a Fund by an Act *Tricesimo primo Georgii Secundi*, for paying Annuities at the Bank of *England*, in respect of five millions borrowed towards the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding eighty-four thousand one hundred forty-one Pounds fifteen Shillings and eight Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July* one thousand seven hundred and fifty-nine, of the Subsidy of Poundage upon certain Goods and Merchandizes imported, and an additional Inland Duty on Coffee and Chocolate, to answer Annuities after the Rate of three Pounds *per Centum* charged thereupon, pursuant to the Act *Tricesimo secundo Georgii Secundi*; and any Sum or Sums of Money not exceeding eight thousand seven hundred fifty-two Pounds six Shillings and ten Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *January* one thousand seven hundred and fifty-nine, of the Duties on Glass and Spirituous Liquors, to answer Annuities on single Lives, payable at the Exchequer, granted by an Act *Decimo nono Georgii Secundi*; and any Sum or Sums of Money not exceeding seven thousand six hundred fifty-one Pounds nine Shillings and eight Pence Halfpenny, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *January* one thousand seven hundred and fifty-nine, of the additional Stamp Duty, Duty on Licences for retailing Wine, Duty on Coals exported, and Surplus of the Duty on Licences for retailing Spirituous Liquors, made a Fund by an Act *Tricesimo Georgii Secundi*, for paying Annuities at the Bank of *England*, after the Rate of three Pounds *per Centum* on three millions, as also the Life Annuities payable at the Exchequer, and other Charges thereupon; and any Sum or Sums of Money not exceeding two hundred thousand Pounds, upon Account, to enable his Majesty to give a proper Compensation to the respective Provinces in *North America*, for the Expences incurred by them in the Levying, Cloathing and Pay of the Troops raised by the same, according as the active Vigour and strenuous Efforts of the respective Provinces shall be thought by his Majesty to merit; and any Sum or Sums of Money not exceeding twenty thousand Pounds, upon Account, to be paid to the United Company of Merchants of *England* trading to the *East Indies*, towards enabling them to defray the Expence of a Military Force in their Settlements, to be maintained by them, in lieu of the Battalion of his Majesty's Forces commanded by Colonel *Adlercron*, withdrawn from thence, and now returned to *Ireland*; and any Sum or Sums of Money not exceeding two thousand nine hundred seventy-seven Pounds seven Shillings and eight Pence, for reimbursing to the Colony of *New York* their Expences in furnishing Provisions and Stores to the Troops raised by them for his Majesty's Service, for the Campaign in the Year one thousand seven hundred and fifty-six; and any Sum or Sums of Money not exceeding ten thousand Pounds, to be employed in maintaining and supporting the *British* Forts and Settlements upon the Coast of *Africa*; and any Sum or Sums of Money not exceeding seventy-five thousand one hundred and seventy Pounds and three Pence Farthing, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding three thousand Pounds, to make good the like Sum issued, pursuant to an Address of this House, by his Majesty, to *Jane Hardinge* Widow, as Administratrix

nistratrix of *Nicholas Hardinge* Esquire, deceased, as a Recompence for his Pains and Service in preparing Copies of the Journals of this House for the Press, and in managing and directing the Printing of the same, for the Use of the Members of this House; and any Sum or Sums of Money not exceeding two thousand Pounds, to make good the like Sum issued, pursuant to an Address of this House, by his Majesty, to *Jeremiah Dyson* Esquire, towards defraying the Expence of Printing the Journals of this House, from the Beginning of the ninth Parliament of *Great Britain*, to the End of the fourth Session of this present Parliament, and of making and printing Indexes to the second, third, fourth, fifth, sixth and seventh Volumes of the Journals of this House; and any Sum or Sums of Money not exceeding eighty thousand Pounds, upon Account, towards defraying the Charge of Pay and Cloathing for the unembodied Militia, for the Year ending the twenty-fifth Day of *March* one thousand seven hundred and sixty-one; and any Sum or Sums of Money not exceeding six hundred and thirty-four Pounds thirteen Shillings and seven Pence, to enable the Principal Officers of his Majesty's Ordnance to pay Interest after the Rate of four Pounds *per Centum per Annum*, from the twenty-fifth Day of *August* one thousand seven hundred and fifty-nine to the twenty-fifth Day of *April* last, for the Sum of twenty-three thousand eight hundred Pounds eleven Shillings and eleven Pence, remaining in his Majesty's Office of Ordnance upon the said twenty-fifth Day of *April*, and not paid into the Hands of the Deputy of the King's Remembrancer of the Court of *Exchequer* at *Westminster*, as directed by an Act made in the last Session of Parliament for making Compensation for Lands and Hereditaments purchased for his Majesty's Service, at *Chatham*, *Portsmouth* and *Plymouth*, by reason of Doubts and Difficulties which have arisen touching the Execution of the said Act; and any Sum or Sums of Money not exceeding eleven thousand nine hundred and forty Pounds thirteen Shillings and ten Pence, for defraying the extraordinary Charge of his Majesty's Mint in the Tower of *London*, in the Year one thousand seven hundred and fifty-nine; and any Sum or Sums of Money not exceeding two thousand five hundred Pounds, upon Account, for paying and discharging so much of the Debts, with the necessary Expences attending the Payment of the same, claimed and sustained upon the Lands and Estate which became forfeited to the Crown by the Attainder of *John Drummond*, taking upon himself the Stile and Title of Lord *John Drummond*, Brother to *James Drummond*, taking upon himself the Title of Duke of *Perth*, as shall be remaining unsatisfied, and not already provided for.

2,000 l. to Jer. Dyson Esq; towards defraying the Charge of Printing the Journals of this House, &c.

800,000 l. for Pay and Cloathing of the unimbodied Militia to 25 March 1761.

634 l. 13 s. 7 d. to discharge the Interest on 23,800 l. 11 s. 11 d. remaining in the Office of Ordnance, of the Purchase-money, appropriated by an Act of the last Session, for Lands, &c. for his Majesty's Dock Yards at Chatham, Portsmouth and Plymouth, but unapplied;

11,940 l. 13 s. 10 d. for extraordinary Charge of the Mint.

2,500 l. for discharging the Claims, &c. on the Perth Estate.

XVIII. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent or Purpose whatsoever, other than the Uses and Purposes before mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

These Aids to be applied to no other Uses.

XIX. And as to the said Sum of thirty-five thousand six hundred fifty-one Pounds and nine Shillings, by this Act appropiated, on account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same, who was a Minor, and under the Age of sixteen Years, at the Time when the Regiment, Troop or Company in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Person who did actual Service in some Regiment, Troop or Company; that no Person having any other Place or Imployment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay.

'XX. And whereas by an Act of Parliament made and passed in the thirty-second Year of his 'present Majesty's Reign, intituled, *An Act for enabling his Majesty to raise the Sum of one million, 'for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this 'Session of Parliament*; the several Supplies which had been granted to his Majesty, as is therein 'mentioned, were appropriated to the several Uses and Purposes therein expressed; amongst which, 'any Sum or Sums not exceeding thirty-four thousand three hundred and sixty-seven Pounds fifteen 'Shillings and ten Pence, was appropriated to be paid to the reduced Officers of his Majesty's Land 'Forces and Marines; subject nevertheless to such Rules to be observed in the Application of the 'said Half-pay, as in and by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforesaid, That so much of the said Sum of thirty-four thousand three hundred sixty-seven Pounds fifteen Shillings and ten Pence, as is, or shall be, more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late Wars, or such others as, by reason of their long Service or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under

Clause in Act 33 Geo. 2. c. 36.

Application of the Savings of the said Sum of 34,367 l. 15 s. 10 d. granted the last Session towards Half pay.

under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act to the contrary notwithstanding.

2,500 l. claimed on the Perth Estate, to be applied as directed by the Million Act of last Session.

XXI. Provided always, and is hereby further enacted by the Authority aforesaid, That the said Sum of two thousand five hundred Pounds by this Act appropriated for the Payment and Discharge of the Debts, with the Expences attending the Payment of the same, claimed and sustained upon the said Lands, and Estate of *Perth*, shall be issued and applied in such Manner, and under such Rules and Regulations, as are prescribed and appointed with respect to the Money granted for the same Purpose by an Act made in the last Session of Parliament, intituled, *An Act for enabling his Majesty to raise the Sum of one million for the Uses and Purposes therein mentioned; and for further appropriating the Supplies granted in this Session of Parliament.*

CAP. XIX.

An Act for the more effectual securing the Payment of such Prize and Bounty Monies as were appropriated to the Use of *Greenwich Hospital*, by an Act made in the twenty-ninth Year of the Reign of his present Majesty, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual Manning his Majesty's Navy.*

Preamble reciting Act 29 Geo. 2. c. 34. *For former Laws concerning Seamen refer to* 2 R. 2. c. 4. 5 El. c. 5. 7 & 8 W. 3. c. 21. 8 & 9 W. 3. c. 23. 9 & 10 W. 3. c. 41. 2 Ann. c. 6. 4 & 5 Ann. c. 19. 10 Ann. c. 17. 1 Geo. 1. c. 25. 8 Geo. 1. c. 24. 1 Geo. 2. St. 2. c. 9. 1 Geo. 2. c. 14. 2 Geo. 2. c. 7 & 36. 6 Geo. 2. c. 25. 8 Geo. 2. c. 29. 11 Geo. 2. c. 30. 13 Geo. 2. c. 3, 4 & 17. 14 Geo. 2. c. 38. 17 Geo. 2. c. 34. 18 Geo. 2. c. 31. 20 Geo. 2. c. 38. 22 Geo. 2. c. 52. 24 Geo. 2. c. 47. 28 Geo. 2. c. 16. 32 Geo. 2. c. 25.

'WHEREAS by an Act of Parliament made in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act for the Encouragement of Seamen, and the more speedy and effectual Manning his Majesty's Navy*, it was (amongst other Things) enacted, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers on Board every Ship and Vessel of War in his Majesty's Pay, should have the Sole Interest and Property of and in all and every Ship, Vessel, Goods and Merchandizes, which they should take from and after the seventeenth Day of *May* in the Year of our Lord one thousand seven hundred and fifty-six, during the Continuance of the War against *France* (being first adjudged lawful Prize in Manner therein mentioned) to be divided in such Proportions, and after such Manner as his Majesty, his Heirs and Successors should think fit to order and direct by Proclamation or Proclamations thereafter to be issued for those Purposes; and it was by the said Act directed, that all Appraisements and Sales of any Ship or Ships, Goods, Wares or Merchandizes as should be taken by any of his Majesty's Ships of War, should be made by Agents or Persons to be nominated and appointed by the Captors as therein mentioned; and that after the Sale or Sales of such Prize or Prizes as should be taken from the Enemy by any of his Majesty's Ships of War, public Notification should be given by the Persons or Agents appointed, as therein before mentioned, of the Day appointed for the Payment of the several Shares to the Captors; after which public Notification, if any Mens Shares should remain in the Hands of such Persons or Agents, either belonging to such Men as should be run from his Majesty's Service, or which should not be legally demanded within three Years, but then such Share or Shares so remaining in the Persons or Agents Hands, or belonging to such Men as should be run from his Majesty's Service, should go and be paid to the Use of *Greenwich Hospital*; and by the said Act a certain Bounty was directed to be paid by the Treasurer of his Majesty's Navy, as therein is mentioned, unto the Officers, Seamen, Marines, Soldiers, or others, that should have been actually on Board any of his Majesty's Ship or Ships, or Privateer or Privateers, in any Action where any Ship or Ships of War or Privateers should have been taken from the Enemy, sunk, burnt or otherwise destroyed, since his Majesty's Declaration of War against *France*, to be divided in Manner, Form and Proportion as by his Majesty's Proclamation should be directed; and it was by the said Act further directed, that the Bill or Bills to be made out (as therein is mentioned) for such Bounty, should be made payable to such Person or Persons as should be authorized and appointed by the Officers or Persons intitled thereto, in such Manner as is therein before directed for the nominating and appointing Agents for Appraisements and Sales to be made as therein before is mentioned; the same to be distributed and divided, by the Person or Persons so authorized and appointed, amongst the Captors, in such Manner, Form and Proportions as is therein before mentioned; and that the several Shares of such Captors, if not legally demanded within three Years after public Notification, and also of such as should be run from his Majesty's Service, should be applied to the Use of the said Hospital: And whereas no Time is limited, or particular Method prescribed by the said Act, for the giving Notifications of the Day appointed for the Payment of the Shares of Prizes, nor is any express Direction given for the Notification of the Day of Payment of the Shares of such Bounty Money as aforesaid; and many Agents have neglected to specify in the Notification by them given in the *London Gazette*, for Payment of Shares of Prizes condemned in the High Court or other Courts of Admiralty in *Great Britain*, the Particular Day or Time when such Payments were to commence, whereby it is very difficult, if not impossible, to ascertain the Time when the said Hospital becomes intitled to the unclaimed Shares, by Means whereof the said Hospital cannot have the full Benefit intended by the said recited Act:' For Remedy whereof; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the first Day of *September* in the Year of our Lord one thousand seven hundred and sixty, all Notifications by the said Act required to be given of the Payment of the Shares of Prizes taken, or to be taken from the Enemy

From and after 1 Sept. 1760, all Notifications of the Payment of Shares of Prizes condemned in Great Britain;

Enemy by any of his Majesty's Ships or Vessels of War, and condemned, or to be condemned, in *Great Britain*; and from and after the first Day of *February* one thousand seven hundred and sixty-one, all Notifications by the said Act required to be given of the Payment of the Shares of Prizes taken, or to be taken from the Enemy, and condemned, or to be condemned in any other of his Majesty's Dominions in *Europe*, or in any of his Majesty's Plantations in *America*; and from and after twenty-fifth Day of *December* one thousand seven hundred and sixty-one, all Notifications by the said Act required to be given of the Payment of the Shares of Prizes taken, or to be taken from the Enemy, and condemned, or to be condemned in any other of his Majesty's Dominions; shall be respectively given and published in such Manner as is herein after mentioned, (that is to say) if the Prize or Prizes shall have been, or shall be condemned in his Majesty's High Court or other Court of Admiralty in *Great Britain*, then the Person or Persons, Agent or Agents, appointed or to be appointed in pursuance of the said Act for the Appraisement and Sale of such Prize or Prizes, shall insert and publish, or cause to be inserted and published, such Notification under his or their Hand or Hands respectively in the *London Gazette*; and if condemned in any Court or Courts of Admiralty in any other of his Majesty's Dominions, then such Person or Persons, Agent or Agents, as aforesaid, shall insert and publish, or cause to be inserted and published, such Notification under his or their Hand or Hands respectively in the Gazette, or some other News Paper of public Authority, of the Island or Place where the Prize or Prizes shall have been, or shall be condemned; and if there shall be no Gazette or such News Paper published there, then in some or one of the most publick News Papers of such Island or Place for the Time being: And all Persons or Agents publishing, or causing to be published, every such Notification respectively, shall deliver to the Collector, Customer, or Searcher for the Time being of his Majesty's Customs residing at or belonging to the Port or Place where the Prize or Prizes shall have been or shall be condemned, or the lawful Deputy or Deputies of such Collector, Customer, or Searcher; and if there shall be no such Collector, Customer, or Searcher, then such Persons or Agents as aforesaid shall deliver to the principal Officer or Officers of the Port or Place where the Prize or Prizes shall have been or shall be condemned, or to the lawful Deputy or Deputies of such principal Officer or Officers, two of the Gazettes or other News Papers, in which such Notifications shall be so inserted and published; and if there shall not be any public News Papers in any such Island or Place, then such Person or Persons, Agent or Agents, shall give two such Notifications in Writing under his or their respective Hand or Hands to the said Collector, Customer, or Searcher, or the Deputy or Deputies of such Collector, Customer, or Searcher, or where there shall be no such Collector, Customer, or Searcher, to such principal Officer or Officers, or his or their Deputy or Deputies aforesaid; and every such Collector, Customer, or Searcher, and principal Officer or Officers, or such Deputy or Deputies, shall subscribe his or their Name or Names on on some conspicuous Part of both the said Gazettes, News Papers, or written Notifications respectively, and by the first Ship which shall sail (after his or their Receipt of such Gazettes, News Papers, or written Notifications respectively) from such Port or Place to any Port of *Great Britain*, shall transmit or send to the Treasurer of the said Royal Hospital, or the Deputy of such Treasurer for the Time being, one of the said Gazettes, News Papers, or written Notifications, with his or their Name or Names so subscribed to and upon the same respectively, to be there registered; and shall faithfully preserve and keep the other of the said two Gazettes, News Papers, or written Notifications, with his or their Name or Names thereon subscribed as aforesaid, in his or their Custody; and that in every such printed or written Notification as aforesaid, the said Person or Persons Agent or Agents, shall insert or specify his or their Place or Places of Abode, and the precise Day of the Month and Year appointed for the Payment of the several and respective Shares of the Prize or Prizes to the Captors: And all such Notifications with respect to Prizes condemned or to be condemned in *Great Britain*, shall be published in the *London Gazette* three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes shall be paid to any Person or Persons intitled thereto; and all such Notifications with respect to Prizes condemned, or to be condemned in any other Part of his Majesty's Dominions, shall be delivered to the said Collector, Customer, or Searcher, or principal Officer or Officers aforesaid respectively, or such respective Deputy or Deputies, three Days at least before any Part or Parts, Share or Proportion of any such Prize or Prizes shall be paid to any Person or Persons intitled thereto.

and from and after 1 Feb. 1761, all Notifications of those condemned in any other of the British Dominions in Europe or America;

and from and after 25 Dec. 1761, of those condemned elsewhere;

are to be inserted &c. by the Agents, if condemned in Great Britain, in the London Gazette;

and if condemned in any other of the King's Dominions, in the Gazette, or other News Paper of the Place of publick Authority;

and where there are none, then in one of the most publick News Papers of the Place;

and two of the said Gazettes, or News Papers, are to be delivered by them to the Collector, or other Principal Officer of the Port;

and if there shall be no public News Paper, they are then to deliver two Notifications in Writing;

which are to be signed by the Collector or other Principal Officer;

one whereof is to be transmitted, by the first Ship, to the Treasurer of Greenwich Hospital, and to be registered there;

and the other to be kept in his Custody.

the Agents Place of Abode, and the Day and Year appointed for Payment of the Shares to be inserted in every Notification;

and those condemned in Great Britain, to be published three Days, and those in other Parts, to be delivered to the Collector, &c. three Days also before Payment is made of any of the Shares.

II. And be it further enacted by the Authority aforesaid, That from and after the first Day of *September* one thousand seven hundred and sixty all and every Person and Persons, Agent and Agents, appointed or to be appointed in pursuance of the said Act, by the Flag Officers or Flag Officer, Captains or Captain, Officers or Officer, Ships Companies or Ship's Company, and others of any of his Majesty's Ships or Vessels of War, for the Distribution of any Bounty Bill or Bills, given or granted by virtue of the said Act, shall insert and publish, or cause to be inserted and published, under his or their Hand and Hands, in the *London Gazette*, three Days at least before the Payment or Distribution of any such Bounty Bill or Bounty Bills, public Notification of the precise Day of the Month and Year appointed for the Payment of such Bounty Money, and shall insert in every such Notification the Place or Places of his or their Abode.

Three Days previous Notice also to be published in like Manner by the Agents in the London Gazette, of the Distribution of any Bounty Bills.

Where publick Notification hath been, or shall be given of the Payment of Prize or Bounty Money,

but the Day of Commencement of the Payment,

and the Agent's Name and Abode hath not, or shall not be specified;

such Agents for Prizes condemned in Great Britain, or for the Distribution of the Bounty Money, are on or before 25 Dec. 1760;

and for those condemned in any other of the British Dominions in Europe or America, on or before 1 June 1761;

and for those elsewhere, on or before 25 March 1762;

to give Notification of the Day and Year appointed for such Payments,

and to specify also their Place of Abode;

the said Notifications to be delivered, attested and transmitted as before directed.

III. And be it further enacted by the Authority aforesaid, That in all Cases where any public Notification hath, during the present War, been given, or shall be given before the respective Times herein before mentioned for the giving of Notifications in *Great Britain*, and other Parts of his Majesty's Dominions, of the Payment of any Prize or Bounty Money in respect of any of his Majesty's Ships or Vessels of War, and the particular and precise Day whereon such Payment did or shall commence, and the Name or Names, and Place or Places of Abode, of the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of any such Prize or Prizes, or Distribution of any such Bounty Money, was not, or shall not be set forth and specified in such public Notification; the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of every such Prize or Prizes condemned or to be condemned in his Majesty's High Court or other Court of Admiralty in *Great Britain*, or for the Distribution of any such Bounty Money, shall on or before the twenty fifth Day of *December* one thousand seven hundred and sixty; and the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of every such Prize or Prizes condemned or to be condemned, in any Court or Courts of Admiralty in any other of his Majesty's Dominions in *Europe*, or in any of his Majesty's Plantations in *America*, shall on or before the first Day of *June* one thousand seven hundred and sixty-one; and the Person or Persons, Agent or Agents, appointed or to be appointed for the Appraisement and Sale of every such Prize or Prizes condemned or to be condemned, in any other of his Majesty's Dominions, shall, on or before the twenty-fifth Day of *March* one thousand seven hundred and sixty-two; respectively give Notification under his or their Hand or Hands respectively, of the precise Day of the Month and Year appointed for the Payment of the Shares of such Prize or Bounty Money respectively; and shall specify in every such Notification his or their Place or Places of Abode: And all such Notifications shall be published, or given and delivered, attested and transmitted, by and to such Person and Persons, and in such Manner, as the Notifications to be published or given, after the said first Day of *September* one thousand seven hundred and sixty, the first Day of *February* one thousand seven hundred and sixty-one, and the twenty-fifth Day of *December* one thousand seven hundred and sixty-one respectively, are herein before directed and required to be published, or given and delivered, attested and transmitted.

Agents neglecting or refusing to publish or deliver any such Notification,

forfeit 100 l. over and above all Penalties, &c. inflicted by the former Act;

and Collectors, &c. refusing to attest or transmit the same, forfeit 100 l. also,

IV. And be it further enacted by the Authority aforesaid, That if any Person or Agent, appointed or to be appointed for Appraisement or Sale of any Prize or Prizes taken or to be taken from the Enemy by any of his Majesty's Ships or Vessels of War, or for the Distribution of any Bounty Money, shall neglect or refuse to publish, give or deliver, any Notification directed or required by the said former Act or this Act to be published, given or delivered, or shall not publish, give or deliver any such Notification for such Space, before the Payment of any Part of such Prize or Bounty Money, or within the Times herein before respectively limited, or in the Manner herein before appointed, or shall not set forth and specify therein the Matters and Things herein before directed to be specified and set forth; every such Person or Agent shall, for every such Offence, forfeit and pay the Sum of one hundred Pounds, over and above all Penalties and Forfeitures inflicted or imposed by the said former Act; to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record in *Great Britain* or *America* or elsewhere, in any of his Majesty's Dominions, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance, shall be allowed: And if any Collector, Customer or Searcher of his Majesty's Customs, or Principal Officer or Officers, or such Deputy or Deputies as aforesaid, shall neglect or refuse to receive or to attest, or shall not transmit or send any such Gazette, News Paper, or written Notification as aforesaid, in such Manner as is before directed, every such Collector, Customer or Searcher, Principal Officer or Officers, or such Deputy or Deputies so offending, shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be sued for and recovered in the same Manner as the above Penalty is directed to be sued for and recovered.

The Notification so transmitted, attested and registered,

deemed sufficient Evidence of the Identity of the Agents.

V. And be it further enacted by the Authority aforesaid, That the Notifications in all such Gazettes, News Papers, and in Writing respectively as aforesaid, which shall be so transmitted and attested by such Collector, Customer or Searcher, or Principal Officer or Officers, or such Deputy or Deputies as aforesaid, and registered at the said Royal Hospital, on Proof of the Hand Writing of such Collector, Customer, Searcher, Principal Officer or Officers, or Deputy or Deputies, from Time to Time, and at all Times, shall be good and sufficient Evidence in all his Majesty's Courts of Law and Equity, that the Person or Persons, whose Name or Names is or are therein set forth and specified as the Agent or Agents for the Prize or Prizes therein respectively mentioned, is or are such Agent or Agents.

All Letters of Attorney exhibited by Agents, are to be duly registered by the Registers of the Admiralty Courts, within 14 Days after being exhibited,

'VI. And whereas no Provision is made by the said recited Act, to oblige the Registers of the Admiralty Courts in *Great Britain* duly to register, or keep proper Lists or Accounts of Letters of Attorney exhibited or delivered to them to be registered: And whereas it will tend to the Benefit of the said Hospital if such Letters of Attorney were duly registered, and Copies of such Registers transmitted to the Treasurer of the said Hospital;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-ninth Day of *September* one thousand seven hundred and sixty, the Register or Registers of his Majesty's High Court of Admiralty, and of all other Courts of Admiralty in *Great Britain*, shall, from Time to Time, duly enter or register, or cause to be entered or registered, in one or more Book or Books to be by him or them kept for that Purpose only, all Letters of Attorney that shall be exhibited or delivered to them after the said twenty-ninth Day of *September*

tember one thousand seven hundred and fifty, by any Agent or Agents for any Prize or Prizes taken or to be taken by any of his Majesty's Ships or Vessels of War, or by any Agent or Agents for the Receipt and Distribution of any Bounty Bill or Bills, within fourteen Days after the same shall be so exhibited or delivered to such Register or Registers at his or their respective Offices; which Registry shall contain the Day of Delivery and Entry, the Dates of the Letters of Attorney, the Names and Places of Abode of the Agents, the Names of the Prizes taken, or of the Ships of War or Privateers of the Enemy, taken, burnt, sunk or otherwise destroyed, together with the Names of the Ships or Vessels by which such Prizes shall have been taken, or by which such Ships of War or Privatees of the Enemy shall have been taken, burnt, sunk or otherwise destroyed; and the said Register or Registers shall, on the twenty-sixth Day of *March*, and the thirtieth Day of *September*, or within forty Days thereafter, in every Year transmit or deliver unto the Treasurer of the said Hospital, or to the lawful Deputy of such Treasurer for the Time being, a true Copy or Transcript under his or their Hand or Hands of all such Entries as aforesaid, within the preceding half Year; and if such Register or Registers shall neglect or refuse to make and keep such Entries, or to transmit or deliver such Copies thereof as aforesaid, within the respective Times herein before limited for that Purpose, he or they shall, for every such Offence, forfeit the Sum of one hundred Pounds, to be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record, in which no Essoin, Protection, Privilege, Wager of Law, or more than one Imparlance shall be allowed.

and Transcripts thereof to be transmitted by them, half-yearly, to the Treasurer of the Hospital,

on Penalty of forfeiting 100*l.*

VII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures given and granted by this Act, shall be applied, one Moiety to the Informer or Informers, and the other Moiety to the Use of the said Royal Hospital.

One Moiety of all Forfeitures to go to the Informer, and the other to the Use of the Hospital.

VIII. And be it further enacted by the Authority aforesaid, That all Penalties and Forfeitures, and Parts of Penalties and Forfeitures given or to be given to the Use of the said Royal Hospital by this present Act, or any other Act or Acts of Parliament, shall and may be sued for and recovered in the Name of the Master or Governor, or of the Lieutenant or Deputy Governor for the Time being of the said Hospital.

Those given to the Use of the Hospital, may be sued for in the Name of the Master, Governor or Deputy Governor.

See further 2 *Geo.* 3. *c.* 16.

CAP. XX.

An Act to enforce and render more effectual the Laws relating to the Qualification of Members to sit in the House of Commons.

Preamble.

'WHEREAS by an Act passed in the ninth Year of the Reign of her late Majesty Queen ANNE, intituled, *An Act for securing the Freedom of Parliaments, by the further qualifying the Members to sit in the House of Commons*, it was enacted, That no Persons should be capable to sit or vote, as a Member of the House of Commons for any County, City, Borough or Cinque Port, within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, who should not have an Estate, Freehold or Copyhold for his own Life, or for some greater Estate, either in Law or Equity, to and for his own Use and Benefit, of or in Lands, Tenements or Hereditaments, over and above what would satisfy and clear all Incumbrances that might affect the same, lying or being within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick upon Tweed*, of the respective annual Value therein limited; *videlicet*, The annual Value of six hundred Pounds above Reprizes, for every Knight of a Shire; and the annual Value of three hundred Pounds above Reprizes, for every Citizen, Burgess or Baron of the Cinque Ports:' Now, in order to enforce and render the said Act more effectual, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the Determination of this present Parliament, every Person, except as is herein after excepted, who shall be elected a Member of the House of Commons, shall, before he presumes to vote in the House of Commons, or sit there during any Debate in the said House of Commons, after their Speaker is chosen, produce and deliver in to the Clerk of the said House, at the Table in the Middle of the said House, and whilst the House of Commons is there duly sitting, with their Speaker in the Chair of the said House, a Paper or Account signed by every such Member, containing the Name or Names of the Parish, Township or Precinct, or of the several Parishes, Townships or Precincts, and also of the County, or of the several Counties, in which the Lands, Tenements or Hereditaments do lie, whereby he makes out his Qualification, declaring the same to be of the annual Value of six hundred Pounds above Reprizes, if a Knight of a Shire; and of the annual Value of three hundred Pounds above Reprizes, if a Citizen, Burgess or Baron of the Cinque Ports; and shall also, at the same Time, take and subscibe the following Oath; *videlicet*,

Preamble, reciting Clauses in Act 9 Annæ, c. 5.
2 *Geo.* 2. *c.* 24.
15 *Geo.* 2. *c.* 22.
18 *Geo.* 2. *c.* 18.
19 *Geo.* 2. *c.* 28.
31 *Geo.* 2. *c.* 14.

All Members in future Parliaments not particularly excepted) before they act, are to deliver in at the Table, while the House is sitting, a signed Schedule of their respective Qualifications,

and take and subscribe the following Oath,

'I *A. B.* do swear, That I truly and *bona fide* have such an Estate in Law or Equity, and of such Value, to and for my own Use and Benefit, of or in Lands, Tenements or Hereditaments, over and above what will satisfy and clear all Incumbrances that may affect the same, as doth qualify me to be elected and returned to serve as a Member for the Place I am returned for, according

'to the Tenor and true Meaning of the Acts of Parliament in that Behalf; and that such Lands, 'Tenements or Hereditaments, do lie as described in the Paper or Account signed by me, and now 'delivered to the Clerk of the House of Commons.'

So help me God.

which is to be administered by the House, and enrolled, after the usual Oaths of Qualification have been taken;

and the Shedule to be filed.

And the said House of Commons is hereby impowered and required to administer the said Oath and Subscription, according to the Directions of this Act, as Occasion shall be, from Time to Time, to every Person duly demanding the same, immediately after such Person shall have taken the Oaths of Allegiance, Supremacy and Abjuration at the said Table: And the said Oath and Subscription herein before directed to be taken and made, shall be entered in a Parchment Roll, to be provided for that Purpose by the Clerk of the House of Commons; and the said Papers or Accounts so signed and delivered in to the said Clerk as aforesaid, shall be filed and carefully kept by him.

Any Member presuming to act contrary hereto,

or without being duly qualified, his Election is void; and a new Writ is to issue.

II. And be it further enacted by the Authority aforesaid, That if any Person, who shall be elected to serve in any future Parliament as a Knight of a Shire, or as a Citizen, Burgess or Baron of the Cinque Ports, shall presume to sit or vote as aforesaid as a Member of the House of Commons, before he has delivered in such Paper or Account, and taken and subscribed such Oath as aforesaid, or shall not be qualified according to the true Intent and Meaning of the said recited Act, and of this Act; his Election shall be and is hereby declared to be void, and a new Writ shall be issued to elect another Member in the said Person's Room.

Persons excepted out of the General Qualification.

See further 3 *Geo.* 3. *c.* 15 & 24.

III. Provided always, That nothing in this Act contained shall extend to the eldest Son or Heir Apparent of any Peer or Lord of Parliament, or of any Person qualified to serve as a Knight of a Shire, or to the Members for either of the Universities in that Part of *Great Britain* called *England*, or to the Members for that Part of *Great Britain* called *Scotland*.

CAP. XXI.

An Act for granting to his Majesty a certain Sum of Money out of the Sinking Fund, for the Service of the Year one thousand seven hundred and sixty.

Most Gracious Sovereign,

Pre

'WE, your Majesty's most dutiful and loyal Subjects the Commons of *Great Britain*, in Parli-'ament assembled, being desirous to raise the Residue of the necessary Supplies which we 'have chearfully granted to your Majesty in this Session of Parliament, by Ways and Means the 'least burthensome to your Majesty's Subjects, have resolved to give and grant to your Majesty the 'Sum herein after-mentioned; and do therefore most humbly beseech your Majesty, that it may 'be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That by or out of such Monies as shall, from Time to Time, be and remain in the Receipt of the Exchequer of the Surpluses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, after paying or reserving sufficient to pay all such Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the same, there shall and may be issued and applied for and towards making good the Supply granted to his Majesty for the Service of the Year one thousand seven hundred and sixty, a Sum not exceeding two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence; and the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, are hereby authorized and impowered to issue and apply the same accordingly.

2,602,706*l.* 9 *s.* 9 *d.* granted to his Majesty out of the Sinking Fund.

Clause of Loan.

II. And it is hereby enacted by the Authority aforesaid, That in case the said Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall think it adviseable to raise the said Sum of two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence, or any Part thereof, by Loans or Exchequer Bills in Manner herein after-mentioned, that it shall and may be lawful to and for any Person or Persons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majesty, at the Receipt of his Majesty's Exchequer, any Sum or Sums of Money not exceeding the said Sum of two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence, upon the Credit of the said Surpluses, Excesses, and Overplus Monies, or other Revenues composing the Sinking Fund, and to have and receive Interest for the Forbearance of the Money lent, so as such Loans be allowed to be made by the said Commissioners of the Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, who are hereby authorized to issue their Warrants for that Purpose as fast as such Loans shall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act, shall be rated or assessed to any Tax or Assessment whatsoever.

III. And

III. And be it further enacted, That all and every Person or Persons who shall lend any Money upon the Credit of this Act as aforesaid, and pay the same into the Receipt of the Exchequer, shall immediately have a Tally of Loan struck for the same, and an Order for his, her or their Repayment, bearing the same Date with his, her or their Tally, in or upon which Order shall be also contained a Warrant for Payment of Interest for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all such Orders for Repayment of Money so to be lent, shall be registered in Course according to the Dates respectively; and that all and every Person and Persons shall be paid in Course according as their Orders shall stand registered in the said Register Books, so as the Person or Persons, Natives or Foreigners, his, her or their Executors, Administrators or Assigns, who shall have his, her or their Order or Orders first entered in the said Books of Register, shall be taken and accounted to be the first Person or Persons to be paid out of the said Surplusses, Excesses or other Revenues; and he, she or they, who shall have his, her or their Order or Orders next entered, shall be taken and accounted to be the second Person to be paid, and so successively and in Course; and that the Monies to come in of or for the said Surplusses, Excesses and Overplus Monies, or other Revenues, composing the Sinking Fund as aforesaid, shall be in the same Order liable to the Satisfaction of the said respective Persons, and Body or Bodies Politick or Coporate, their Executors, Administrators, Successors or Assigns respectively, without any undue Preference of one before another, and not otherwise; and shall not be diverted or divertible to any other Use, Intent or Purpose whatsoever (other than such Uses and Purposes as are appointed by any other Act or Acts of Parliament in that Behalf as aforesaid) and that no Fee, Reward or Gratuity, directly or indirectly, shall be demanded or taken of any of his Majesty's Subjects, for providing or making of any such Books or Registers, or any Entries, Views or Searches, in or for Payment of Money lent, or the Interest thereof as aforesaid, by any of his Majesty's Officer or Officers, their Clerks or Deputies, on Pain of Payment of Treble Damages to the Party grieved, by the Party offending, with full Costs of Suit; or if the Officer himself take or demand any such Fee or Reward, then to lose his Place also: And if any undue Preference of one before another shall be made, either in Point of Registry or Payment, contrary to the true Meaning of this Act, by any such Officer or Officers, then the Party offending shall be liable, by Action of Debt, or on the Case, to pay the Value of the Debt, with full costs Costs of Suit to the Party grieved, and shall be forejudged of his Place or Office; and if any such Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Master, then such Deputy or Clerk only shall be liable to such Action, Debt, Damages and Costs, and shall be for ever after incapable of his Office or Place; and in case the Auditor of the Receipt shall not direct the said Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon such Orders, according to each Person's due Place and Order as before directed, then he or they shall be adjudged to forfeit, and the respective Deputies and Clerks therein offending, to be liable to such Action, Debt, Damages and Costs, in such Manner as aforesaid; all which said Penalties, Forfeitures, Damages and Costs, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, shall and may be recovered by Action of Debt, Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*; wherein no Essoin, Protection, Privilege, Wager of Law, Injunction or Order of Restraint, shall be in any wise granted or allowed.

Tallies of Loan to be struck, &c.

Orders registered and paid in Course.

No Fee for registering, &c.

Penalty for undue Preference.

IV. Provided always, and it is declared, That if it shall happen that several Tallies of Loan, or Orders for Payment as aforesaid, bear Date, or be brought the same Day to the Auditor of the Receipt to be registered, then it shall be interpreted no undue Preference which of those be entered first, so as he enters them all the same Day.

No undue Preference, where Tallies are dated or brought the same Day;

V. Provided also, That it shall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay subsequent Orders to Persons that come and demand their Monies, and bring their Orders, before other Persons that did not come to take their Monies, and bring their Orders in Course; so as there be so much Money reserved as will satisfy precedent Orders; which shall not be otherwise disposed of, but kept for them; Interest upon Loan being to cease from the Time the Money is so reserved and kept in Bank for them.

Nor if subsequent Orders be paid before such as were not demanded in Course.

VI. And be it further enacted, That all and every Person and Persons to whom any Money shall be due for Loans to be registered by virtue of this Act, after Order entered in the Book of Register as aforesaid, his, her or their Executors, Administrators or Assigns, by proper Words of Assignment to be indorsed and written upon his, her or their Order, may assign and transfer his, her or their Right, Title, Interest and Benefit of such Order to any other; which being notified in the Office of the Auditor of the Receipt aforesaid, and an Entry or Memorial thereof also made in the Book of Registry aforesaid for Orders (which the Officers shall upon Request, without Fee or Charge, accordingly make) shall intitle such Assignee, his, her or their Executors, Administrators, Successors and Assigns, to the Benefit thereof, and Payment thereon; and such Assignee may, in like Manner, assign again, and so *toties quoties*; and afterwards it shall not be in the Power of such Person or Persons who have or hath made such Assignment, to make void, release or discharge the same, or any Monies thereby due, or any Part thereof.

Orders assignable,

'VII. And, to the end there may be no Want or Failure of a certain Sum, not to exceed in the 'whole the said Sum of two millions six hundred and two thousand seven hundred and six Pounds 'nine Shillings and nine Pence, to be raised either by such Loans as aforesaid, or by issuing Ex-

Commissioners of the Treasury impowered to prepare any Number of new Exchequer Bills, containing one common Sum, or different Sums, in the Principal Monies.

chequer Bills, as is herein after mentioned, or by both or either of those Ways or Means, for the Publick Service; Be it further enacted by the Authority aforesaid, That in case the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, shall judge it more adviseable to raise the said Sum of two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence, or any Part thereof, by Exchequer Bills, instead of such Loans as aforesaid, that then they respectively are hereby authorised and impowered at any Time or Times to prepare and make, or cause to be prepared and made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the whole the said Sum of two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence, together with such Loans aforesaid, in the same or like Manner, Form or Order, and according to the same or like Rules and Directions as in and by a certain Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and sixty*, are enacted and prescribed, concerning the Exchequer Bills to be made in pursuance of the said Act.

Clauses in the Land Tax Act relating to Exchequer Bills, extended to this.

VIII. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Disabilities contained in the said last mentioned Act, relating to the Loans or Exchequer Bills, authorised to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act) shall be applied and extended to the Exchequer Bills to be made in pursuance of this Act, as fully and effectually to all Intents and Purposes, as if the said Exchequer Bills had been originally authorised by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this present Act.

Bills discharged to be cancelled.

IX. And be it enacted by the Authority aforesaid, That all the Exchequer Bills as shall be made in pursuance of this Act, and the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid and borne by and out of the growing Produce of the said Surpluses, Exceses and Overplus Monies, or other Revenues composing the Sinking Fund (except such Monies of the said Sinking Fund, as are appropriated to any particular Use or Uses, by any former or other Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards the paying off, cancelling and discharging such Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

The Bank of England authorised to advance the said Sum of 2,602,706 l. 9 s. 9 d. notwithstanding the Act of 5 & 6 W. & M. c. 20.

X. And be it declared and further enacted by the Authority, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty in like Manner at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of two millions six hundred and two thousand seven hundred and six Pounds nine Shillings and nine Pence; any Thing in an Act made in the fifth and sixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding.

CAP. XXII.

An Act for limiting, confining, and better regulating the Payment of the Weekly Allowances made by Act of Parliament, for the Maintenance of Families unable to support themselves during the Absence of Militia Men, imbodied and ordered out into actual Service; and for explaining so much of an Act made in this Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters*, as relates to the Militia when imbodied and in actual Service; and for explaining and amending certain Parts of the Laws now in Force, for the better ordering of the Militia Forces in that Part of *Great Britain* called *England*.

Preamble, reciting Clauses in Act 31 Geo. 2. c. 26.

WHEREAS by an Act passed in the thirty-first Year of his Majesty's Reign, intituled, *An Act to explain, amend and inforce an Act, for the better Ordering of the Militia Forces in the several Counties of that Part of* Great Britain *called* England; it is enacted, That when any Militia Man shall be ordered out into actual Service, leaving a Family not of Ability to support themselves during his Absence, the Overseer or Overseers of the Parish where such Family shall reside, shall allow to such Family such Weekly Allowance for their Support, until the Return of such Militia Man, as shall be ordered by any one Justice of the Peace; such Allowance to be reimbursed out of the County Stock by the Treasurer of the County, and that such Treasurer

'shall be allowed the same in his Accounts: And whereas under the Authority of the said Act, 'sundry Payments have been made to such Families exceeding the Sums necessary for their Sup- 'port: And whereas many Persons having large Families, have been accepted and inrolled as Sub- 'stitutes, hired Men, or Volunteers in the Militia, and are now in actual Service: in Consequence 'whereof, larger Sums have been raised and paid for the Purpose aforesaid, than Necessity re- 'quired:' For Remedy whereof; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That if any Militia Man who shall have been accepted and inrolled as a Substitute, or as a hired Man, or as a Volunteer, before the passing of this Act; or if any Militia Man who shall have been chosen by Lot, whether before or after the passing of this Act, shall, when imbodied and called out into actual Service, and ordered to march, leave a Family unable to support themselves, the Overseer or Overseers of the Poor of the Parish, Tything or Township where the Family of such Militia Man shall dwell, shall by Order of some one Justice of the Peace, out of the Rates for the Relief of the Poor of such Parish, Tything or Township, pay to such Family a Weekly Allowance according to the usual and ordinary Price of Labour in Husbandry, within the County, Riding, Division, District or Place where such Family shall dwell, by the following Rule; that is to say, For one Child under the Age of ten Years, the Price of one Day's Labour; for two Children under the Age aforesaid, the Price of two Days Labour; for three or four Children under the Age aforesaid, the Price of three Days Labour; for five or more Children under the Age aforesaid, the Price of four Days Labour; and for the Wife of such Militia Man, the Price of one Day's Labour: And in every Parish, Tything or Township where the Money arising by such Rates shall not be sufficient for the Purpose aforesaid, a new Rate or Rates shall be made for raising a Sum sufficient for that Purpose; and every such Weekly Allowance shall be forthwith reimbursed to the Overseer or Overseers of such Parish, Tything or Township, by the Treasurer of the County, Riding or Place where such Parish, Tything or Township shall be situate, out of the publick Stock.

Overseers to pay out of the Poor Rates, by Order of some Justice, a Weekly Allowance to the distressed Families of Militia Men imbodied and called out into actual Service, proportionate to the usual Price of Labour in Husbandry within the County, and the Number and Age of the Children;

and where the said Rates shall be insufficient, a new Rate is to be made; and the Overseers are to be reimbursed forthwith out of the County Stock.

II. Provided always, That no Family of any Militia Man, who shall not have been chosen by Lot (except the Families of such Substitutes, hired Men or Volunteers, who shall have been accepted and inrolled before the passing of this Act) shall after the passing of this Act be intitled to or receive any such Weekly Allowance.

The Families only of such Men as shall be chosen by Lot, and of the Substitutes, hired Men, and Volunteers, already inrolled, are intitled to such Allowance.

III. And be it enacted, That the Treasurer of every County, Riding and Division shall, and is hereby required to keep exact and distinct Accounts of all the Monies that shall have been so by him reimbursed to such Overseer or Overseers as aforesaid, in pursuance of the Directions of this Act; and shall at the End of every seven Calendar Months return the said Accounts, together with the Accounts which he shall have received from the several Treasurers of the Cities, Towns, Liberties or Places, to the Office of the Treasurer's Remembrancer of the Court of Exchequer.

Treasurer of the County to keep and return an Account of the Monies reimbursed by him, or other Treasurers, to the Overseers, into the Exchequer every seven Months.

IV. Provided always, and be it enacted, That in all Cities, Towns, Liberties, Divisions and Places, which are not liable to contribute to County Rates by virtue of an Act made in the twelfth Year of his Majesty's Reign, intituled, *An Act for the more easy assessing, collecting, and levying of County Rates*; the Justices of the Peace for every such City, Town, Liberty, Division and Place, at any Sessions or Meeting, or the greater Part of them then and there assembled, may and shall appoint a Treasurer, and shall assess upon every Parish, Tything, Township, Hamlet or Vill, within the Limits of their respective Jurisdictions, in such Proportions as the Rates heretofore made for the Relief of the Poor have been usually assessed, and shall cause to be paid out of the Money collected and levied for the Relief of the Poor of every such Parish, Tything, Township, Hamlet or Vill, into the Hands of such Treasurer, such Sum or Sums of Money as they in their Discretion shall think sufficient for reimbursing to the Overseer or Overseers of the several Parishes, Tythings, Townships, Hamlets or Vills, within the Limits of their respective Jurisdictions, the Amount of the Weekly Allowances paid by such Overseer or Overseers to the Families of the Militia Men residing within their respective Jurisdictions as aforesaid; and every such Treasurer shall forthwith reimburse the same to every such Overseer or Overseers accordingly: And such Treasurer is hereby required to keep exact and distinct Accounts of all the Monies that shall have been so paid into his Hands, and so by him reimbursed to such Overseer or Overseers as aforesaid; and shall at the End of every six Calendar Months, transmit the said Accounts to the Treasurer of the County or Riding which such City, Town, Liberty, Division and Place, is, by an Act made in the thirtieth Year of the Reign of his present Majesty, intituled, *An Act for the better Ordering of the Militia Forces in the several Counties of that Part of* Great Britain *called* England, united with, and made Part of, for the Purposes of the said Act.

Where any City or Place shall not be liable by Act 12 Geo. 2. c. 29. to contribute to County Rates, the Justices may appoint a Treasurer, and assess each Parish, &c. proportionate to their usual Poors Rate,

in a Sum sufficient to reimburse to the Overseers the Weekly Allowances paid by them.

The Treasurer to keep and transmit an Account of the Monies so received and paid by him, to the Treasurer of the County every six Months.

V. Provided, That the Treasurer of the City of *Lincoln*, and County of the said City, shall transmit his Accounts to the Treasurer of the Division of *Lindsey* within the County of *Lincoln*.

Treasurer of the City, &c. of Lincoln, to transmit his Accounts to the Treasurer of Lindsey Division.

VI. Provided

Where Treasurers shall reimburse to Overseers any Money on account of the Weekly Allowance to the Families of Militia Men, serving in any County other than that wherein such Families dwell, they are to transmit an Account thereof, signed by a Justice, to the Treasurer of the County wherein such Men serve, and he is to reimburse them the same.

VI. Provided always, and be it enacted, That the Treasurer of any County, Riding, City, Town, Liberty, Division or Place, within the Part of *Great Britain* aforesaid, who shall, after the passing of this Act, reimburse to any Overseer or Overseers of the Poor of any Parish, Tything, Township, Hamlet or Vill, any Sum or Sums of Money in pursuance of the Directions of this Act, on account of the Weekly Allowance to the Family of any Militia Man serving in the Militia of any County, Riding, City, Town, Liberty, Division or Place, other than the County, Riding, City, Town, Liberty, Division or Place where such Family shall dwell, shall deliver or transmit an Account of such Money as he shall have so reimbursed as aforesaid, signed by one or more Justice or Justices of the Peace for the County, Riding, City, Town, Liberty, Division or Place where such Family shall dwell, to the Treasurer of the County, Riding, City, Town, Liberty, Division or Place, in the Militia whereof such Militia Man shall serve; and thereupon the Treasurer, to whom such Account shall have been delivered or transmitted as aforesaid, shall, and is hereby required, to pay to the Treasurer who shall have so delivered or transmitted such Account, the Sum or Sums so by him reimbursed to such Overseer or Overseers, and shall be allowed the same in his Accounts.

The Pay of all Regiments and Battalions, to which Commissions for Field Officers were not assigned before 1 May 1760. and of all Independent Companies now imbodied and in actual Service, when the same shall return Home from such Service, and be again imbodied and called out, to be according to the following Establishment, viz. To every Regiment of 12 or 8 Companies, 1 Colonel, 1 Lieutenant Colonel, and 1 Major; to every Battalion of 5 or more Companies, 1 Lieut. Colonel, and 1 Major; and to every inferior Battalion, 1 L. Colonel; with Captains, Lieutenants, and Ensigns, equal to the Number of Companies in each; (except Grenadier Companies, wherein are to be 1 Captain and 2 Lieutenants) Staff Officers: 1 Adjutant, 1 Quarter-Master, and 1 Surgeon, 1 Serj. Major, 1 Drum Major with Serjeants, Corporals, and Drums. To the Independent Companies of the Isle of Wight, and other Places, 1 Captain, 1 Lieutenant, 1 Ensign, with Serjeants and Corporals. Independent Companies may be formed into Battalions, or incorporated with other Regiments, &c.

VII. And for avoiding all unnecessary Expences on account of the Pay of the Officers of the Militia when imbodied and called out into actual Service, Be it enacted, That the Pay of every Regiment or Battalion of Militia, to which the Commissions for Field Officers have not been issued and given, pursuant to the Directions of the several Acts of Parliament for the better ordering the Militia Forces in the several Counties of that Part of *Great Britain* called *England*, before the first Day of *May* one thousand seven hundred and sixty, and of every Independent Company of Militia now imbodied and in actual Service, when it shall, after its return Home, and Discharge from such actual Service, be again imbodied and called out into actual Service, shall be issued and paid according to the following Establishment; that is to say, The Field Officers of a Regiment (which when imbodied and in actual Service, shall in no Case consist of more than twelve Companies, nor less than eight Companies, of eighty Private Men at the most, and sixty Private Men at the least) intitled to Pay, shall be one Colonel, one Lieutenant Colonel, and one Major; and where the Number of Private Men shall amount to five Companies, or to any Number under eight Companies, such Militia shall be formed into a Battalion, with one Lieutenant Colonel and one Major, and no other Field Officer intitled to Pay; and where the Number of private Men shall amount to three Companies, or to any Number under five Companies, such Militia shall also be formed into a Battalion with one Lieutenant Colonel, and no other Field Officer intitled to Pay; and in each Regiment or Battalion of Militia, there shall be intitled to Pay a Number of Captains, Lieutenants and Ensigns, equal to the Number of Companies in such Regiment or Battalion (Grenadier Companies excepted, wherein there shall be one Captain and two Lieutenants intitled to Pay); and in every such Regiment or Battalion there shall be intitled to pay one Adjutant, one Quarter-master, one Surgeon, one Serjeant-major, and one Drum-major, and a Number of Serjeants and Corporals, in the Proportion of one Serjeant and one Corporal to twenty Private Men, and also two Drummers to each Company: And in every County, Riding and Place, and in every City and Town, being a County, within the Part of *Great Britain* aforesaid, and in the Isle of *Wight*, and in the Town of *Berwick upon Tweed*, where the Number of Private Militia Men shall not be sufficient to form a Regiment or a Battalion, according to the Intent and Meaning of this Act, the following Establishment shall take Place therein; and the Militia thereof, and the Officers of such Militia, shall, when imbodied and in actual Service, be intitled to Pay accordingly; that is to say, The Militia of such Counties, Ridings, Places, Cities and Towns, and of the said Isle of *Wight*, shall be formed into Independent Companies, each Company consisting of eighty Private Men at the most, and sixty Private Men at the least; and to every such Company there shall be intitled to Pay, one Captain, one Lieutenant, and one Ensign, and a Number of Serjeants and Corporals equal to the Number herein before allowed to a Company of Militia: And it shall be lawful for his Majesty, his Heirs and Successors, to join together any Number of such Independent Companies, and therewith to form a Battalion or Battalions, or to incorporate them with any Regiment or Battalion, Regiments or Battalions, of Militia, but so as the Number of Companies in any such Regiment or Battalion do not exceed, or fall short of the Number of Companies of which a Regiment or Battalion of Militia is herein before respectively allowed to consist.

Lieutenants of Counties may act as Colonels, where no Colonel shall be appointed;

but not to more than 1 Regiment or Battalion;

and is to receive Pay as Lieutenant Colonel only, when serving with any Battalion imbodied and called out; and no other Person to serve, or be intitled to such Pay, during such Time.

'VIII. And whereas Doubts have arisen, whether a Lieutenant of any County, Riding or Place, 'can serve as a Colonel in the Militia for such County, Riding or Place,' Be it therefore declared and enacted by the Authority aforesaid, That it shall be lawful for the Lieutenant of any County, Riding or Place, to act as a Colonel of any Regiment or Battalion of Militia for such County, Riding or Place, for and during such Time or Times as there shall not be any Colonel appointed for the Command of the same Regiment or Battalion; but no Lieutenant shall at any one Time act as a Colonel to more than one Regiment or Battalion.

IX. Provided always, and be it enacted, That where his Majesty's Lieutenant of any County, Riding or Place within the Part of *Great Britain* aforesaid, shall under the Powers given by this Act, serve as Colonel to any Body of Militia by this Act deemed a Battalion, he shall not, when such Battalion shall be imbodied and in actual Service, be intitled to or receive any other Pay than that of a Lieutenant Colonel; and that no other Person whatsoever shall serve or be intitled to Pay, as a Lieutenant Colonel in such Battalion, during the Time that his Majesty's said Lieutenant shall serve therein as Colonel; any Thing herein contained to the contrary notwithstanding.

X. And be it enacted, That where the Number of Officers in any Regiment, Battalion, or Independent Company of Militia, now imbodied and in actual Service, exceeds the Number by this Act intitled to Pay under the Establishment aforesaid, such and so many of them of each respective Rank exceeding the Number so intitled to Pay, shall within two Months after the passing of this Act, be exempted from actual Service, as shall desire so to be; and no Officer so exempted shall be intitled to or receive any Pay as an Officer of the Militia.

So many Officers now embodied and in Service, as exceeds the Number upon the Establishment of Pay, may be exempted from Service as shall desire it;
but they are not to be intitled to Pay;

'XI. And whereas it might conduce to the better Discipling of the Militia, if the Adjutant of 'each Regiment or Battalion was allowed to be a Commissioned Officer in the Regiment or Battalion 'to which he belongs;' Be it therefore enacted by the Authority aforesaid, That from and after the passing of this Act it shall and may be lawful for his Majesty's Lieutenant of any County, Riding, or Place, to grant unto the Adjutant of each Regiment or Battalion a Commission of Lieutenant, or any inferior Commission therein, if he shall think fit, although such Adjutant shall not have the Qualification mentioned in this or any former Act; and such Adjutant shall be and is hereby freed and discharged from all Penalties and Forfeitures for taking and holding such Commission, or acting as a Commissioned Officer in such Regiment or Battalion, without having such Qualification; any thing herein, or any former Act or Acts, to the contrary notwithstanding.

Lieutenants or inferior Commissions may be granted to Adjutants, tho' they want a legal Qualification;
and they are indemnified for holding the same.

XII. Provided always, and be it enacted, That if the Number of private Militia Men within any such City or Town as aforesaid, shall not be sufficient to form one Company according to the Establishment aforesaid, then and in such Case, the private Militia Men of such City or Town shall be and be deemed Part of, and shall serve in some Company or Companies of the Militia of the County or Riding to which such City or Town is by an Act made in the thirtieth Year of his Majesty's Reign, intituled, *An Act for the better Ordering of the Militia Forces, in the several Counties of that Part of* Great Britain *called* England, united, for the Purposes therein mentioned; and the Deputy Lieutenants and Justices of the Peace of and for the County or Riding to which such City or Town is so united as aforesaid, shall in such Case have full Power and Authority to act within such City or Town with respect to such Matters only as shall relate to the Militia thereof, in the same Manner, and to all intents and Purposes as they are by Law impowered and required to act with respect to the Militia of any other Part of such County, Riding or Place; any thing herein or in any other Act contained to the contrary notwithstanding.

Where the Men of any City or Town shall not be sufficient to form a Company,
they are to be deemed Part of, and to serve in, some Company of the County, &c. to which such City or Town is, by 30 Geo. 2. c. 25. united;
and the Deputy Lieutenants and Justices may act therein, as they may do in any County with respect to the Militia thereof.

'XIII. And whereas some Doubt hath arisen whether certain Provisions contained in an Act made 'in this present Session of Parliament, intituled, *An Act for punishing Mutiny and Desertion, and for 'the better Payment of the Army and their Quarters*, do at any Time, or in any Case, extend to the 'Officers of the Militia and Private Militia Men;' It is hereby declared and enacted, That from the Time that any Regiment Battalion, or Independent Company of Militia shall be drawn out and embodied, until they shall be returned again by Order of their Commanding Officers, to their respective Parishes or Places of Abode, all the Provisions contained in the said Act relating to Officers and Soldiers mustered, listed, or in Pay in his Majesty's Service, do and shall equally extend to, and take Place, in respect of the Officers and private Militia Men of every such Regiment, Battalion or Independant Company of Militia respectively, excepting only as to such Particulars as are or shall be otherwise specially provided for by any Act or Acts of Parliament for regulating the Militia Forces within the Part of *Great Britain* aforesaid.

All the Provisions in the Mutiny Act are to extend equally to the Militia while drawn out and embodied, as to the King's Regular Forces;

except wherein it is otherwise specially provided for by any of the Militia Acts.

'XIV. And whereas by a Clause in an Act made in the last Session of Parliament, intituled, *An 'Act for enforcing the Execution of the Laws relating to the Militia; and for removing certain Difficulties, 'and preventing Inconveniences attending or which may attend the same*; it is enacted, That one Half 'of the Estates thereby respectively required for the Qualification of the Deputy Lieutenants, and 'of the Captains, Lieutenants, and Ensigns, of the Militia in the Isle of *Ely*, in the County of '*Cambridge*, shall be situate or arising within the said Isle, from which Provision some Inconveni-'ence has been found to arise;' For Remedy whereof, Be it enacted by the Authority aforesaid, That so much of the said Clause as requires that one Half of such Estates shall be situate or arising within the said Isle of *Ely*, be and the same is hereby repealed; and that one Half of the Estates by the said recited Act respectively required for the Qualification of the Deputy Lieutenants, and of the Captains, Lieutenants and Ensigns, of the Militia, in the said Isle of *Ely*, shall be situate or arising within the said Isle, or some other Part of the County of *Cambridge*: And in case any Person shall act as a Deputy Lieutenant, or as a Captain, Lieutenant, or Ensign of the Militia, in the said Isle, who shall not be respectively qualified in such Manner as by the said recited Clause (so far as the same is not hereby altered) and by this Act is required, every such Person shall be subject and liable to the same Penalties and Forfeitures as any Person is subject and liable to for acting as a Deputy Lieutenant or Officer of the Militia, within any other County or Place in *England*, without being qualified according to the Acts of Parliament now in Force relating thereto.

The Clause in the Act 32 Geo. 2. c. 20. enacting, that one Half of the Qualification of Deputy Lieutenants and Officers for the Isle of Ely, shall lie within the said Isle, is repealed;
and the same may lie either in Ely or Cambridgeshire;

but the Penalty of acting not being qualified, is the same as within any other County.

See further Chapter 24. *and* 2 Geo. 3. c. 20.

CAP. XXIII.

CAP. XXIII.

An Act for enabling his Majesty to raise a certain Sum of Money towards paying off and discharging the Debt of the Navy; and towards Naval Services for the Year one thousand seven hundred and sixty.

Most Gracious Sovereign,

Preamble.

'WE your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, for raising the Supply granted to your Majesty towards paying off and discharging the Debt of the Navy; and also towards raising the Supply granted to your Majesty for Naval Services in the Year one thousand seven hundred and sixty, have resolved to give and grant unto your Majesty the Sum of one million five hundred thousand Pounds; and do therefore most humbly beseech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury now or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and sixty-one, to cause or direct any Loans to be taken or received at his Majesty's Exchequer, from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums Money not exceeding, in Loans and Exchequer Bills together, in the Whole, the said Sum of one million five hundred thousand Pounds, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions as in and by an Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and sixty*, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

Credit of Loan granted to his Majesty for raising 1,500,000 l.

Treasury may raise the same by Loans or Exchequer Bills,

in like Manner as is prescribed by the Land Tax Act of this Session, concerning Loans or Exchequer Bills thereby to be made out.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said last mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act, and also except as is herein after mentioned) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Clauses, &c. in the said Act relating to Loans or Exchequer Bills,

extended to the Loans or Exchequer Bills to be made forth in pursuance of this Act.

III. Provided always and be it further enacted by the Authority aforesaid, That no Exchequer Bill or Bills, to be made out by virtue of this Act, shall after the same hath or have been issued and paid at the Exchequer to the Treasurer of his Majesty's Navy for the Time being, and applied by him for the Purposes herein after mentioned, be afterwards, at any Time before the twenty-sixth Day of *March* one thousand seven hundred and sixty-one, received or taken, or pass, or be current to any Receiver or Collector in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to his Majesty, his Heirs or Successors, or at the Receipt of the Exchequer, from any such Receiver or Collector, or from any other Person or Persons, Bodies Politick or Corporate, otherwise, or on any other Account, than for the Discharge and cancelling of such Bills, in case the same shall be in due Course or Order of Payment, before the said twenty-sixth Day of *March*; nor shall any such Receiver or Collector exchange at any Time before the said twenty-sixth Day of *March*, for any Money of such Revenues, Aids, Taxes, or Supplies in his Hands, any Exchequer Bill or Bills which shall have been issued and applied as aforesaid by virtue of this Act; nor shall any Action be maintained against any such Receiver or Collector for neglecting or refusing to exchange any such Bill or Bills for ready Money before the said twenty-sixth Day of *March*; any thing in the said Act made in this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and sixty*, or this Act, contained to the contrary notwithstanding.

The Exchequer Bills so made forth, and issued to the Treasurer of the Navy,

not to be received again in Payment of any Tax, nor exchanged before 26 March 1761,

nor may any Action lie for such Refusal.

IV. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium Rate and Charges indident to, or attending the same, shall be and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and sixty-one, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies as at any Time or Times at or after the said fifth Day of *July* one thousand

The Principal and Interest, with the Charges attending, to be paid out of the next Supplies; and if none sufficient be granted before 5 July 1761,

they are then to be paid out of the Sinking Fund;

thousand seven hundred and sixty-one shall be or remain in the Receipt of the Exchequer, of the Surplusses, Exceſſes, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund*, (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf); and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling and discharging such Loans or Exchequer Bills, Interest, Premium, Rate or Charges, until the whole of them shall be paid off, cancelled and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

V. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Exceſſes, Overplus Monies, or other Revenues composing the Sinking Fund, shall, from Time to Time, be replaced by and out of the first Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithstanding.

and the Monies so issued are to be replaced out of the first Supplies.

VI. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty in like Manner at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the whole the Sum of one million five hundred thousand Pounds; any thing in an Act made in the fifth and sixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding.

The Bank impowered to advance on the said Credit of Loan, any Sum or Sums not exceeding 1,500,000 l. the Act of 5 & 6 W. & M. c. 20. notwithstanding.

VII. And be it further enacted by the Authority aforesaid, That the said Sum of one million five hundred thousand Pounds by this Act granted, shall be appropriated, and is hereby appropriated for and towards the Uses and Purposes herein after mentioned; that is to say, That out of the said Sum there shall and may be issued and applied any Sum or Sums of Money not exceeding one million, towards paying off and discharging the Debt of the Navy; and any Sum or Sums of Money not exceeding five hundred thousand Pounds, towards the Naval Services herein after mentioned; that is to say, Towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and towards Sea Services in the Office of Ordnance, performed and to be performed, and towards defraying the Ordinary of his Majesty's Navy, and Half-pay to Sea Officers; and towards maintaining eighteen thousand three hundred and fifty-five Marines; and towards the Buildings, Rebuildings and Repairs of his Majesty's Ships, for the Year one thousand seven hundred and sixty.

Appropriation of the said Money, viz. 1000,000 l. towards discharging the Navy Debt; and 500,000 l. towards Naval Services in general.

CAP. XXIV.

An Act for applying the Money granted in this Session of Parliament, towards defraying the Charge of Pay and Cloathing of the unembodied Militia for one Year, ending the twenty-fifth Day of *March* one thousand seven hundred and sixty-one; and for explaining certain Parts of the Acts for the better ordering of the Militia Forces within that Part of *Great Britain* called *England*, relating to the Money to be given to private Militia Men, upon their being ordered out into actual Service; and to the Cloaths of privare Militia Men; and to the Time of the Commencement of the Pay of the embodied Militia.

For former Militia Laws refer to 4 & 5 *P. & M.* c. 3. 13 & 14 *Car.* 2. *c.* 3. 15 *Car.* 2. *c.* 4. 10 & 11 *W.* 3. *c.* 12. 1 *Ann. ſt.* 2. *c.* 23. 1 *Geo.* 1. *ſt.* 2. *c.* 14. 9 *Geo.* 1. *c.* 8. 7 *Geo.* 2. *c.* 23. 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. 33 *Geo.* 2. *c.* 2 & 22.

'WHEREAS the Sum of eighty thousand Pounds has been granted to his Majesty, upon Account, towards defraying the Charge of Pay and Cloathing for the unembodied Militia, 'from the twenty-fifth Day of *March* one thousand seven hundred and sixty, to the twenty-fifth 'Day of *March* one thousand seven hundred and sixty-one:' In order therefore that the Charge of Pay and Cloathing for such Militia may be duly and properly defrayed and satisfied, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That within ten Days after that his Majesty's Lieutenant, or in his Absence, any three Deputy Lieutenants of any County, Riding or Place, within that Part of *Great Britain* called *England*, where Pay has not yet been issued for the Militia according to Law, shall have certified to the Commissioners of his Majesty's Treasury, or High Treasurer for the Time being, that three fifths of the Number of private Militia Men of any Regiment, Battalion or Independent Company of the Militia of such County, Riding or Place, have been chosen and inrolled, and that the like Proportion of the Number of the Commission Officers of such Regiment, Battalion or Independent Company, have been appointed, and have taken out their Commissions and entered their Qualifications as is by Law required, his Majesty's said Lieutenant, or in his Absence, the said three Deputy Lieu-

Preamble.

Where Pay has not yet been issued, the Lieutenant, or Deputy Lieutenants of the County, after having certified to the Treasury the actual Inrolment of the Proportion of Men and Officers required to be inrolled, before Pay, Arms or Cloathing are issuable,

are to certify the same also to the Receiver General of the Land Tax; and also the Return of any of the Troops that have been embodied and called out, which shall be disembodied and returned Home.

Lieutenants, shall also certify the same to the Receiver or Receivers General of the Land Tax for such County, Riding or Place; and when any Regiment, Battalion or Independent Company of the Militia of any County, Riding or Place, within the Part of *Great Britain* aforesaid, that shall have been empodied and called out into actual Service, shall be disembodied and returned Home by Order of their commanding Officers, and thereby be no longer intitled to the same Pay as the Officers and private Men in his Majesty's other Regiments of Foot receive, his Majesty's Lieutenant of the County, Riding or Place, to which such Regiment, Battalion or Independent Company shall belong, or in his Absence, any three Deputy Lieutenants, shall certify to the Receiver or Receivers General of the Land Tax for such County, Riding or Place, that such Regiment, Battalion or Independent Company, is disembodied and returned Home as aforesaid; upon Receipt of which Certificate,

Receivers General are to make Issues of 4 Months Pay in Advance, from the Date of such Certificates, according to the Establishment of Pay here set down.

such Receiver or Receivers General of the Land Tax shall issue and pay the whole Sums required for the several Uses herein after mentioned; that is to say, For the Pay of the said Militia, for four Calendar Months in advance from the Date of such Certificate, at the Rate of six Shillings a Day for each Adjutant, where an Adjutant is by this Act allowed; and at the Rate of one Shilling a Day for each Serjeant, with the Addition of two Shillings and six Pence a Week for each Serjeant-major, where a Serjeant-major is by this Act allowed; and at the Rate of six Pence a Day for each Drummer, with the Addition of six Pence a Day for each Drum-major, where a Drum-major is by this Act allowed; and also at the Rate of one Shilling for each private Militia Man, with the Addition of six Pence to each Corporal for every Day in which such private Militia Man or Corporal shall be respectively employed in the Militia; and also at the Rate of two Shillings for each private Militia Man, with the Addition of one Shilling to each Corporal, for his March on the *Monday* and *Saturday* in *Whitsun Week*, to and from the Place of General Exercise; and also at the Rate of five Pence a Month for each private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion or Independent Company of Militia; and also for half a Year's Salary for the Clerk of each Regiment of Militia, or of the Battalion of Militia belonging to such County, Riding or Place, at the Rate of fifty Pounds a Year; and also for the respective Allowances to the Clerk of the General Meetings, and Clerks of the several Subdivision Meetings, at the Rates following; that is to say, To the Clerk of the General Meetings, at the Rate of five Pounds five Shillings for each Meeting; and to the several Clerks of the Subdivision Meetings, at the Rate of one Pound one Shilling for each Meeting; and also for the Cloathing of the Militia for such County, Riding or Place, where the Militia hath not already been cloathed, at the Rate of one Pound ten Shillings for each private Man, and at the Rate of two Pounds for each Drummer, and at the Rate of three Pounds ten Shillings for each Serjeant.

with half a Year's Salary to the Regimental and Battalion Clerks, and the Allowances to the Clerk of the General Meetings; and Clerks of the Subdivision Meetings; and also Pay for Cloathing.

Where Certificates, as aforesaid, have been received,

II. Provided always, and be it enacted, That in every such County, Riding or Place, within the Part of *Great Britain* aforesaid, for which his Majesty's Lieutenant, or in his Absence, any three Deputy Lieutenants, shall have certified to the Purpose aforesaid, and received the Cloathing for the Militia thereof, which shall not have been embodied and called out into actual Service; and in every County, Riding and Place, within the Part of *Great Britain* aforesaid, where the Militia shall, after having been embodied and called out into actual Service, be disembodied, and be returned Home by Order of their commanding Officers, and thereby be no longer intitled to the same Pay as the Officers and private Men in his Majesty's other Regiments of Foot receive, and such Return shall have been certified as aforesaid; the Receiver or Receivers General of the Land Tax for every such respective County, Riding or Place, shall make the Issues or Payments aforesaid without any new or other Certificate made for that Purpose.

the Receivers General are to make the usual Issues, without any new Certificate for that Purpose.

The Money to be paid to the Clerk of the Regiment or Battalion;

III. And be it enacted, That all such Sums of Money aforesaid (except such as shall be due to the several Clerks of the Meetings aforesaid) shall be paid by the said Receiver or Receivers General of the Land Tax, into the Hands of the Clerk or Clerks of the Regiment or Regiments, or of the Battalion of Militia belonging to such County, Riding or Place, upon his or their producing his or their Warrant or Warrants of Appointment to such Office, under the Hand and Seal of his Majesty's Lieutenant for such respective County, Riding or Place; and where the Militia shall be formed into an Independent Company or Independent Companies, such Sums as aforesaid shall be paid by the said Receiver or Receivers General of the Land Tax into the Hands of the respective Captain of each Independent Company of Militia, or to such Person as such respective Captain shall authorize to receive the same, according to the Number of Persons hereby intitled to receive Pay, of which such Regiment or Regiments, Battalion or Battalions, Independent Company or Independent Companies, shall have been appointed to consist: And such Receiver or Receivers General of the Land Tax shall also, within fourteen Days after the Expiration of the third Calendar Month from the Time of the said first Payment, make a second Payment for four Calendar Months in Advance; and shall also, within fourteen Days after the Expiration of the third Calendar Month from the Time of the said second Payment, make a third Payment for four Calendar Months in Advance, for the Pay and contingent Expences of the Militia, and for the Allowances to the Regimental or Battalion Clerk or Clerks aforesaid, in the Proportions herein before mentioned: And the Receipts of such Clerk or Clerks, and of such Captain of an Independent Company, or Captains of Independent Companies, or of such Person or Persons as such Captain or Captains shall so authorize to receive such Money as aforesaid, shall be a sufficient Discharge to such Receiver or Receivers General of the Land Tax for the several Sums of Money so by him or them paid.

and for Independent Companies, to the respective Captains, or to their Order.

A second Payment to be also made within 3 Months after the first; and a third within three Months after the second.

Receipts of the Persons to whom the Money shall be paid, discharge the Receivers General.

IV. And be it enacted, That the Clerk of each Regiment or Battalion of Militia shall forthwith, after the Receipt of such Sums of Money as aforesaid, pay or cause to be paid, one Calendar Month's Pay in Advance to the Adjutant, and fourteen Days Pay in Advance to the Serjeant-major and Drum-major of such Regiment or Battalion respectively; and to the Captain or Commanding Officer of each Company belonging to such Regiment or Battalion, two Months Pay in Advance for his respective Company, and for the contingent Expences thereof; and so from time to time so long as any Money on that Account shall remain in his Hands: Which Pay every such Captain or Commanding Officer is hereby required to distribute to each Person belonging to his Company by this Act intitled to receive the same as it shall become due; and shall once in every Year give in to the Clerk of the Regiment or Battalion to which such Company shall belong, an Account of several Payments he shall have made in pursuance of this Act, and shall pay back to the said Clerk the Surplus, if any, of the Money by him from time to time received, and then remaining in his Hands, except the Money by this Act allowed for contingent Expences, for the Disposition whereof Provision is herein after made: And the said Money allowed for the contingent Expences of each Regiment or Battalion of Militia shall once in every Year be accounted for by the Captain of each Company respectively in Manner aforesaid, and the Balance thereof shall be by him paid into the Hands of the Clerk of the Regiment or Battalion to which such Company shall belong, to be applied to the general Use of the said Regiment or Battalion, as the Field Officers and Captains thereof, or the greater Part of them, shall at a General Meeting direct: And the Captain of each Independent Company is hereby required to distribute to each Person belonging to his Company intitled thereto, such Money as he shall receive by virtue of this Act; and the said Money allowed for the contingent Expences of each Independent Company of Militia, shall be respectively applied to the particular Use of such Independent Company by the Captain thereof.

The Clerks are to pay one Month in Advance to the Adjutant, and 14 Days to the Serjeant-major and Drum-major; and two Months Pay in Advance to the Captains, for their respective Companies; who are to distribute the same as it becomes due; and account for the same yearly to the Clerk, and pay back the Surplus Monies; and also the Balance of the Money allowed for contingent Expences; which is to be applied to the general Use of the Regiment.

Captains of Independent Companies to distribute the Pay to their Men, and apply the Money allowed for contingent Expences.

V. And be it enacted, That the said Regimental or Battalion Clerk may and shall retain to his own Use, out of the Money so by him received, such further Sums as shall complete the Allowance herein before made for his Salary; and such Regimental or Battalion Clerk shall pay to such Person or Persons as shall produce an Order from his Majesty's Lieutenant, or from the Commanding Officer of such Regiment or Battalion, and such Captain of an Independent Company, or such Person as shall be by him appointed for that Purpose, shall pay and discharge such Sums of Money as shall be due and owing for or on Account of the Cloathing of the said Militia, not exceeding the Rates herein before mentioned.

Clerk to retain in his Hands Money for his own Salary;

and discharge the Cloathing Bills.

VI. Provided always, and be it enacted, That where any Regiment, Battalion or Independent Company of Militia, is or shall be imbodied and called out into actual Service, and thereby the Officers and Private Militia Men are or shall be intitled to the same Pay as the Officers and Private Men in his Majesty's other Regiments of Foot receive, all Pay from the Receiver or Receivers General of the Land Tax for the County, Riding or Place, to which such Regiment, Battalion, or Independent Company of Militia shall belong, whether to the Adjutant, Serjeants, Private Militia Men, or others; and all Money allowed as aforesaid for the contingent Expences of such Regiment, Battalion, or Independent Company of Militia; and also the Allowance to the Clerk of such Regiment, or Battalion, shall during such Time of actual Service cease, and not be paid.

During the Time the Troops are imbodied, and called out into actual Service, all Pay from the Receivers General is to cease.

VII. And be it enacted, That the said Receiver or Receivers General of the Land Tax shall pay to the Clerk of the General Meetings his Allowance, at the Rate of five Pounds five Shillings for each Meeting, upon his producing an Order or Orders for that Purpose from his Majesty's Lieutenant, or from three Deputy Lieutenants assembled at some General Meeting or Meetings; and shall also pay to each and every the Clerks of the Subdivision Meetings their several Allowances, at the Rate of one Pound one Shilling for each Meeting, upon his or their producing an Order or Orders from one or more Deputy Lieutenant or Deputy Lieutenants assembled in the several Subdivision Meetings; which said Order or Orders shall be to the said Receiver or Receivers General of the Land Tax a sufficient Discharge for the Payment of such Allowances, and be allowed in his or their Account.

The Clerk of the General Meetings is to be paid his Allowance, upon producing an Order from the Lieutenant, &c. and the Clerks of the Subdivision Meetings, upon producing a like Order from the Deputy Lieutenants. Orders to discharge the Receivers General.

VIII. Provided always, and be it enacted, That the Clerk of each Regiment or Battalion of Militia shall give Security to his Majesty's Lieutenant of the County, Riding or Place to which such Regiment or Battalion shall belong, by a Bond to his Majesty in the Penalty of one Half of the Sum required for the whole Year's Charge of the Regiment or Battalion of Militia to which such Clerk shall belong, for duly answering and paying such Sums as he shall from time to time have received, and for duly accounting for the same, and for Performance of the Trust hereby in him reposed; which said Bond shall be lodged in the Hands of the Receiver or Receivers General of the Land Tax for the respective County, Riding or Place, who in case the said Regimental or Battalion Clerk shall not duly perform the Conditions comprised in the said Bond, shall and is hereby required forthwith to put the said Bond in Suit in the Name of his Majesty, his Heirs and Successors; the full Costs and Charges of which Suit shall be paid by the said Regimental or Battalion Clerk, to the said Receiver or Receivers General of the Land Tax, who shall likewise be intitled to and receive to his or their own Use, at the Rate of five Pounds *per Centum* out of all such Monies as shall be by him or them recovered thereon, and shall account for the Residue thereof with the proper Auditor of his Majesty's Revenue, the said Receiver or Receivers General of the Land Tax charging himself or themselves therewith upon the next Account of the Land Tax to be by him or them passed.

Regimental and Battalion Clerks to give Security for paying and accounting for the Monies received by them;

the Bonds to be lodged with the Receivers General, and put in Suit by them, &c. on Nonperformance of the Conditions; and they are intitled thereupon to full Costs and Charges, and 5 l. per Cent. of the Money recovered; the Residue to be accounted for to the Auditor.

The Regimental and Battalion Clerks, and Captains of Independent Companies, are to deliver in Accounts of their Receipts and Disbursements,

IX. And be it enacted, That the Clerk of every Regiment or Battalion of Militia, and the Captain of every Independent Company of Militia, in every County, Riding and Place, within the Part of *Great Britain* aforesaid, shall, between the twenty-fifth Day of *March* and the twenty-fifth Day of *June* in the Year one thousand seven hundred and sixty-one, deliver to the Receiver or Receivers General of the Land Tax for the County, Riding or Place, to which such Regiment, Battalion, or Independent Company shall belong, a fair Account in Writing of all Monies by him received and disbursed for the Service of the preceding Year in pursuance of this Act, with proper Vouchers for the same; and shall pay back to the said Receiver or Receivers General of the Land Tax any Surplus of such Monies that shall be then in his Hands; which said Accounts, signed by such Regimental or Battalion Clerk, or by such Captain of an Independent Company respectively, shall be transmitted by the said Receiver or Receivers General of the Land Tax into the Office of the proper Auditor of his Majesty's Revenue.

and pay over the Balance to the Receivers General; who are to transmit the Accounts into the Auditor's Office.

Lieutenants neglecting to take proper Security of the Clerks, or to deposit the Bonds with the Receivers General, are answerable for any Loss of Monies sustained by their Default.

X. And be it enacted, That in case his Majesty's Lieutenant of any County, Riding or Place, within the Part of *Great Britain* aforesaid, shall neglect to take such Security as aforesaid, from the Clerk or Clerks of his or their respective Regiment or Regiments, Battalion or Battalions of Militia, or to deposit the same in the Hands of the Receiver or Receivers General of the Land Tax, for the same County, Riding or Place, such his Majesty's Lieutenant shall be answerable to such Receiver or Receivers General of the Land Tax for any Loss of public Monies sustained by the Default of such Clerk or Clerks.

Recovery of Penalties, &c.

XI. Provided always, and be it enacted, That all Penalties, all Costs and Charges of Suit, and all Sums of Money for which any Person or Persons is or are by this Act made answerable, may and shall be recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint or Information, wherein no Essoin, Wager of Law, or Protection, nor more than one Imparlance shall be allowed.

Every Militia Man called out into actual Service, is to receive the Guinea allowed by Act 31 Geo. 2. c. 26.

XII. And to obviate and prevent all Doubts that have arisen, or may arise, concerning the Claim of Militia Men in actual Service, to the Guinea allowed, by the said Act passed in the thirty-first Year of his Majesty's Reign, to every Private Militia Man ordered out into actual Service, and by the said Act directed to be paid to every such Private Militia Man, by their respective Captains, on or before the Day appointed for their marching; Be it enacted and declared, That every Private Militia Man, who has, or shall have been ordered out into actual Service, whether at the Time when the Regiment, Battalion, or Independent Company to which such Private Militia Man belongs, has belonged, or shall belong, was or shall be first imbodied and ordered out into actual Service, or afterwards, and who shall not have received Guinea so allowed as aforesaid, shall in Consideration of his having been so called out into actual Service, be, and be deemed to be, intitled to, and shall receive one Guinea from the Captain of the Company to which such Private Militia Man respectively doth, did, or shall belong, or have belonged; which Captain shall receive from the Receiver or Receivers General of the Land Tax for the County, Riding or Place, to the Militia whereof such Company doth, did, or shall respectively belong, so many Guineas as now are, or shall be so due, and the Amount thereof shall be allowed to such Receiver or Receivers General of the Land Tax, in his or their Accounts.

and the Receivers General are to pay to the Captains the Money that is or shall be due on that Account.

No Fee to be paid for issuing Warrants for Money.

XIII. Provided always, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid, for or upon Account of any Warrant or Sum of Money, which shall be issued in relation to, or in pursuance of this Act.

No Militia Man untrained before passing this Act, is intitled to his Cloaths until he has served three Years, if unimbodied; or one Year if in actual Service.

XIV. Provided always, and be it enacted, That no Private Militia Man who shall not have been trained and exercised before the passing of this Act, shall be intitled to his Cloaths for his own Use, until he shall have served for the Space of three Years, if unimbodied; or for the Space of one Year, if imbodied and in actual Service, after Delivery of the said Cloaths.

Act 30 Geo. 2. c. 25.

'XV. And whereas Doubts have arisen upon an Act made in the thirtieth Year of his present 'Majesty's Reign, intituled, *An Act for the better ordering the Militia Forces in the several Counties of* 'that Part of Great Britain *called* England, with regard to the Time when the Pay of the Officers 'of the Militia and Private Militia Men which have been, or shall be ordered out into actual Service, 'ought to commence;' It is hereby further declared and enacted, That the Officers of the Militia and Private Militia Men are and shall be intitled to Pay, from the Day of the Date of his Majesty's Warrant for drawing out and imbodying the said Militia; any Thing herein, or in any other Act contained to the contrary notwithstanding.

Officers and Men are intitled to Pay, from the Date of the Warrant for their being drawn out and imbodied.

See further 2 *Geo.* 3. c. 20.

CAP. XXV.

An Act for continuing certain Laws relating to the additional Number of one hundred Hackney Chairs, and to the Powers given for regulating Hackney Coaches and Chairs.

Preamble, reciting Clauses in Act 12 Geo. 1. c. 12.

'WHEREAS so much of an Act made in the twelfth Year of the Reign of his late Majesty, 'as relates to the additional Number of one hundred Hackney Chairs therein mentioned, 'and also several Clauses relating to the Jurisdiction, Powers and Authorities, of the Commissioners for licensing and regulating Hackney Coaches and Chairs, and of Justices of the Peace, and

'the Rules, Penalties and Forfeitures, Orders and Directions, in the Acts herein after mentioned, 'are near expiring: And whereas by an Act made in the third Year of the Reign of his said late 'Majesty, the Rates, Duties, Rents or Payments, granted by or mentioned in former Acts for 'licensing Hackney Coaches and Chairs, were made perpetual, subject to Redemption by Parlia- 'ment; and it is therefore proper that so much of the said Act made in the twelfth Year of his 'Majesty's Reign, as relates to the said additional Number of Hackney Chairs, and the said several 'Clauses, Rules, Penalties, Forfeitures, Orders and Directions, should be in Force, during the 'Continuance of such Rates, Duties, Rents or Payments aforesaid;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said Act made in the twelfth Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for granting an Aid to his Majesty, by laying a Duty upon all Victuallers and Retailers of Beer and Ale within the Cities of* London *and* Westminster, *and the Weekly Bills of Mortality; and for prohibiting their sending Beer or Ale out of their Houses to distant Places in any Pots or Vessels less than a Gallon; and also for adding one hundred additional Hackney Chairs to those already licensed; and for applying certain Arrears of former Land Taxes towards the Supply granted to his Majesty, for the Service of the Year one thousand seven hundred and twenty-six; and for appropriating the Supplies granted in this Session of Parliament*; as relates to the additional Number of one hundred Hackney Chairs therein mentioned, which was to continue in Force for eighteen Years, from the twenty-fourth Day of *June* one thousand seven hundred and twenty-six; and which by another Act made in the sixteenth Year of his present Majesty's Reign, was further continued until the twenty-fourth Day of *June* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament, shall be and is hereby continued in full Force and Effect, for and during such further Time as any former Act relating to the licensing of Hackney Coaches or Chairs, or any Part of such former Act, shall be in Force and have Continuance.

and 3 Geo. 1. c. 7.

So much of the recited Act of 12 Geo. 1. as relates to the additional Number of Hackney Chairs, which was continued by several subsequent Acts, is to be in Force for such further Time, as any former Act relating to the licensing Hackney Coaches or Chairs, shall have Continuance.

16 Geo. 2. c. 26.

II. And be it further enacted by the Authority aforesaid, That the several Clauses in an Act made in the ninth Year of the Reign of her late Majesty Queen ANNE, (intituled, *An Act for licensing and regulating Hackney Coaches and Chairs; and for charging certain new Duties on Stampt Vellum, Parchment and Paper, and on Cards and Dice, and on the Exportation of Rock Salt for* Ireland; *and for securing thereby, and by a Weekly Payment out of the Post Office, and by several Duties on Hides and Skins, a yearly Fund of one hundred eighty-six thousand six hundred and seventy Pounds, for thirty-two Years, to be applied to the Satisfaction of such Orders as are therein mentioned, to the Contributors of any Sum not exceeding two millions, to be raised for carrying on the War, and other her Majesty's Occasions*) and in an Act made in the tenth Year of the Reign of her said late Majesty (intituled, *An Act for laying several Duties upon all Sope and Paper made in* Great Britain, *or imported into the same; and upon chequered and striped Linens imported; and upon certain Silks, Callicoes, Linens, and Stuffs, printed, painted, or stained; and upon several Kinds of Stampt Vellum, Parchment and Paper; and upon certain printed Papers, Pamphlets, and Advertisements, for raising the Sum of eighteen hundred thousand Pounds by way of a Lottery, towards her Majesty's Supply; and for licensing an additional Number of Hackney Chairs; and for charging certain Stocks of Cards and Dice; and for better securing her Majesty's Duties to arise in the Office for the Stamp Duties by Licences for Marriages, and otherwise; and for Relief of Persons who have not claimed their Lottery Tickets in due Time, or have lost Exchequer Bills or Lottery Tickets; and for borrowing Money upon Stock, Part of the Capital of the* South Sea *Company, for the Use of the Public*) and in one other Act made in the twelfth Year of the Reign of her said late Majesty (intituled, *An Act for explaining the Acts for licensing Hackney Chairs*) and also in an Act made in the first Year of the Reign of his late Majesty King GEORGE the First (intituled, *An Act for better regulating Hackney Coaches, Carts, Drays, Carrs, and Waggons, within the Cities of* London *and* Westminster, *and the Weekly Bills of Mortality; and for preventing Mischiefs occasioned by the Drivers riding upon such Carts, Drays, Carrs, and Waggons*) relating to the Jurisdiction, Powers and Authorities of the Commissioners for licensing and regulating Hackney Coaches and Chairs, and of Justices of the Peace, and the Rules, Penalties and Forfeitures, Orders and Directions therein mentioned; which said several Clauses were to have Continuance from the several Times of the Commencement thereof, for the respective Terms therein mentioned; and which by an Act made in the sixteenth Year of his present Majesty's Reign, were further continued until the twenty-fourth Day of *June* one thousand seven hundred and sixty, and from thence to the End of the then next Session of Parliament; shall be and are hereby continued in full Force and Effect, for and during such further Time as any other Part of the said Acts relating to the licensing of Hackney Coaches or Chairs shall be in Force and have Continuance.

The Clauses in the Act 9 Ann. c. 23.

10 Ann. c. 19.

12 Ann. st. 2. c. 14.

and 1 Geo. 1. c. 57.

relating to the Jurisdiction and Powers of the Commissioners for licensing, &c. Hackney Coaches and Chairs, are to be in Force during such Time as any other Part of the said Acts relating to the licensing, &c. Hackney Coaches or Chairs shall have Continuance.

16 Geo. 2. c. 26.

CAP.

CAP. XXVI.

An Act for reviving and continuing so much of an Act made in the twenty-first Year of his present Majesty's Reign, as relates to the more effectual Trial and Punishment of High Treason, and Misprison of High Treason, in the Highlands in *Scotland*; and also for continuing two other Acts, one made in the nineteenth Year, and the other made in the twenty-first Year, of his present Majesty's Reign, so far as they relate to the more effectual disarming the Highlands of *Scotland*, and for securing the Peace thereof.

Preamble, reciting Clauses in Acts 21 Geo. 2. c. 19.

19 Geo. 2. c. 39.

and 21 Geo. 2. c. 34.

'WHEREAS so much of an Act made in the twenty-first Year of the Reign of his present Majesty, intituled, *An Act for the more effectual Trial and Punishment of High Treason in the Highlands of* Scotland; *and for abrogating the Practice of taking down the Evidence in Writing in certain Criminal Prosecutions; and for making some further Regulations relating to Sheriffs Deputes and Stewarts Depute, and their Substitutes; and for other Purposes therein mentioned*; as relates to the Trial and Punishment of High Treason, and Misprision of High Treason, committed in the Highlands of *Scotland*, is now expired; and also so much of another Act made in the nineteenth Year of his present Majesty's Reign, intituled, *An Act for the more effectual disarming the Highlands in* Scotland; *and for the more effectually securing the Peace of the said Highlands; and for restraining the Use of the Highland Dress; and for further indemnifying such Persons as have acted in Defence of his Majesty's Person and Government, during the unnatural Rebellion; and for indemnifying the Judges and other Officers of the Court of Justiciary in* Scotland *for not performing the Northern Circuit in* May *one thousand seven hundred and forty-six; and for obliging the Masters and Teachers of private Schools in* Scotland, *and Chaplains, Tutors, and Governors of Children and Youth, to take the Oaths to his Majesty, his Heirs or Successors, and to register the same*; as relates to the more effectually disarming and securing the Peace of the Highlands of *Scotland*; and also so much of another Act made in the twenty-first Year of his present Majesty's Reign, intituled, *An Act to amend and enforce so much of an Act made in the nineteenth Year of his Majesty's Reign, as relates to the more effectual disarming the Highlands in* Scotland, *and restraining the Use of the Highland Dress; and to Masters and Teachers of Private Schools, and Chaplains; and to explain a Clause in another Act made in the same Year, relating to Letters or Orders of Episcopal Ministers in* Scotland; *and to oblige Persons allowed to carry Arms, and the Directors of the Banks there, and certain Persons belonging to, and practising in, the Courts of Session and Justiciary, to take the Oaths; and to repeal some Clauses in an Act made in the first Year of the Reign of his late Majesty King George the First, whereby certain Encouragements are given to Landlords and Tenants in* Scotland, *who shall continue in their Duty and Loyalty to his said late Majesty; and for other Purposes therein mentioned*; as relates to the disarming of the Highlands, are near expiring: And whereas all these Acts have been found useful and beneficial to the Publick;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That so much of the said first mentioned Act made in the twenty-first Year of the Reign of his present Majesty, as relates to the Trial and Punishment of High Treason, and Misprison of High Treason, committed in the Highlands of *Scotland*, shall from and after the first Day of *June* one thousand seven hundred and sixty be revived and shall continue and be in Force for the Space of seven Years, and from thence to the End of the then next Session of Parliament.

So much of the first recited Act of 21 Geo. 2. as relates to the Trial and Punishment of High Treason, and Misprision of High Treason, further continued for 7 Years.

II. And be it further enacted by the Authority aforesaid, That so much of the two other Acts made in the nineteenth and twenty-first Years of the Reign of his present Majesty, as relate to the more effectually disarming the Highlands of *Scotland*, and securing the Peace thereof, shall be, and are hereby continued, and shall in Force from the Time limited for the Expiration thereof, for seven Years, and from thence to the End of the then next Session of Parliament.

So much of the other two Acts of 19 & 21 Geo. 2. as relate to the more effectually disarming the Highlands, further continued for 7 Years.

CAP. XXVII.

An Act to repeal so much of an Act passed in the twenty-ninth Year of his present Majesty's Reign, concerning a free Market for Fish at *Westminster*, as requires Fishermen to enter their Fishing Vessels at the Office of the Searcher of the Customs at *Gravesend*; and to regulate the Sale of Fish at the first Hand in the Fish Markets in *London* and *Westminster*; and to prevent Salesmen of Fish buying Fish to Sell again on their own Account; and to allow Bret and Turbot, Brill and Pearl, although under the respective Dimensions mentioned in a former Act, to be imported and sold; and to punish Persons who shall take or sell any Spawn, Brood, or Fry of Fish, unsizeable Fish, or Fish out of Season, or Smelts under the Size of five Inches; and for other Purposes.

'WHEREAS by An Act made in the twenty-ninth Year of his present Majesty's Reign, intituled, *An Act for explaining, amending, and rendering more effectual an Act made in the twenty-second Year of his present Majesty's Reign*, intituled, *An Act for making a free Market for the Sale of Fish in the City of* Westminster; *and for preventing the Forestalling and Monopolizing of Fish; and for allowing the Sale of Fish, under the Dimensions mentioned in a Clause contained in an Act of the first Year of his late Majesty's Reign, in case the same are taken with a Hook*; it was (amongst other Things) enacted, That if any Fisherman, or other Person or Persons whatsoever, Master or Owner of any Fishing Ship, Sloop, Smack, or Fishing Vessel, coming from Sea, or other Person having the Conduct of such Fishing Ship, Sloop, Smack, or Fishing Vessel, Natives or Foreigners, employed either in catching, bringing, or vending of Fish, for the Supply of the Cities of *London* and *Westminster*, should break Bulk or make Sale of their Fish, or any Part thereof, between *Harwich* and the *Nore*, or *Margate* and the *Nore*, to any Person or Persons to sell again, or should not enter their Ship, Sloop, Smack, or other Fishing Vessel, at such Place or Places, and within such Time as therein was, and herein after is, mentioned, or should keep any Shell, Fish, or other Fish whatsoever, in such their Ship, Sloop, Smack, or other their Fishing Vessel or Vessels, or in any Well-boat or Store-boat, after such their Arrival, so as not to sell off their whole Cargo of Fish within the Space of eight Days, to be reckoned from the Day of such their Arrival at the *Nore* as aforesaid, and thereof should be convicted before one or more of his Majesty's Justices of the Peace for the Counties of *Kent* or *Essex*, or before the Mayor, Recorder, or such Aldermen for the Time being, who had Power to act as Justices of the Peace within the Corporations of *Queenborough* or *Gravesend*, on his, her or their own Confession or Confessions, in Writing under his or their Hand or Hands, or on the Oath of one or more credible Witness or Witnesses; which Conviction should be final, and without any Appeal whatsoever; such Ship, Sloop, Smack, or Fishing Vessel, Boat, Store-boat, or other Boat, into which the said Fish, or any Part thereof, should be unloaded or delivered, with all Tackle, Apparel and Furniture to the same belonging, together with the whole Cargo of such Fish, should be forfeited by the Owners thereof, and disposed of as therein after mentioned; such Forfeitures to be levied by Distress and Sale, by Warrant under the Hand and Seal of any one or more of his Majesty's Justices of the Peace within the said Counties of *Kent* or *Essex*, or of the said Mayor, Recorder, or Aldermen, acting for the Time being as Magistrates, within the Towns of *Queenborough* and *Gravesend*, or such Mayor, Recorder, or Aldermen of any other Corporate Town, between the said Towns of *Queenborough* and *Gravesend* and the City of *Westminster* as aforesaid; which Warrant or Warrants the said Justice or Justices, Mayors, Recorders, or Aldermen, was and were thereby impowered and required to make and issue accordingly, and to be directed to the High Constable, Petty Constable, Headborough, or Tythingman, of either of the said Towns of *Queenborough* or *Gravesend* or any other Towns as aforesaid, near unto where any such Offences should be committed, or where such Ship, Sloop, Smack, or Fishing Vessel, Boat, Store-boat, or other Boat should then be, to take and seize the same, and sell and dispose thereof within fourteen Days accordingly; and one Moiety or Half-part of the Produce of such Sale, after reasonable Charges deducted, should go and be paid to the Informer or Informers, as the said Justices should appoint, and the other Moiety to the Trustees appointed to put the said recited Act in Execution, and for the Purposes therein mentioned: Provided nevertheless, That in case any such Fishing Vessel was freighted or loaded with Lobsters, or whose Part Loading might be made up with Lobsters, and the Fishermen or other Person or Persons, Natives or Foreigners, who should be Owners of such Lobsters, or have the Power to sell and dispose of the same, should sell of her whole Cargo of such Lobsters, within twelve Days after the Arrival of such Vessel, at the Place or Places therein before appointed for that Purpose, and in all other Respects conform to the Directions of the said Acts; then and in such Case, the Sale of the whole Cargo of such Lobsters should be, and was thereby declared to be, as good a Sale thereof as if such Sale had been compleated and and made within the said limited Time of eight Days before mentioned: And it was thereby further enacted, That from and after the twenty-fourth Day of *June* one thousand seven hundred and fifty-six, there should

Preamble reciting Act 29 Geo. 2. c. 39. 22 Geo. 2. c. 49.

'be

'be paid to his Majesty's Searcher or Searchers at *Gravesend*, for the Certificate of the Entry of the 'Arrival of any such Fishing Ship, Sloop, Smack, or other Vessel or Vessels as aforesaid, the Sum 'of two Shillings, which was to be applied in Manner following; that is to say, There should be 'kept and retained by and to the Use of the said Searcher or Searchers, for making out such Certi- 'ficate, six Pence; and the remaining one Shilling and six Pence was thereby vested in the said 'Trustees, and was to be paid by such Searcher or Searchers, from time to time to the said Tru- 'stees, or such other Person or Persons as the said Trustees, or any five or more of them should, by 'any Writing for that Purpose under their Hands and Seals, direct and appoint; and which said 'Payment of one Shilling and six Pence, on each Fishing Vessel as aforesaid, was to be applied 'by the said Trustees, or any five of them, in the first Place to pay such Inspector, or In- 'spectors of the Fishing Vessels, for his or their said Service, and for theCharges of a Boat, such 'yearly Sum as the said Trustees, or any nine of them, should think was fit and reasonable for such 'Service; and if any Surplus arose over and above, then to apply such Surplus in the same Manner 'as the Surplus arising from the Tolls and Duties of the said recited Act were directed to be ap- 'plied: And it was thereby also further enacted, That the Master, Owner, Chief Officer, or Ma- 'riner, who should have the Care or Conduct of any such Ship, Sloop, Smack, or other Vessel or 'Vessels made use of for the catching or importing of Fish as aforesaid, should within three Days 'after the Arrival of such Fishing Ship, Sloop, Smack, or other Vessel or Vessels at the *Nore* as 'aforesaid, truly report the Time of such Arrival to his Majesty's said Searcher or Searchers at 'their Office at *Gravesend*, or to the Chief Officer of his Majesty's Customs there, who was thereby 'directed and required to take Notice of and enter the same in a Book to be kept for that Purpose, 'and to give a Certificate thereof to such Master, Owner, Chief Officer, or Mariner belonging to 'the said Fishing Ship, Sloop, Smack, or other Vessel: And whereas the going to *Gravesend*, and 'the stopping there to report to his Majesty's Searcher or Searchers at their Office at *Gravesend*, or 'to the Chief Officer of his Majesty's Customs there, the Time of the Arrival of every Fishing 'Ship, Sloop, Smack, or other Vessel or Vessels at the *Nore*, within the Space of three Days after 'such the Arrival thereof at the *Nore*, hath been found inconvenient, and sometimes prejudicial, to 'the Owners of such Fishing Ships, Sloops, Smacks, and Vessels, as by stopping to make such Re- 'port or Entry there, Fishing Ships, Sloops, Smacks, and Vessels, sometimes lose the Tide, and 'cannot get to *Billingsgate* Market to sell their Cargo of Fish there until the next Day's Market; 'and the great Penalties the Owners of such Vessels are, by the said herein before recited Act made 'in the said twenty-ninth Year of his present Majesty's Reign, liable to in case of the Neglect or 'Omission of the Master or other Person, who hath the Conduct of the Fishing Ship, Sloop, Smack, 'or other Fishing Vessel (and in general is only Servant to the Owner or Owners thereof) to make 'such Report at *Gravesend*, as by the said herein before recited Act is directed; and the not giving 'a Power to appeal where the Parties informed against deem themselves aggrieved by the Conviction 'of a Justice of Peace, tend to the Discouragement of the Owners of such Fishing Vessels, who are 'at a considerable Expence to fit out such Vessels to catch Fish at Sea;' For Remedy therefore in the Premisses, may it please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and sixty, so much of the said recited Act made in the said twenty-ninth Year of his said present Majesty's Reign, as obliges the Fishermen and others, Masters or Owners, or having the Conduct of any Fishing Ship, Sloop, Smack, or Fishing Vessel, to enter their Ship, Smack, Sloop, or other Fishing Vessel, with his Majesty's Searcher or Searchers at *Gravesend*; and to the Payment to such Searcher or Searchers thereof the Sum of two Shillings for the Certificate of such Entry; and also to report the Time of the Arrival of such Fishing Ship, Sloop, Smack, or other Fishing Vessel or Vessels at the *Nore* as aforesaid, to his Majesty's said Searcher or Searchers at their Office at *Gravesend*, or to the Chief Officer of his Majesty's Customs there, shall be and is hereby repealed.

So much of the recited Act of 29 Geo. 2. as obliges Fishermen to enter and report their Vessels with the Searcher at Gravesend, &c. repealed.

II. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* the Master, Owner, Chief Officer, or Mariner, who shall have the Care or Conduct of any such Fishing Ship, Sloop, Smack, or other Vessel or Vessels made Use of for the catching or importing of Fish as aforesaid, shall within three Days after the Arrival of any such Fishing, Ship, Sloop, Smack, or other Vessel or Vessels at the *Nore* as aforesaid, with any such Fish, truly report the Time of such Arrival of every such Fishing Ship, Sloop, Smack, or other Vessel, to the Person who, for the time being, shall act as the deputed Clerk in the Coast Office, under the Collector outward in the Port of *Loedon*, at the *Custom-House* in *London*, who is hereby directed and required to take Notice thereof, and to enter the same in a Book to be by him provided and kept for that Purpose; and also to give a Certificate thereof, if required, to such Master, Chief Officer, or Mariner, who shall make any such Entry as aforesaid; and that there shall be paid to such said Person, who for the Time being shall act as deputed Clerk at the said Coast Office under the Collector outward in the said Port of *London*, for receiving and entering every such Report, and giving a Certificate thereof, if required, the Sum of two Shillings, which shall be applied in Manner following; that is to say; The Sum of Sixpence, Part thereof shall be kept and retained by and for the Use of such Person who for the Time being shall act as such deputed Clerk at the said Coast Office, under the said Collector outward, for receiving and entering every such Report, and giving a Cer-

And such Report, for the future, to be made within 3 Days after the Arrival of every Vessel with Fish at the Nore, to the Clerk of the Coast Office, London,

who is to make an Entry and grant a Certificate thereof;

for which 2 s. is to be paid;

6 d. thereof to go to the Clerk; and

a Certificate thereof, if required; and the Sum of one Shilling and six Pence, the Remainder thereof shall from Time to Time be paid by such said deputed Clerk to the Trustees of the said Fish Market in *Westminster* for the Time being, or such Person or Persons as the said Trustees, or any five or more of them, shall by Writing for that Purpose under their Hands, direct or appoint; and the Receipt of such Person or Persons as the said Trustees, or any five of them, shall from Time to Time, direct or appoint to receive the Remainder of every such two Shillings, shall be and is hereby declared to be, at all Times, a full Discharge to such said deputed Clerk at the said Coast Office, under the Collector outward for the same: And the Money which shall be received by any such Person or Persons shall, from Time to Time, be applied by the said Trustees, or any five of them, to the like Uses and Purposes, as the Money, by the said herein before recited Act to be paid them by the said Searcher or Searchers at *Gravesend*, was thereby directed to be applied.

1 s. 6 d. to the Trustees of the Fish Market at Westminster;

to be applied as the recited Act directs.

III. And be it further enacted by the Authority aforesaid, That if the Master, Chief Officer, or Mariner, who shall have the Care or Conduct of any such Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels, shall not, within the Space of three Days next after the Arrival of such Fishing Ship, Sloop, Smack or other Vessel or Vessels, at the *Nore* as aforesaid, enter or cause to be entered, every such Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels, with such said deputed Clerk as aforesaid at the said Coast Office, under the said Collector outward; then, in every such Case, on Information being given thereof on Oath before any Justice of the Counties of *Kent*, *Surry*, *Essex* or *Middlesex*, or of the Cities of *London* or *Westminster*, or before the Mayor, Recorder or Aldermen acting for the Time being, as Magistrates within the Towns of *Queenborough* and *Gravesend*, or before the Mayor, Recorder or Aldermen of any other Corporate Town between the said Towns of *Queenborough* and *Gravesend*, and the said City of *Westminster*, and on such Master or other Person as aforesaid, who shall have the Care or Conduct of any such Fishing Ship, Sloop, Smack, or other Fishing Vessel or Vessels as aforesaid, being convicted of having neglected or omitted to make such Entry as aforesaid, either on his own Confession, or by the Oath of one or more credible Witness, before any such Justice or Justices, the Owner or Owners of every such Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels as aforesaid, shall, for every such Offence, forfeit and pay the Sum of fifty Pounds.

The Master, &c. neglecting to make such Entry, forfeits, on Conviction, 50 l.

IV. And be it also enacted by the Authority aforesaid, That every Master, Owner, Chief Officer or Mariner, who shall have the Care or Conduct of any such Fishing Ship, Sloop, Smack or Vessel as aforesaid, shall also, at the Time of his making, or causing to be made, at the said Coast Office, the Report hereby required to be made by him, give to and leave with, the said Person who for the Time being shall act as the deputed Clerk at the said Coast Office, under the said Collector outward, a true and particular Account, according to the best of the Judgment and Belief of every such Master, Owner, Chief Officer or Mariner as aforesaid, and either in Writing or printed, of all fresh Salmon, Salmon Trouts, Turbots and large fresh Cod, and half fresh Cod Fish, Haddock, Scate Fish, fresh Ling, Lobsters, Soles and Whitings, which shall be brought alive to the *Nore* in every such fishing Ship, Sloop, Smack or other Fishing Vessel as aforesaid; upon Pain that the Owner or Owners of every such Fishing Sloop, Smack or other Fishing Vessel or Vessels, whose Master, Owner, Chief Officer or Mariner as aforesaid, shall refuse, neglect or omit, to give or leave such Account, or who shall give or leave any false or untrue Account thereof, shall, on any such Master, Owner, Chief Officer or Mariner as aforesaid, being convicted of any such Offence, either on his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any such Justice or Justices as aforesaid, for every such Offence, forfeit and pay the Sum of twenty Pounds; or if any such Master, Owner, Chief Officer or Mariner, who shall have the Care or Conduct of any such Fishing Ship, Sloop, Smack or other Vessel, or any other Person on board such Fishing Ship, Sloop, Smack or other Vessel, after her Arrival at the *Nore*, shall wilfully destroy, or throw or cast away, or cause to be wilfully destroyed, or thrown or cast away, any Fish which the said Fishing Ship, Sloop, Smack or Fishing Vessel, shall have brought from the Sea that is not unwholesome, perished or unmarketable, such Master, Chief Owner, Officer or Mariner shall be committed to the House of Correction, there to remain without Bail or Mainprize, and to be kept to hard Labour, for any Time not exceeding two Months, nor less than one Month.

and if he refuses or neglects to give in at the same Time, a particular and true Account of the several Sorts of Fish brought alive to the Nore in his Vessel,

he forfeits 20 l.

and if after such Arrival, he shall wilfully destroy or throw away any of the said Fish, not being unwholesome or unmarketable, &c.

he is liable to be committed to the House of Correction, and kept to hard Labour for any Time not exceeding 2 Months nor less than one.

V. And be it further enacted by the Authority aforesaid, That all the above mentioned Forfeitures shall be levied by Warrant under the Hand and Seal, or Hands and Seals of any Justice or Justices of the Peace as aforesaid, by Distress and Sale of the Goods and Chattels of the Owner or Owners of the Fishing Ship, Sloop, Smack or other Vessel, whose Master, Chief Officer or Mariner as aforesaid, shall be convicted of any such Offence as aforesaid, by any such Justice or Justices as aforesaid, or by Distress and Sale of the Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels, whose Master, Chief Officer or Mariner as aforesaid, shall have been convicted of any such Offence as aforesaid, or of any Nets, Tackle or Furniture, as shall belong to any such Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels, together with the Costs of every such Distress and Sale; rendering the Overplus, if any, after the Money forfeited, and the Costs of every such Distress and Sale, shall be paid to the Person or Persons intitled thereto.

Method of Recovery of the Forfeitures aforesaid,

VI. And be it likewise enacted by the Authority aforesaid, That the Person for the Time being who shall act as deputed Clerk at the said Coast Office, under the said Collector outward, shall from Time to Time receive at the said Coast Office every Report which shall be there made, or offered to be made, of the Time of the Arrival of every such Fishing Ship, Sloop, Smack or other Vessel or Vessels as aforesaid at the *Nore*, and enter the same in a Book to be by him provided and kept for

The Clerk of the Coast Office is to receive and make Entry of all such Reports of Arrivals,

and Accounts given in of Fish on board such Vessels,

that Purpose; and shall also, from Time to Time, receive at the said Coast Office every Account which shall from Time to Time be brought, or offered to be made there, of the fresh Salmon, Salmon Trout, Turbot, and Large Fresh Cod, and Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles and Whitings as aforesaid, which shall be brought in any such Fishing Ship, Sloop, Smack or other Fishing Vessel as aforesaid to the *Nore*; and shall, from Time to Time, with all convenient Speed after any such Account of Fish as aforesaid shall be brought to the said Coast Office, cause the same or the Purport thereof to be entered in some Book to be provided by the said Person, who for the Time being shall so act as deputed Clerk at the said Coast Office, under the said Collector outward, for that Purpose; and which Book and Books shall, from Time to Time, be kept at the said Coast Office, and may be, at all Times in Office Hours there, examined into, and inspected by any Person or Persons.

and the Books in which such Entries are to be made, are to be kept at the Coast Office, and may be examined by any Person;

and is to make Returns weekly on Mondays, Wednesdays and Fridays, to the Mayor of London, and to the Person who shall be appointed by the Trustees for the Fish Market at Westminster, and also to the Inspector,

of all such Entries and Reports as aforesaid,

VII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, the Person who for the Time being shall act as such deputed Clerk at the said Coast Office as aforesaid, under the said Collector outward, shall on *Monday*, *Wednesday* and *Friday* in every Week, return or cause to be returned unto the Mayor of the City of *London* for the Time being in *London*; and to such Person as the said Trustees of the said Fish Market at *Westminster*, or any five of them, shall appoint in the City of *Westminster*; and likewise to the Inspector as aforesaid, at such Place as the said Trustees, or any five of them, shall by any Writing signed by them, appoint the same to be sent to such Inspector, and give Notice thereof to the Persons who for the Time being shall act as deputed Clerk at the said Coast Office as aforesaid; a true Account in Writing or printed, and in a fair and legible Character, of the Time when every respective Fishing Ship, Sloop, Smack or other Fishing Vessel as aforesaid, shall have been entered at the said Coast Office as having arrived at the *Nore*; and also of the Fresh Salmon, Salmon Trout, Turbot, Large Fresh Cod, and Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles and Whitings as aforesaid, which shall have been entered at the said Coast Office as brought to the *Nore* in such respective Fishing Ship, Sloop, Smack or other Fishing Vessel as aforesaid; upon Pain that the Person, who for the Time being shall act as such deputed Clerk at the said Coast Office as aforesaid, under the said Collector outward, shall in any wise offend in the Premisses, and be thereof convicted, either on his own Confession, or by the Oath of one or more Witness or Witnesses, before any Justice or Justices as aforesaid, shall for every such Offence, Neglect or Omission, forfeit and pay the Sum of five Pounds.

on Forfeiture of 5 l. for every such Omission or Neglect.

No Fish, after its Arrival at the Nore, is to be removed out of the Vessel in which it was brought into the Store or Well Boat of any other Vessel, on Penalty of 20 l.

nor may any Fish be delivered out of such Fishing Vessels, unless by Retail, into other Vessels, but such as shall be employed to carry the Fish directly to Market;

and if such Market Vessels shall loiter on their Way, or be above a Tide after taking in their Loading, in arriving at the Market, and delivering her Fish there, &c. the Offender is to be committed to hard Labour for any Time not exceeding two Months nor less than one.

VIII. And be it further enacted by the Authority aforesaid, That no Live Salmon, Salmon Trout, Turbot, Large Fresh Cod, Half Fresh Cod, Haddock, Scate, Fresh Ling, Soles or Whitings, shall at any Time after the Arrival thereof at the *Nore* as aforesaid be put into any Well Boat or Store Boat from or out of any such Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels as aforesaid, in which the same shall have been brought to the *Nore*; upon Pain that every Person who shall offend in the Premisses shall, for every such Offence, forfeit and pay the Sum of twenty Pounds; and that no such Fish shall be unloaded or delivered out of any Fishing Ship, Sloop, Smack or other Fishing Vessel or Vessels, unless by Retail, into any other Vessel or Boat after such her Arrival at the *Nore*, but into such Vessel or Vessels, Boat or Boats, as shall be employed to carry the Fish directly to the Market of *Billingsgate* or *Westminster*; and that no such Vessel or Boat, after such Fish put therein, shall afterwards loiter or keep from going on directly, and soon as may be, to and for the Market to which such Vessel or Boat is appointed or bound; and in case such Vessel or Boat, into which such Fish shall be unloaded and delivered out for the Market, shall remain above one Tide with her Fish, after taking in the same, in her Way between the Place of such Taking in and the Market at *Billingsgate* or *Westminster* as aforesaid; or shall remain without delivering her Fish there at or before the next Market, Accidents of Winds and Weather excepted, every such Person acting contrary to the said Prohibitions, shall be committed to the House of Correction, there to remain without Bail or Mainprize, and to be kept to hard Labour for any Time not exceeding two Months, nor less than one Month.

The Inspector is to examine whether the Entries are duly made,

and see that no Fish be put in any Store or Well Boats contrary to the Intent of the Act;

on Forfeiture for any Neglect or wilful Misbehaviour of 20 l.

IX. And be it further enacted by the Authority aforesaid, That the Inspector already appointed, and who shall hereafter be appointed under the said recited Act, shall from Time to Time employ himself as the said Trustees shall from Time to Time direct and appoint, in inspecting and examining whether the Entries made at the said Coast Office as hereby directed (and whereof Copies as aforesaid shall be transmitted to him) were made from Time to Time, within the Time the same ought to have been, and according to the Account which shall from Time to Time be transmitted from the said Coast Office to such Inspector, so as that such Inspector for the Time being may the better discover and prevent the Frauds designed to be remedied by the said recited Act, and this present Act; and see that no Fish shall be put in any Store or Well Boats contrary to the Intent of this Act; and if any such Inspector shall be negligent in the Performance of his Duty, or shall wilfully misbehave himself in the Execution of his Duty in the Premisses, he shall, on being convicted of any such Neglect or wilful Misbehaviour, either on his own Confession, or the Oath of one or more credible Witness or Witnesses as aforesaid, before any Justice or Justices as aforesaid, he shall forfeit and pay for every such Neglect or wilful Misbehaviour the Sum of twenty Pounds.

No Salesman may buy any Fresh Fish to be sold again, in which he is to be any ways interested,

X. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, no Person who shall sell, or be concerned in the Sale of any Fresh Fish by Commission, shall directly or indirectly buy or be concerned in the buying of any Fresh Fish to sell again for his or her own separate Account, or for the joint Account of him or herself and any other Person or Persons whatsoever: And if any Person shall offend in the Premisses, and be thereof convicted either on his or her own Confession, or by the Oath of one or more credible Witness or Witnesses, by any such Justice or Justices as aforesaid, every such Offender shall forfeit and pay for every such Offence the Sum of fifty Pounds.

on Forfeiture of 50 l.

Clause in Act 1 Geo. 1. c. 18.

'XI. And whereas by an Act of Parliament passed in the first Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the better preventing Fresh Fish taken by Foreigners imported into this Kingdom; and for the Preservation of the Fry of Fish; and for the giving Leave to import Lobsters and Turbots in Foreign Bottoms; and for the better Preservation of Salmon within the several Rivers of that Part of this Kingdom called* England; it is amongst other Things enacted, That after the Time in the said Act mentioned, no Person should bring to Shore in that Part of *Great Britain* called *England*, or sell, offer or expose to Sale, or exchange for any Goods, Matter or Thing, any Bret or Turbot which should not be of the Length or Size of sixteen Inches from the Eyes to the utmost Extent of the Tail; or any Brill or Pearl, which should not be fourteen Inches from the Eyes to the utmost Extent of the Tail, under the Penalties therein mentioned: And whereas Bret or Turbot, Brill or Pearl, are often taken in the Sea with an Hook, under the several Dimensions in the said last in Part recited Act mentioned, and if thrown again into the Sea, it is uncertain whether such thereof as have swallowed the Hook, will afterwards live or not;' Be it therefore further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June*, Bret or Turbot, Brill or Pearl, although under the respective Dimensions mentioned in the said Clause of the said last recited Act, may be exposed to Sale in *England*; any Thing contained in the said last recited Act to the contrary notwithstanding, so as the same be not by any Person or Persons, at any Time after the said twenty-fourth Day of *June*, sold by Retail, at a Price or Rate exceeding six Pence a Pound for every Pound any such Bret or Turbot under the said Dimension of sixteen Inches from the Eyes thereof to the utmost Extent of the Tail thereof, or any such Bill or Pearl under the Dimension of fourteen Inches from the Eyes thereof to the utmost Extent of the Tail thereof, shall weigh, and after that Proportion for any lesser Weight than a Pound: And if any Person shall ask, demand, or take, for any such Bret, Turbot, Brill or Pearl, under the respective Dimensions as aforesaid, any higher or greater Price than at and after the Rate of six Pence the Pound, and so in Proportion for any lesser Weight thereof than a Pound, which any such Bret or Turbot, Brill or Pearl, shall weigh; or shall refuse or neglect to weigh and measure any such Bret or Turbot, Brill or Pearl, which shall be exposed to or for Sale when required; every such Bret or Turbot, Brill or Pearl, shall be forfeited: And it shall be lawful for any Person to seize any such Bret or Turbot, Brill or Pearl, and deliver the same into the Hands of a Constable, and to charge such Constable with the Party who asked, demanded, or took any greater or higher Price than as aforesaid for the same; and every such Constable is hereby required to carry the Party so charged, and also the Bret or Turbot, Brill or Pearl which shall be so seized and delivered to him, with all convenient Speed before some Justice or Justices of the Peace, within whose Jurisdiction any higher Price than as aforesaid was asked, demanded or taken, for any such Bret or Turbot, Brill or Pearl which shall have been so seized: And if the Person who shall be charged with any such Offence shall be convicted thereof, either on his or her Confession, or by the Oath of one or more credible Witness or Witnesses, by any such Justice or Justices as aforesaid, every such Offender shall forfeit and pay the Sum of twenty Shillings for every such Offence, and the Bret or Turbot, Brill or Pearl which shall have been so seized as aforesaid, shall by Order of such Justice or Justices be given to the Person or Persons who shall prosecute to Conviction any such Offender or Offenders; and the Money paid for any such Bret or Turbot, Brill or Pearl, shall be returned to the Party or Parties who paid the same

Bret, Turbot, Brill or Pearl, may be brought to Market, though under the Dimensions of 16 Inches required by the recited Clause, so as the same be not sold by Retail above 6 d. per lb.

If any greater Price shall be demanded or taken,

or such Fish shall not be weighed or measured, if required, the same may be seized, and be carried, together with the Party, before a Justice,

and the Offender, upon Conviction, is to forfeit 20 s.

and the Money paid for the same to be returned.

No Fresh Fish may be sold at the First Hand, at the Market, or within a certain Distance thereof, during Market Hours, before a particular Account of the Quantity of the several Sorts of Fish be placed over the Stall or Place where the same are to be sold;

XII. And be it further enacted by the Authority aforesaid, That from and after the said twenty-fourth Day of *June* no Person shall sell, or expose to or for Sale, at the First Hand, at any Fish Market within the Limits of the Weekly Bills of Mortality, or within one hundred and fifty Yards of any such Fish Market, and during the Market Hours of any such Fish Market, any Fresh Salmon, Salmon Trout, Turbot, Large Fresh Cod Fish, or Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles, or Whitings, before he or she shall have first placed up, or caused to be placed up, in some conspicuous Manner, on or over the Form, Bench, Stall or Place at which he or she shall offer or expose to or for Sale, any such Fresh Salmon, Salmon Trout, Turbot, Large Fresh Cod, or Half Fresh Cod, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles or Whitings, a true Account, and in a large, fair, and legible Character, and either wrote or printed, of all Fresh Salmon, Salmon Trout, Turbot, and Large Fresh Cod, and Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles, or Whitings, which any such Person shall then have, or have been intrusted with to sell; distinguishing in every such Account the several Sorts of all such Fresh Salmon, Salmon Trout, Large Fresh Cod, and Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles, or Whitings as aforesaid, and the Quantity of every Sort thereof respectively, which any such Person shall then have, or is then intrusted with to sell: And if at any Time of the Morning or Day, in which any such Account shall have been so placed up, and before the Fish Market of that Day shall be ended or over, any other Fresh Salmon, or Salmon Trout, Large Fresh Cod Fish, or Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling,

and all such other Fish as shall be brought for Sale, before the Market is over, are to be added to the Account,

Lobsters, Soles or Whitings, shall be brought to or be intrusted with, any such Salesman or Factor as aforesaid, to sell, every such Salesman or Factor, before he or she shall sell, or offer or expose to or for Sale, any of such other Fresh Salmon, Salmon Trout, Turbot, Large Fresh Cod, or Half Fresh Cod Fish, Haddock, Scate Fish, Fresh Ling, Lobsters, Soles or Whitings as aforesaid, shall add a true Account or Particular thereof to the Account so before put up: And shall take Care that every such Account and Accounts which shall be so put up, shall continue up where the same shall have been first placed, until all the Fish specified therein shall be sold, or the Fish Market of the Day on which the same shall be so placed up shall be over or ended, without being defaced or obliterated; upon Pain that every one one who shall in any wise offend in the Premisses, or who shall wilfully take down, deface or obliterate any Account which shall be placed up as aforesaid, during the Time the same ought to continue up, and shall be convicted of any such Offence (other than and except the taking down, defacing or obliterating such Account, which shall be placed up as aforesaid) on his, her or their own Confession, or by the Oath of one or more Witness or Witnesses, before any such Justice or Justices as aforesaid, shall for every such Offence, forfeit and pay the Sum of ten Pounds; and that every Person who shall be convicted in Manner as aforesaid, of taking down, wilfully defacing, or obliterating, or causing to be taken down, defaced, or obliterated, any such Account placed up as aforesaid, at any Time whilst the same ought to have continued up, shall, for every such Offence, forfeit and pay the Sum of forty Shillings.

and the Account kept up undefaced till the Sale or Market is over,

on Forfeiture of 10l. for offending in any of the Premisses, except for pulling down, or defacing, any such Account for which the Forfeiture is 40s.

XIII. And for the better Preservation of the Spawn, Brood, and Fry of Fish, and for preventing the Sale of small and unsizeable Fish, and Fish out of Season, Be it further enacted by the Authority aforesaid, That no Person shall at any Time after the said twenty-fourth Day of *June* take, kill or destroy, or knowingly have in his or her Possession, either on the Water or on Shore, or shall bring to Shore, or cry, carry about, sell, offer or expose to or for Sale, or shall exchange for any Goods, Matter or Thing, any Spawn, Fry, or Brood of Fish, or any unsizeable Fish, or any Fish out of Season, or any Smelt which shall not be full five Inches in Length, from the Nose to the utmost Extent of the Tail thereof; and if any one shall offend in the Premisses, it shall be lawful for any other Person or Persons, under the Authority of this Act, to take and seize all or any such Spawn, Fry or Brood of Fish, or any unsizeable Fish, or any Fish out of Season, or any Smelt of less Size than five Inches from the Nose to the utmost Extent of the Tail thereof, wherever the same shall be found, together with all Baskets and Package in which the same shall be so found or taken, and also to charge a Constable, or other Peace Officer, with every such Offender and Offenders in the Premisses; and after every such Seizure shall be made, the Spawn, Fry or Brood, or other Fish, as aforesaid, together with the Baskets and Package in which the same shall be so seized, shall be delivered into the Hands of some Constable, or other Peace Officer; and every such Constable, or other Peace Officer, is hereby authorised and required to take every such Offender and Offenders, with whom he shall be so charged for any such said Offence, into his Custody, and also the Spawn, Fry or Brood of Fish, and all unsizeable Fish, and Fish out of Season, and all unsizeable Smelts, and all Baskets and Package in which the same shall be so seized, and which shall be delivered to such Constable, or other Peace Officer, as aforesaid, and to carry every such Offender and Offenders, and all such Spawn, Fry or Brood of Fish, and all unsizeable Fish, and Fish out of Season, and all unsizeable Smelts, together with the Baskets and Package, as aforesaid, which shall have been delivered to any such Constable, or other Peace Officer, with all convenient Speed, before some Justice or Justices as aforesaid, for such Offender and Offenders, to be dealt with according to Law; and on the Conviction of any such Offender or Offenders, for any such said Offence, before any such Justice or Justices, as aforesaid, every such Offender and Offenders shall forfeit all and every such Spawn, Fry or Brood of Fish, unsizeable Fish, and Fish out of Season, and every Smelt and Smelts of less Size than five Inches from the Nose to the utmost Extent of the Tail thereof, which shall be so seized, together with all Baskets or Package in which the same shall be so seized, and all such Spawn, Fry or Brood of Fish, unsizeable Fish, and Fish out of Season, and unsizeable Smelts, together with such Baskets and Package in which the same shall have been so seized as aforesaid, shall by Order of the Justice or Justices before whom the same shall be so brought, be delivered to the Person or Persons who shall have so seized the same, and shall prosecute to Conviction any such Offender or Offenders; and every Offender and Offenders in the Premisses, who shall be convicted as aforesaid of any such Offence, shall besides forfeit and pay for every such Offence the Sum of twenty Shillings.

All Spawn, Fry, or Brood of Fish, unsizeable Fish, Fish out of Season, or Smelts under 5 Inches long, which shall be found in any Persons Possession,

may be seized, together with the Offender,

and be delivered over to a Constable,

to be taken before a Justice.

to be dealt with according to Law; and on Conviction, the Offender forfeits all such Spawn and Fish, &c. to the Prosecutor.

and is to pay moreover 20 s.

XIV. And be it further enacted by the Authority aforesaid, That the Under Water Bailiff of the City of *London* for the Time being, and also the Officers of the City of *London* for the Time being, commonly called *The Yeomen of the Waterside*, shall, from and after the said twenty-fourth Day of *June*, from time to time, take Care to see that the Provisions hereby made concerning the Sale of fresh Fish in the Fish Market at *Billingsgate*, and for punishing Persons who shall have there in his or their Possession any Spawn, Brood or Fry of any Kind of Fish, or any unsizeable Fish, or any Fish out of Season, or any Smelt of less Size than five Inches from the Nose to the utmost Extent of the Tail thereof, shall be enforced and carried into Execution; and shall also from time to time take Care that the Provisions made by a Statute passed in the ninth Year of the Reign of her late Majesty Queen ANNE, (intituled, *An Act for the better Preservation and Improvement of the Fishery within the River of* Thames; *and for regulating and governing the Company of Fishermen of the said River)* against Regra-

The Under Water Bailiff, and Yeomen of the Waterside, to see that the Provisions of this Act concerning the Sale of fresh Fish at Billingsgate; and Punishment of Persons having Spawn or unsizeable Fish, &c. in their Possession,

be carried into Execution;

and that the Act 9 Ann. c. 26. against regrating of Fish in the said Market, be observed;

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ting of Fish in and at the Market of *Billingsgate*, or within one hundred and fifty Yards of *Billingsgate* Dock, be strictly observed; and to lay Information from time to time before some Justice or Justices of the Peace of the said City of *London*, against every Person and Persons whom the said Under Bailiff, or any Yeoman of the Waterside for the Time being, shall at any Time find or discover to offend against the Statute, in order that every such Offender may be punished as by the said last mentioned Statute is directed: And that from and after the said twenty-fourth Day of *June*, the Person or Persons for the Time being, who is or shall be appointed by the Trustees aforesaid to supervise the Fish Market of the City of *Westminster*, shall take Care to see from time to time, that the Provisions hereby made concerning the Sale of fresh Fish in the Fish Market at *Westminster*, and for punishing Persons who shall have there in his, her or their Possession any Spawn, Brood or Fry of any Kind of Fish, or any unsizeable Fish, or any Fish out of Season, or any Smelts of less Size than five Inches from the Nose to the utmost Extent of the Tail thereof, shall be enforced and carried into Execution: And if the Under Water Bailiff, or any Yeoman of the Waterside of the said City of *London*, for the Time being, or the Person or Persons appointed, or to be appointed as aforesaid, to supervise the said Fish Market of the City of *Westminster*, or any of them, shall at any Time be negligent, or offend in the Premisses, and shall be convicted of any such Neglect or Offence, either on his own Confession, or by the Oath of one or more credible Witness or Witnesses, before any Justice or Justices of the Peace within whose Jurisdiction any such Neglect or Offence shall be committed, every such Offender shall, for every such Offence, forfeit and pay the Sum of five Pounds.

and lay Information before a proper Magistrate of all Offenders against the said Statute; and the Supervisor of the Fish Market at Westminster is to take Care, in like Manner, that the aforesaid Provisions be duly executed and observed there;

on Penalty of their respectively forfeiting, for any Neglect or Omission of their Duty, 5 l.

XV. And be it also enacted by the Authority aforesaid, That any Justice or Justices of the Peace as aforesaid, within his or their respective Jurisdiction shall, on Application to him or them for that Purpose made, grant his or their Warrant under his Hand and Seal, or their Hands and Seals, to levy any Money which shall be forfeited by virtue of this Act, on the Conviction of any Offender or Offenders, by Distress and Sale of the Goods and Chattles of the Person and Persons who shall be convicted of any Offence against this Act, together with the Costs of every such Distress and Sale (except in the Cases herein before particularly provided to Charge the Owners of such Fishing Ship, Sloop, Smack, or other Fishing Vessel or Vessels); and that one Moiety of all the Money which shall be forfeited for any Offence committed against this Act (the Application whereof is not herein before particularly appropriated) shall, when recovered, go and and be paid to the Person or Persons who shall prosecute to Conviction any such Offender or Offenders; and the other Moiety thereof, except where the Conviction shall be for any Offence committed in the City of *Westminster*, or for not making the Entry at the said Coast Office of the Time of the Arrival of any such Fishing Ship, Sloop, Smack, or Fishing Vessel, at the *Nore* as aforesaid, shall go and be paid to and for the Use of the Poor of the Parish in which any such Offence shall be committed: And where any Conviction shall be for any Offence committed in the City of *Westminster*, or for not reporting, as herein before is directed, the Time of the Arrival of any such Fishing Ship, Sloop, Smack or Vessel, at the said Coast Office as aforesaid, the said other Moiety of the Money which shall be forfeited on any such Conviction, shall go and be paid to the Trustees appointed to put the said recited Acts in Execution, to be placed by them, or any five or more of them, or their Order, to the General Account of Surplus of Profits arising from the said Fish Market in *Westminster*, and to be appropriated as the said Surplus in the said Act in the said twenty-second Year of his present Majesty's Reign is directed: And if sufficient Distress at any Time cannot be found, wherefrom the Money which shall be forfeited by any Offender or Offenders against this Act can be levied on his, her or their Goods and Chattles, then, and in any such Case, every such Offender and Offenders shall, by Warrant under the Hand and Seal, or Hands and Seals, of one or more such Justice or Justices directed to some Peace Officer, be apprehended, if he, she or they can be found, and be committed to some House of Correction of the County, City or Place where any such Offender shall be apprehended, there to remain and be kept to hard Labour for any Time not exceeding three Months, as any such Justice or Justices shall order, unless the Money which shall be forfeited by such Offender or Offenders shall be sooner paid.

Recovery and Application of the Forfeitures.

For Want of sufficient Distress whereon to levy any Forfeiture, the Offender is to be committed, and kept to Hard Labour, for any Time not exceeding 3 Months.

XVI. Provided always, and be it further enacted, That no Person shall be punished for any Offence against this Act, unless a Prosecution shall be commenced against him for the same within two Months after every such Offence shall be committed, or who shall have been punished for any such Offence under any other Law; and that where any Person shall be committed to any House of Correction for Default of Payment, or for want of sufficient Distress being met with to answer any Penalty incurred by any Offence against this Act, and shall remain there during the Time for which he, she or they shall be so committed, no such Person shall be liable afterwards to be prosecuted again for Nonpayment of such Money forfeited; and that any Person who shall inhabit in any Parish in which any Offence against this Act shall be committed, shall, notwithstanding such Inhabitancy, be allowed and admitted to be a competent Witness.

Limitation of Prosecutions.

Inhabitants deemed competent Witnesses.

XVII. Provided also, and be it likewise enacted by the Authority aforesaid, That any Justice or Justices of the Peace before whom any Offender shall be brought and convicted of any Offence against this Act, shall and may, from time to time, as he or they shall see Occasion, mitigate any of the Penalties under the Sum of five Pounds hereby inflicted, so as such Mitigation doth not at any Time extend to remit above one Half of the Penalty inflicted for any Offence committed against this Act; and every such Mitigation shall be a sufficient Discharge to the Person

Mitigation of smaller Penalties.

Person offending, for so much of the Penalty under the Sum of five Pounds as shall be so mitigated.

Form of Conviction.

XVIII. And be it further enacted by the Authority aforesaid, That the Justice or Justices before whom any Person shall be convicted by virtue of this Act, shall cause such respective Conviction to be drawn up in the Form or to the Effect following; that is to say,

(To wit) 'BE it remembered, That on this Day of in the 'Year of the Reign of *A. B.* is convicted before of his 'Majesty's Justices of the Peace for the County of or City of 'or Corporation of *(as the Case shall happen to be)* for 'and do adjudge him, her or them *(as the Case shall be)* to pay and forfeit 'the Sum of

Given under our Hands and Seals (or my Hand and Seal) the Day and Year aforesaid.

Appeal may be made to the next General or Quarter-Session,

the Appellant entering into a Recognizance, and giving due Notice to the Prosecutor;

and the Justices at the said Sessions are authorized to hear and determine the Matter of such Appeal, &c.

and their Order to be final.

XIX. Provided further, and be it also enacted, That it shall be lawful for any Person or Persons who shall think him, her or themselves aggrieved by the Conviction of any Justice or Justices of the Peace for any Offence committed against this Act, or the said recited Act of the twenty-ninth Year of his said present Majesty's Reign, to appeal to the next General or Quarter-Session to be holden for the County, City or Place in which any such Conviction shall have been made; the Person or Persons so appealing, first entering into a Recognizance in double the Sum of Money forfeited, before the such Justice or Justices, to prosecute such Appeal with Effect, and abide by the Order or Orders which shall be made on such Appeal; and giving eight Days Notice in Writing of every such Intention to appeal, to the Party or Parties on whose Prosecution any such Conviction was made; and the Justices of the County, City or Place, in which any such Conviction shall have been made, are hereby authorized and required in their next General or Quarter-Session after any such Appeal shall be made, to hear and determine the Matter of every such Appeal, and to make such Order, and to award such Costs and Damages as to them in their Discretion shall seem reasonable; and to levy, by their Order or Warrant, the Costs which shall be so awarded, together with such Money as they shall adjudge to be forfeited, by Distress and Sale of the Goods and Chattles of any Person who shall refuse to pay the same; and for want of sufficient Distress, to commit the Party or Parties to the Common Gaol or Prison of the County, City or Place in which he, she or they shall be apprehended, there to remain and be kept to hard Labour for the Space of six Months, unless the Money which shall be adjudged to be forfeited, as well as the Costs ordered to be paid, shall be sooner paid; and such Order of any such Justices at their General or Quarter-Sessions, shall be final; and no Proceedings of any such Justices out of Session, or in their said General or Quarter-Session, in pursuance of this Act, shall be removeable by *Certiorari*, or otherwise.

Limitation of Actions.

General Issue.

Treble Costs.

XX. Provided likewise, and be it also enacted by the Authority aforesaid, That if any Action or Suit shall be commenced against any Person or Persons, for any Thing done in pursuance of this Act, every such Action or Suit shall be brought within six Months next after the Fact committed, and not afterwards, and shall be laid or brought in the County, City or Place in which such Offence shall be committed, and not elsewhere; and the Defendant or Defendants, in every such Action or Suit so to be brought, shall and may plead the General Issue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the same was done in pursuance and by the Authority of this Act; and if it shall appear so to have been done, or that such Action or Suit shall be brought after the Time limited for bringing the same as aforesaid, then the Jury shall find for the Defendant or Defendants: And upon such Verdict; or if the Plaintiff or Plaintiffs shall become nonsuit, or discontinue his Action, after the Defendant or Defendants shall have appeared; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs, the Defendant or Defendants shall be paid Treble Costs, and have such Remedy for Recovery of the same, as any Defendant or Defendants hath or may have, in any Case, to recover his, her or their Costs by Law.

See further 2 Geo. 3. c. 15.

CAP. XXVIII.

An Act for encouraging the Exportation of Rum and Spirits of the Growth, Produce, and Manufacture of the *British* Sugar Plantations, from this Kingdom, and of *British* Spirits made from Melasses.

Preamble.

33 Geo. 2. c. 9.

The Duties of Custom payable upon the Importation of Rum and Spirits from the British Sugar Plantations, to be repaid upon the Exportation thereof;

FOR encouraging the Exportation of Rum and Spirits of the Growth, Produce, and Manufacture of the *British* Sugar Plantations in *America*, from this Kingdom as Merchandize; Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the sixteenth Day of *June* one thousand seven hundred and sixty, upon the Exportation of Rum or Spirits of the Growth, Produce and Manufacture of the *British* Sugar Plantations in *America*, from this Kingdom, as Merchandize, there shall be, instead and in lieu of all former Drawbacks and Allowances out of the Duties of Custom, a Drawback, or an

an Allowance of all the Duties of Custom payable upon the Importation of such Rum or Spirits; and which Drawback or Allowance shall be made in such Manner, and under such Rules, Regulations, Penalties, and Forfeitures, as any Drawback or Allowance, payable out of the Duties of Customs upon the Exportation of such Rum or Spirits, was, could or might be made before the passing of this Act.

and the Duties of Excise to be remitted upon all such as shall be exported before Payment is made of the said Duties.

II. And be it further enacted by the Authority aforesaid, That from and after the said sixteenth Day of *June* one thousand seven hundred and sixty, all Rum and Spirits of the Growth, Produce and Manufacture of the *British* Sugar Plantations in *America*, which shall, before the Payment of the Duties of Excise charged upon the Importation thereof, be exported as Merchandize, under the Rules, Restrictions and Regulations herein after established and referred to, from any Warehouse or Warehouses in which such Rum or Spirits hath been or shall be lodged or deposited, by virtue and in pursuance of an Act made in the fifteenth and sixteenth Years of the Reign of his present Majesty, intituled, *An Act to impower the Importers or Proprietors of Rum or Spirits of the* British *Sugar Plantations, to land the same before the Payment of the Duties of Excise charged thereon, and to lodge the same in Warehouses at their own Expence; and for the Relief of* Ralph Barrow, *in respect to the Duty on some Rock Salt lost by the Overflowing of the Rivers* Weaver *and* Dane; shall be freed and discharged from all Duties of Excise, in such Manner as is herein after mentioned.

Exporter to give Bond for the due Exportation thereof.

III. And be it further enacted by the Authority aforesaid, That before any such Rum or Spirits shall be delivered out of any Warehouse as aforesaid, for Exportation, the Person or Persons intending to export such Rum or Spirits, shall give Bond, with sufficient Security, to his Majesty, his Heirs and Successors, to be approved of by the respective Commissioners of Excise in *England* and *Scotland* for the Time being, or any three of them, or by such Person or Persons as they shall from time to time appoint for that Purpose, in double the Value of the Goods and the Duties of Excise payable thereon, that such Rum and Spirits, and every Part thereof, shall (the Dangers of the Seas and Enemies excepted) be really and truly exported as Merchandize to, and landed in, such Ports or Places beyond the Seas, as shall be specified in such Bonds; and that the same shall not be exported or carried to any other Place or Country whatsoever, nor relanded in any Part of *Great Britain*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or either of them.

Upon producing a Certificate of such Bond having been given, the Rum or Spirits mentioned therein are to be delivered out of the Warehouses,

and a Certificate of the Quantity and Size and Marks of the Casks, &c. to be given therewith,

and produced to the Officer attending the Shipping.

Due Entry to be made of such Delivery.

IV. And be it further enacted by the Authority aforesaid, That the Rum and Spirits lodged or deposited in such Warehouse or Warehouses as aforesaid, shall and may from time to time be delivered out of such Warehouse or Warehouses for Exportation, and upon the Exporter or Exporters, or some Person or Persons on his, her or their Behalf, producing to the Keeper or Keepers of such respective Warehouse or Warehouses, and to the Officer or Officers appointed by the Commissioners of Excise respectively to attend the same, a Certificate or Certificates from the respective Commissioners of Excise, or any one of them, or such Person or Persons as they shall appoint to take such Bond and Security as aforesaid, certifying that such Bond and Security hath been given, the Keeper or Keepers of such Warehouse or Warehouses, and Officer or Officers of Excise attending the same, shall deliver so much Rum or Spirits, as shall be mentioned in every such Certificate respectively, to be exported; and such respective Keeper or Keepers of such Warehouse or Warehouses, and Officer or Officers of Excise, shall thereupon give to such Exporter or Exporters, or the Person or Persons employed to take Care of the Delivery of such Rum or Spirits, a Certificate, specifying the Quantity of the Rum or Spirits so delivered, the Size or Contents, and the Marks of the Cask or Package in which such Rum or Spirits are contained, the Quantity of Rum or Spirits contained in such Cask or Package on the Landing thereof, the Name or Names of the Proprietor or Proprietors, Importer or Importers of such Rum or Spirits, and also certifying that the same are delivered out for Exportation, and the Day and particular Time when and to whom such Delivery was made; which Certificate shall be signed by such Officer or Officers of Excise, and shall be produced to the Officer of Excise attending the Shipping of such Rum or Spirits: And the Keeper or Keepers of such Warehouse or Warehouses, and the Officer or Officers appointed by the Commissioners of Excise to attend the same, shall make such Entries of the Delivery of such Rum and Spirits as by the said former Act is directed to be made, with respect to the Rum and Spirits delivered upon the Payment of the Duties; and no such Warehouse Keeper or other Person, shall be subject to any Penalty or Forfeiture for making any such Delivery; any thing in the said former Act contained to the contrary notwithstanding.

Bonds given for the Duties are to be delivered up, upon Oath made of the intended Exportation,

and Certificates produced, &c. of the Quantity shipped, and that the same are Proof Spirits; and also of the Delivery thereof from the Warehouses, &c.

V. And be it further enacted by the Authority aforesaid, That upon Oath being made before any two or more of the respective Commissioners of Excise, or two or more Justices of the Peace for the County or Place from whence any such Rum or Spirits are intended to be exported, that the same are to be exported for Merchandize to be spent beyond the Seas; and upon producing to the Commissioners of Excise respectively, or to their respective Officer or Officers, having Custody of the Bonds given in pursuance of the said former Act, for securing and paying the Duties of Excise upon the Importation of such Rum or Spirits, a Certificate under the Hand or Hands of the proper Officer or Officers of the Excise for the Port or Place where such Rum or Spirits were shipped, of the Quantities so shipped, and that the same were Proof Spirits, and shipped in the presence of such Officer or Officers, and that the same were accompanied with such Certificate of the Delivery from such Warehouse or Warehouses as aforesaid; and also upon Delivery of such last mentioned Certificate, such Commissioners, or Person or Persons respectively having the Custody of such respective Bonds, in case the whole Quantity of Rum and Spirits mentioned therein shall be certified to be delivered and

If Part only of the Rum, or Spirits mentioned in the Bond are certified to be delivered and shipped the Quantity is to be indorsed on the Bond; and the Bond is to be delivered up, when the remaining Part shall be certified to be delivered and shipped; provided the same be before the time stipulated for Payment of the Duties.

and shipped as aforesaid, shall deliver up such Bonds respectively to the Person or Persons producing such respective Certificates; or in case only a Part of the Rum or Spirits mentioned in such Bond shall be certified to be delivered and shipped, the said Commissioners, or Person or Persons respectively, shall indorse on such Bonds the Quantity or Quantities so delivered and shipped; and if at at any future Time or Times, before the Expiration of the Term stipulated in such Bonds for the Payment of such Duties shall have expired, the remaining Part of the Rum or Spirits mentioned therein, shall be certified as aforesaid to be delivered and shipped as Merchandize for Exportation, then such Bonds respectively shall in like Manner be delivered up to the Person or Persons producing such Certificates, and the Proprietors and Importers of such Rum and Spirits shall be freed and discharged from the Payment of all Duties for or in respect of the Importation thereof.

All Rum and Spirits intitled to the said Drawback, &c. are to be exported in Casks containing not less than 100 Gallons, and in Vessels not less than 100 Tons Burthen.

VI. Provided always, and be it further enacted by the Authority aforesaid, That the said Drawback shall not be allowed, nor shall the said Bonds for securing the Duties of Excise be delivered up, or such Indorsement as aforesaid made thereon, or the Proprietors or Importers be freed and discharged from the Payment of such Duties of Excise, for any Rum or Spirits which shall be exported in any Cask which shall contain less than one hundred Gallons, or that shall be shipped on Board any Vessel of less Burthen than one hundred Tons, or be exported from any Port not being the Port of the Importation of such Rum or Spirits.

The Quantity delivered out is to be computed according to the Gauge taken upon the Importation thereof.

VII. Provided also, and be it further enacted by the Authority aforesaid, That the Quantity of Rum and Spirits so to be delivered out of such Warehouse or Warehouses, and to be exported, shall be computed and allowed according to the Gauge which shall be taken at the Time of Landing the same, upon the Importation thereof, in such Manner as the Duty of Excise is by the said former Act directed to be computed.

If after Delivery any shall be concealed, or not shipped within twelve Hours, or the Casks be opened, or the same be reduced or altered in Quantity or Quality; such Rum or Spirits are forfeited, and the Bond is to be put in Suit; unless the Commissioners see Cause to forbear the same.

VIII. And be it further enacted by the Authority aforesaid, That if any Rum or Spirits, after the Delivery thereof from such Warehouse or Warehouses as aforesaid for Exportation, shall before the Shipping thereof be lodged or deposited in any Warehouse or other Place, so as to be concealed from publick View and Inspection; or shall not be shipped within the Space of twelve Hours after the Delivery thereof; or if the Cask or Package in which such Rum or Spirits are contained shall be wilfully opened, or any Part of such Rum or Spirits taken thereout, or if the Quality of such Rum or Spirits shall be changed or altered; in each and every such Case, all such Rum or Spirits, and the Casks or Packages containing the same, shall be forfeited, and may be seized by any Officer or Officers of Excise: And the Person or Persons who shall have given Bond for the due Exportation of such Rum or Spirits, shall, upon Proof of any such Offence, be subject to the Penalty of such Bond, and the same shall be put in Suit accordingly; unless the Commissioners of Excise, by whom or by whose Authority such Bond shall have been taken, shall find sufficient Cause to forbear the same.

Bonds given for Exportation are not to be discharged till Certificates be produced of the due Exportation and Landing, and Proof made thereof on Oath, in Manner required by the Act for preventing the excessive Use of Spirituous Liquors, &c.

IX. And be it further enacted by the Authority aforesaid, That the Bonds to be given by virtue of this Act for the due and regular Exportation of such Rum and Spirits as Merchandize, shall not be delivered up or discharged until Certificates shall be produced of the Exportation to, and Landing and Disposal of such Rum or Spirits at, the Ports or Places mentioned in such Bonds; and Proof made upon Oath in relation thereto, in such Manner and Form respectively, as is directed and required by an Act made in this present Session of Parliament, intituled, *An Act for preventing the excessive Use of Spirituous Liquors, by laying additional Duties thereon; for shortening the Prohibition of making low Wines and Spirits from Wheat, Barley, Malt, or other Grain, and from Meal, Flour and Bran, for encouraging the Exportation of* British *made Spirits, and for more effectually securing the Duties payable upon Spirits, and preventing the fraudulent Relanding or Importation thereof*, with respect and in relation to the Bonds to be taken by virtue of the said Act upon the Exportation as Merchandize of Spirits drawn or made in *Great Britain*, from the Materials in the said Act mentioned; and the Condition of all the Bonds to be taken by virtue of this Act, shall be to produce such Certificates within such Times respectively, as are limited by the said Act made in this Session of Parliament, for producing the Certificates therein required to be delivered: And all Persons authorized by the said last mentioned Act to administer Oaths, are hereby authorized to administer such or the like Oaths in pursuance of this Act: And in case no such Certificates shall respectively be produced, or Proof respectively made within the Times therein limited, it shall and may be lawful for the respective Commissioners of Excise to cause the Bonds which shall be taken by virtue of this Act to be put in Suit, unless they shall find sufficient Cause to forbear the same; any Law, Custom or Usage to the contrary in any wise notwithstanding.

Condition of the Bonds for Exportation,

and of their being put in Suit.

If such Rum or Spirits shall not be exported,

or shall be fraudulently relanded,

the same, together with the Vessels, Cattle and Carriages employed therein, are forfeited; and the Persons concerned forfeit double the Amount of the Duties;

X. And, for the preventing the Relanding of such Rum or Spirits after the same shall be shipped; Be it further enacted by the Authority aforesaid, That from and after the said sixteenth Day of *June* one thousand seven hundred and sixty, in case any such Rum or Spirits, entered as Merchandize for Exportation, shall not be really and *bona fide* shipped and exported (the Danger of the Seas and Enemies excepted) or shall be landed again in any Part of *Great Britain*, or the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or either of them, unless in case of Distress to save the Goods from perishing, which shall be presently made known to the Officer or Officers of Excise, and the principal Officers of the Customs in the Port; then, not only all such Rum and Spirits, and the Casks or

other Package shall be forfeited and lost, but also the Person or Persons who shall bring, or cause, or procure to be relanded, such Rum and Spirits, or any Part thereof, into any Part of *Great Britain*, or of the Islands of *Guernsey*, *Jersey*, *Alderney*, *Sark*, or *Man*, or either of them, or be assisting or otherwise concerned in the unshipping the same, or to whose Hands the same shall knowingly come after the unshipping thereof, or by whose Privity, Knowledge, or Direction, the said Rum or Spirits, or any Part thereof, shall be so relanded, shall forfeit double the Amount of the Duties charged upon the Importation of such Rum or Spirits, and the Casks and other Package containing the same, together with the Vessels and Boats, and all the Horses or other Cattle and Carriages whatsoever, made use of in the Landing, Removing, Carriage, or Conveyance of the same, which shall and may be seized by any Officer or Officers of the Customs or Excise: And if any Master, Commander, or other Person belonging to any Ship or Vessel, shall assist in, or connive at, the fraudulent Landing any such Rum or Spirits as aforesaid, he, she or they (over and above all other Penalties provided by this or any other Act or Acts now in Force) shall, for every such Offence, suffer Imprisonment for the Space of six Months, without Bail or Mainprize; and in case the Package of such Rum or Spirits so entered for Exportation, or any Part thereof, shall be altered at any Time after the shipping thereof, and before the Arrival of the Ship at the Port or Place of Discharge, the Master or other Person taking Charge of every such Ship or Vessel, shall forfeit and lose the Sum of one hundred Pounds.

and the Master, &c. if he assist or connive thereat, is to suffer also 6 Months Imprisonment;

or if the Package be altered before Arrival at the Place of Discharge, he forfeits 100 l.

XI. And, for the preventing of Frauds which may be committed in the Exportation of such Rum or Spirits, Be it further enacted by the Authority aforesaid, That from and after the said sixteenth Day of *June* one thousand seven hundred and sixty, all such Rum or Spirits so to be exported shall be Proof Spirits; and in order that the same may be properly examined, and the Casks marked, when any Person or Persons shall be desirous of shipping any Quantity of such Rum or Spirits, they are hereby required to give Notice thereof in Writing to the Officer of Excise, of the Division or Place where such Rum or Spirits are intended to be shipped, five Days next before such Rum or Spirits shall be put on Shipboard; in which Notice shall be expressed the Number of Casks, and the Quantity of Rum or Spirits, so intended to be shipped: and it shall be lawful to and for the Gaugers, or other Officers of Excise, before the Delivery of such Rum and Spirits from such Warehouses, and at any Time afterwards, to mark all and every such Casks, or other Package, in such Manner as the respective Commissioners of Excise shall direct, and to take a Sample or Samples (not exceeding one Pint in the Whole) out of each of the said Casks, or other Package, containing such Rum or Spirits, paying for such Sample or Samples (if demanded) according to the Market Price Rum or Spirits of the like Quality shall be sold for at the Time such Sample or Samples shall be taken: And in case any Person or Persons shall put on Shipboard any such Rum or Spirits, for Exportation, as Merchandize, without having given such Notice as aforesaid, or shall obstruct or hinder the Gaugers, or other Officers of Excise, in the marking such Casks or Package, or in taking such Sample or Samples, he, she or they shall respectively forfeit for every such Offence the Sum of one hundred Pounds; and if the Rum or Spirits so intended for Exportation as Merchandize, shall after the shipping thereof be altered or reduced in Quality or Quantity, after any Officer or Officers of Excise shall have examined the same, the said Rum or Spirits, and the Cask or Casks, or other Package or Packages containing the same, shall be forfeited and lost, and the Person or Persons who shall have so altered or reduced such Rum or Spirits, or caused or procured the same to be altered or reduced, shall forfeit and lose the Sum of one hundred Pounds for every such Offence, and no Drawback or Allowance of the Duties shall be made for the same.

The Rum or Spirits to be exported, are to be Proof;

and the Exporter is to give 5 Days previous Notice of the shipping thereof;

and allow the Officers to mark the Casks;

and take Samples, paying for the same, if demanded;

upon Penalty of forfeiting 100 l.

If any Rum or Spirits shall be altered or reduced in Quantity or Quality after being shipped, the same is forfeited, and the Persons concerned therein forfeit also 100 l.

and no Drawback is to be allowed for the same.

XII. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall knowingly or wittingly grant any false Certificate, or counterfeit, erase, or alter any Oath or Certificate made or given pursuant to this Act, or shall knowingly or wittingly publish or make use thereof, such Person or Persons shall forfeit five hundred Pounds; which Forfeiture shall and may be prosecuted in any of his Majesty's Courts of Record at *Westminster*, or in the Court of *Exchequer* in *Scotland*; one Moiety whereof to be for the Use of his Majesty, his Heirs and Successors, and the other Moiety to him or them who will sue for, prosecute, and recover the same, wherein no Essoin, Protection, or Wager of Law, shall be allowed, nor any more than one Imparlance; and such Oath or Certificate so falsified, counterfeited, erased, or altered, shall be invalid, and of no Effect.

Penalty of granting a false Certificate, or of counterfeiting, altering, &c. any Oath or Certificate, is 500 l.

one Moiety to the Crown, and the other to the Prosecuter.

XIII. And, for the further Encouragement of the Exportation of Spirits drawn or made in *Great Britain* from Melasses; Be it enacted by the Authority aforesaid, That from and after the said sixteenth Day of *June* one thousand seven hundred and sixty, there shall be an additional Drawback or Allowance of three Pounds three Shillings, for every Tun of such Spirits so drawn or made in *Great Britain*, which shall be exported for Merchandize to Parts beyond the Seas; and upon Oath being made before any two or more of the respective Commissioners of Excise, or Justices of the Peace for the County or Place from whence any such Spirits are intended to be exported, that the same were drawn or made in *Great Britain* from Melasses without any Mixture with any other Materials, either Native or Foreign; or in Case such Spirits shall be rectified Spirits, then upon Oath made, that the same were drawn or made in *Great Britain* from Melasses without any Mixture with any other Materials, either Native or Foreign, except what has been necessary for the rectifying thereof; and also on Oath made, that the Duties of the same are duly paid, and that the same are to be exported for Merchandize to be spent beyond the Seas; and upon producing a Certificate under the Hand or Hands of the Officer or Officers of Excise for the Port or Place where

An additional Drawback of 3 l. 3 s. per Tun allowed on all British made Spirits drawn from Melasses, exported; Oath being made of the Truth thereof,

and of the Duties being duly paid;

and Certificate produced of the Quantity shipped, and that the same were Proof Spirits, &c.

where such Spirits were shipped, of the Quantities so shipped, and that the same were Proof Spirits and shipped in the Presence of such Officer or Officers, the Distiller or Distillers, or other Person or Persons exporting the same, shall be allowed or paid back by the Commissioners of the Excise, or their Collector for the Port or Place where such Spirits shall be shipped off, the said additional Drawback or Allowance of three Pounds three Shillings for every Tun of such Spirits so shipped off, and so in Proportion for any greater or less Quantity.

The Powers, Regulations, Forfeitures and Clauses, &c. in the recited Act, relating to the Drawback hereby granted on the Exportation of Spirits; and to the preventing or punishing Frauds, &c. extended to this Act.

XIV. And be it further enacted by the Authority aforesaid, That the said Act made in this present Session of Parliament, and all the Powers, Authorities, Rules, Regulations, Limitations, Restrictions, Penalties, Forfeitures, Clauses, Matters and Things, therein contained or referred unto, relating to the Drawback or Allowance thereby granted upon Spirits exported as Merchandize, and the Discharge or putting in Suit of the Bonds to be taken by virtue of the said Act, and to the Entring, Shipping and due and regular Exportation of such Spirits, and the landing and disposing of all and every Part thereof in Parts beyond the Seas; and to the preventing of all Frauds and Abuses, and punishing of Offenders, shall be exercised, practised, applied, used, imposed, levied, recovered and put in Execution, with respect to the Drawback or Allowance hereby granted, and the Melasses Spirits intended to be, or which shall be, entered for Exportation by virtue of this Act, and for preventing, detecting and punishing Frauds and Abuses relating thereto, as fully and effectually to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Regulations, Limitations, Restrictions, Penalties, Forfeitures, Clauses, Matters and Things were particularly repeated and again re-enacted in this present Act.

How the Fines and Penalties are to be recovered, mitigated and applied.

XV. And be it further enacted and declared by the Authority aforesaid, That all Fines, Penalties and Forfeitures imposed by this Act, or to be incurred by virtue thereof, shall be sued for, levied, recovered or mitigated by such Ways, Means and Methods, as any Fine, Penalty or Forfeiture is or may be recovered or mitigated by any Law or Laws of Excise (not otherwise directed by this Act) or by Action of Debt Bill, Plaint or Information, in any of his Majesty's Courts of Record at *Westminster*, or in the Court of Exchequer in *Scotland*, and that one Moiety of every such Fine, Penalty or Forfeiture shall be to his Majesty, his Heirs and Successors, and the other Moiety to him or them who shall discover, inform or sue for the same.

General Issue,

XVI. And be it further enacted by the Authority aforesaid, That if any Person or Persons shall be sued, molested or prosecuted, for any Thing done by virtue or in pursuance of this Act, such Person or Persons shall and may plead the General Issue, and give this Act and the Special Matter in Evidence in his or their Defence or Defences; and if afterwards a Verdict shall pass for the Defendant or Defendants, or the Plaintiff or Plaintiffs shall discontinue his, her or their Action or Actions, or be nonsuited, or Judgment shall be given against him, her or them, upon Demurrer or otherwise, then such Defendant or Defendants shall have Treble Costs awarded to him, her or them, against any such Plaintiff or Plaintiffs.

Treble Costs.

See further 2 *Geo.* 3. *c.* 5.

CAP. XXIX.

An Act to indemnify Persons who have omitted to qualify themselves for Offices and Employments, and to indemnify Justices of the Peace, Deputy Lieutenants, Officers of the Militia and others, who have omitted to register or to deliver in their Qualifications within the Time limited by Law, and for giving further Time for those Purposes. *EXP.*

Time given to 12 *Feb.* 1761

See further 1 *Geo.* 3. *c.* 12. 2 *Geo.* 3. *c.* 23. 3 *Geo.* 3. *c.* 5.

CAP. XXX.

An Act for widening certain Streets, Lanes and Passages, within the City of *London*, and Liberties thereof; and for opening certain new Streets and Ways within the same; and for other Purposes therein mentioned.

Preamble.

'WHEREAS several Streets, Lanes and Passages, within the City of *London* and the Liberties thereof, are too narrow and incommodious for the passing and repassing, as well of Foot Passengers as of Coaches, Carts and other Carriages, to the Prejudice and Inconvenience of the Owners and Inhabitants of Houses in and near the same, and to the great Hindrance of Business, Trade and Commerce: And whereas such Defects might be remedied, and several new Streets and Ways be made within the said City and Liberties, to the great Ease, Safety and Convenience of Passengers, and Advantage of the Publick in general, in case the Mayor, Aldermen and Commons of the said City, in Common Council assembled, were enabled to widen and enlarge the said narrow Streets, Lanes and Passages, and to open and lay out such new Streets and Ways; and for those Purposes to purchase the several Houses, Buildings and Grounds, which may be necessary to that End:' Wherefore, for promoting and encouraging a Design so useful and beneficial to the publick, May it please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall have Power and Authority, not only to widen and render more convenient such and so much of the several Streets, Lanes and Passages, mentioned and described in a Schedule

Power given to the Mayor, Aldermen and Commons of the City, in Common Council assembled, to widen any of the Streets and Passages mentioned in the First Schedule;

to

to this Act annexed, intituled, *The First Schedule*, in Manner in the said Schedule particularly mentioned, but also to design, make, open and lay out, such new Streets, Ways and Passages, in the Parts and Places particularly mentioned and described in another Schedule to this Act also annexed, intituled, *The Second Schedule*, in manner in such Second Schedule mentioned.

and to open and lay out such new ones as are mentioned and described in the Second Schedule;

II. And for enabling the Mayor, Aldermen and Commons of the said City, in Common Council assembled, to effect the Purposes aforesaid, Be it further enacted by the Authority aforesaid, That the Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall have full Power and Authority to treat and agree with the Owners and Occupiers of, and all other Persons interested in, such Houses, Buildings, Grounds and Estates, as shall be necessary to be purchased for the more effectual Performance of any of the Purposes aforesaid; and to purchase and become possessed of the same; and upon Payment of such Sum or Sums of Money as shall be agreed upon for such Purchases, to cause such Houses and Buildings, or so much thereof as shall be necessary to be pulled down, and such Grounds, or so much thereof as shall be necessary to be laid into new Streets, Ways and Passages or in, for or towards the widening, enlarging, or improving any of the present Streets, Ways and Passages, described in the two Schedules hereunto annexed; and this Act shall be sufficient to indemnify them the Mayor, Aldermen and Commons of the said City, in Common Council assembled, their Agents Workmen, Officers and Servants, and all Persons acting by or under their Authority, against the Heirs, Executors, Administrators or Assigns of any of the said Owners or Occupiers, as if the same had been sold and conveyed by Deed of Feoffment, Bargain and Sale, or other Assurance in the Law whatsoever.

and in order thereto, they may treat and agree with the Owners and Occupiers, &c. of such Grounds and Buildings as shall be necessary for that Purpose, for the Purchase thereof, &c.

and they are indemnified for so doing.

III. And be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Trustees and Feoffees in Trust, Guardians and Committees for Lunaticks and Ideots, Executors, Administrators and Guardians whatsoever, not only for or on Behalf of themselves, their Heirs and Successors, but also for and on Behalf of their Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Persons whatsoever, and to and for all Femes Covert who are or shall be seized in their own Right, and to and for all and every Person and Persons whomsoever, who are or shall be seised or possessed of, or interested in, any Lands Tenements or Hereditaments, which shall be necessary to be purchased for any of the Purposes of this Act, to sell and convey all or any such Lands, Tenements, Hereditaments, Estates and Interests or any Part thereof, to the said Mayor, and Commonalty and Citizens; and that all Contracts, Agreements, Bargains, Sales and Conveyances, which shall be made by such Persons as aforesaid, shall be good and valid in Law, to all Intents and Purposes, not only to convey the Estate and Interest of the Person and Persons conveying, but also to convey all Right, Estate, Interest, Use, Property, Claim and Demand whatsoever, of their several and respective Cestuique Trusts, whether Infants or Issue unborn, Lunaticks, Ideots, Femes Covert, or other Persons whomsoever, and all claiming or to claim by, from or under them; any Law, Statute, Usage, or any other Matter or Thing whatsoever, to the contrary thereof in any wise notwithstanding; and all such Persons, so conveying as aforesaid, shall be and are hereby indemnified for what they shall do by virtue of or in pursuance of this Act, notwithstanding any Omission or Mistake of Matter of Form whatsoever: And if it shall happen that any Person or Persons, Bodies Politick, Corporate or Collegiate, or other Person or Persons, seised or possessed of, or interested in, any such Lands, Tenements or Hereditaments as aforesaid, shall refuse to treat or agree for the Sale and Conveyance of their respective Estates and Interests therein, or by reason of Disability cannot agree with the Mayor, Aldermen and Commons of the said City, in Common Council assembled, or with any Person or Persons by them in this Behalf authorized or appointed, or shall not produce and evince a clear Title to the Premisses they are in Possession of, or to the Interest they claim, to the Satisfaction of the Mayor, Aldermen and Commons of the said City, in Common Council assembled, or of the Person or Persons by them so authorized or appointed; then, and in every such Case, it shall and may be lawful to and for the Sheriffs of the said City, and they are hereby required, upon a Warrant or Warrants, Precept or Precepts, to be issued and directed to them for this Purpose by the Court of Mayor and Aldermen of the said City (which Warrants or Precepts the said Court are hereby impowered and authorized to issue) to impanel and return a competent Number of substantial and disinterested Persons qualified to serve on Juries, not less than forty-eight, nor more than seventy-two; and out of such Persons, so to be impanelled, summoned and returned, a Jury of twelve Persons shall be drawn by some Person to be by the said Court appointed, in such Manner as Juries for the Trial of Issues joined in his Majesty's Courts at *Westminster*, by an Act made in the third Year of the Reign of his present Majesty, intituled, *An Act for the better Regulation of Juries*, are directed to be drawn; which Persons, so to be impanelled, summoned and returned as aforesaid, are hereby required to come and appear before the said Court, at such Time and Place as in such Warrant or Warrants, Precept or Precepts, shall be directed and appointed, and to attend the said Court from Day to Day, till discharged by the said Court: And all Parties concerned shall and may have their lawful Challenges against any of the said Jurymen; but shall not be at Liberty to challenge the Array: And the said Court is hereby authorized and impowered, by Precept or Precepts, from Time to Time, as Occasion shall require, to call before them all and every Person and Persons whomsoever, who shall be thought proper or necessary to be examined as Witnesses before them, on their Oath or Oaths, concerning the Premisses: And the said Court, if they think fit, shall and may likewise authorize the said Jury to view the Place or Places in Question, in such Manner as they shall direct; and the said Court shall have

Bodies Politick, Corporate and Collegiate, and all other Persons, are impowered to sell and convey Lands for the said Purposes;

and they are indemnified for what they shall so do in pursuance of this Act;

but if they shall refuse to treat or agree in the Premisses, or shall be disabled from treating,

or cannot evince a clear Title,

a Jury is to be summoned,

and drawn according to the Directions in Act 3 Geo. 2.

any of whom may be challenged but not the Array.

Witnesses may be also summoned and examined on Oath;

and the Court may direct the Jury to view the Places in Question,

and to assess the Damages and Recompence upon Oath;

Power to command such Jury, Witnesses and Parties to attend, until all such Affairs for which they were summoned, shall be concluded: And the said Jury, upon their Oaths (which Oaths, as also the Oaths to such Person or Persons as shall be called upon to give Evidence, the said Court is hereby impowered and required to administer) shall inquire of the Value of such Lands, Tenements and Hereditaments, and of the respective Estate and Interest of every Person seised or possessed thereof, or interested therein, or of or in any Part thereof; and shall assess and award the Sum or Sums to be paid to every such Person or Persons, for the Purchase of such their Estates and Interests; and the said Court shall give Judgment for such Sum or Sums of Money so to be assessed;

and their Verdict, and the Judgment given thereupon, (previous Notice having been first given to the Parties interested)

are to be binding and conclusive to all Parties;

which said Verdict or Verdicts, and the said Judgment, Decree, or Determination thereupon (Notice in Writing being given to the Person or Persons interested, at least fourteen Days before the Time of such Assessment, declaring the Time and Place of the Meeting of the said Court and Jury, by leaving such Notice at the Dwelling-house of such Person or Persons, or at his, her or their usual Place or Places of Abode, or with some Tenant or Occupier of some of the said Lands, Tenements or Hereditaments, intended to be valued and assessed, in case such Party cannot otherwise be found out to be served with such Notice) shall be binding and conclusive to all Intents and Purposes whatsoever, against all and every Person or Persons, Bodies Politic and Corporate, claiming any Estate, Right, Title, Trust, Use or Interest, in, to or out of the said Lands, Tenements or Hereditaments, and Premisses, either in Possession, Reversion, Remainder or Expectancy, as well against the King's most Excellent Majesty, his Heirs and Successors, as against Infants and Issue unborn, Lunaticks, Ideots, and Femes Covert, and Persons under any other legal Incapacity or Disability, and all Trustees and Cestuique Trusts, his, her and their Heirs, Successors, Executors and Administrators, and against all other Persons whomsoever; and the said Verdicts, Judgments and Decrees, and all other Proceedings of the said Court and Juries, so to be made, given and pronounced as aforesaid, shall be fairly written on Parchment, and signed by the Town Clerk of the said City for the Time being.

and the said Verdicts, Judgments, and other Proceedings, are to be written on Parchment, and signed by the Town Clerk.

Upon Payment of the Purchase money,

the Parties to execute legal Conveyances of the said Lands and Grounds.

IV. And it is hereby further enacted and declared by the Authority aforesaid, That upon Payment of such Sum or Sums of Money so to be awarded or adjudged, the Person or Persons to whom the same shall be so awarded, for the Purchase of the said Lands, Tenements or Hereditaments, or for the Purchase of any Estate or Interest therein, shall make and execute, or procure to be made and executed, good, valid, and legal Conveyances, Assignments and Assurances in the Law, to the said Mayor and Commonalty and Citizens, or to such Person or Persons as the Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall order, direct or appoint, of the said Lands, Tenements and Hereditaments, or of such Estate or Interest, for which such Sum or Sums of Money shall be so awarded; and shall procure all necessary Parties to execute such Conveyances, Assignments and Assurances; and shall do all Acts, Matters and Things necessary and requisite to make a good, clear and perfect Title to the said Mayor and Commonalty and Citizens, or the Person or Persons so by them in this Behalf to be appointed as aforesaid; and such Conveyances, Assignments and Assurances shall contain all such reasonable and usual Covenants, as on the Part of the said Mayor and Commonalty and Citizens, or of the Person or Persons so by them in this Behalf to be appointed as aforesaid, shall be reasonably required: And in case such Person or Persons, to whom such Sum or Sums shall be so awarded as aforesaid, shall not be able to evince their Title to the Premisses, and to make, or procure to be made, such good, valid, and legal Conveyances thereof as aforesaid, or shall refuse so to do, being thereto required, and such Sum or Sums so assessed and awarded as aforesaid, being tendered to be paid to him, her or them, on their making such Title, and executing, or procuring to be executed, such Conveyances, Assignments or Assurances as aforesaid; or in case such Person or Persons, to whom such Sum or Sums of Money shall be so awarded as aforesaid, cannot be found within the said City, or Liberties thereof; or in case by reason of Disputes depending in any Court of Law or Equity, or for Defect of Evidence, it shall not appear what Person or Persons is or are intitled to the Premisses in Question; then and in every such Case, it shall and may be lawful to and for the said Court of Mayor and Aldermen, to order the said Sum or Sums so assessed and awarded as aforesaid, as and for the Value of, and Purchase-money for the said Lands, Tenements and Hereditaments, to be paid into the Bank of *England*, for the Use of the Parties interested in the said Premisses, to be paid them, and every of them, according to their respective Estates and Interests therein, at such Time as the said Court shall order and direct: And the Cashier or Cashiers of the Bank of *England*, who shall receive such Sum and Sums, is and are hereby required to give a Receipt or Receipts for such Sum or Sums, mentioning and specifying for what Premisses, and for whose Use the same is or are received, to such Person as shall pay any such Sum or Sums into the Bank as aforesaid.

But if they shall not make a clear Title, or execute legal Conveyances thereof, upon Tender of the Sum awarded,

or cannot be found, or a Dispute be depending concerning a Right to the Premisses,

the Money is then to be paid into the Bank for the Use of the Parties,

and a Receipt taken for the same.

All Verdicts, Judgments, Orders, and other Proceedings of the Court, and Receipts of the Cashiers,

are to be entered in proper Books, and kept among the Records of the Court;

and shall be deemed good Evidence of the Facts;

V. And be it further enacted by the Authority aforesaid, That all such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Court of Mayor and Aldermen, and Juries, as relate to, or concern any Lands, Tenements or Hereditaments so to be purchased as aforesaid; and all Receipts which the said Cashier or Cashiers of the Bank shall give for any Sum or Sums of Money paid into the Bank, in consequence of any such Verdict and Judgment; shall be entered into a distinct Book or Books, which shall be kept among the Records of the said Court: And the said Verdicts, Judgments, Sentences, Decrees and Orders, and other Proceedings, shall be deemed and taken to be Records, to all Intents and Purposes whatsoever; and the same, or true Copies thereof, shall be deemed and taken to be good and effectual Evidence and Proof in any

Court

Court or Courts of Law or Equity whatsoever: And all Persons shall and may have Recourse to the same *gratis*, and take Copies thereof, paying for every Copy, not exceeding two hundred Words, four Pence, and so proportionably for any greater Number of Words: And immediately on such Payment, and Entry of such Verdicts, Judgments, Sentences, Decrees, Orders, and other Proceedings of the said Court and Juries, and of such Receipt or Receipts of the said Cashier or Cashiers as aforesaid, all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand in Law and Equity, of the Person or Persons for whose Use such Money shall be paid, in, to, and out of the said Lands, Tenements, Hereditaments and Premisses, shall vest in the said Mayor and Commonalty and Citizens, or the Person or Persons to whom the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, shall order, direct or appoint such Conveyances to be made; and they shall respectively be deemed in Law to be in the actual Seisin or Possession thereof, to all Intents and Purposes whatsoever, as fully and effectually, as if every Person, having any Estate in the Premisses, had actually conveyed the same to them by Lease and Release, Bargain and Sale inrolled, Feoffment with Livery and Seisin, Fine and Recovery, or any other legal Conveyance whatsoever: And such Payment shall not only bar all Right, Title, Interest, Claim and Demand, of the Person or Persons to whose Use such Payment was made, but also shall extend to and be deemed and construed to bar the Dower and Dowers of the Wife and Wives of such Person and Persons, and all Estates Tail, in Reversion or Remainder, against the Issue and Issues of such Person and Persons, and every Person claiming under them, as effectually as a Fine and Recovery, or either of them, would do, if levied or suffered by the proper Parties in due Form of Law

and Recourse may be had thereto, and Copies taken thereof.

On Payment, and Entry made as aforesaid, the Right and Property of the Premisses is to vest in the Corporation absolutely.

VI. Provided always, That it shall and may be lawful for the said Court of Mayor and Aldermen, after such Payment into the Bank and Entry as aforesaid, upon the Petition of any Person or Persons in whom the legal Estate, in Possession, of such Lands, Tenements or Hereditaments, was vested at the Time of the said Payment into the Bank, to place out or invest, or to cause to be placed out or invested, such Sum or Sums of Money, or any Part thereof, in some of the publick Funds, or on Government Security, at Interest, in the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the said City for the Time being; and the same shall, as soon as conveniently may be, after the Death or Removal of any of them, be by the Survivors or Survivor of them, transferred into the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the said City for the Time being; and so from time to time, as often as any one of the said Officers shall happen to die or be removed, in Trust, to transfer and assign the same to such Person or Persons to whom the Premisses shall belong, on their executing proper Conveyances thereof; and in the mean Time in Trust, to pay the Interest and Dividends arising therefrom to such Person or Persons so in Possession of the said Premisses as aforesaid.

The Purchase money, upon Petition of the Parties interested, may be placed out in the public Funds, &c.

in the Names of the Chamberlain, Town Clerk, and Comptroller for the Time being,

in Trust, to pay the Interest and Dividends to the said Parties.

VII. Provided always, and it is hereby enacted, That all and every Person or Persons who would be intitled to recover the mesne Profits of the Premisses against the Person or Persons so in Possession, in case the same had not been so conveyed to, or vested in the said Mayor and Commonalty, and Citizens, or other Person or Persons as aforesaid, shall be intitled to recover the Sum or Sums to arise from all Interests and Dividends as aforesaid, by Action of Debt, or otherwise, against the Person or Persons who shall receive the same; and the Governor and Company of the Bank of *England* are hereby authorised and required to obey such Order and Orders, from time to time, as shall be made by the said Court of Mayor and Aldermen, for the Payment of such Sum or Sums of Money, or any Part thereof, in order to the same being invested in publick Securities as aforesaid: And the said Mayor and Commonalty and Citizens, or other Person or Persons to whom the said Premisses shall, by the Mayor, Aldermen and Commons of the said City, in Common Council assembled, be ordered or appointed to be conveyed as aforesaid, shall be quieted in the Seisin and Possession of the Lands, Tenements and Hereditaments, for which such Money shall be so paid as aforesaid, and shall not be answerable or accountable, in any Court of Law or Equity, for the Money so deposited and placed out as aforesaid, any otherwise than according to the Tenor, Purport and true Meaning of this Act.

The Persons intitled to recover the mesne Profits of the Premisses against the Persons in Possession, are intitled to recover the Interest Money, and the Bank is to obey any Order of the Court made for that Purpose; but the City is not to be disturbed in their Possession,

nor is accountable for the Money placed out as aforesaid.

VIII. And be it further enacted, That in case any Feme Covert is or shall be seised, in Fee Simple, or in Tail General or Special, or for Life, of any such Lands, Tenements and Hereditaments so to be purchased by the said Mayor and Commonalty, and Citizens, or other Person or Persons as aforesaid, or of any Interest in the same, to her separate Use, free from the Controul or Intermeddling of her Husband, the Purchase money arising from the Sale of such Estate or Interest of such Feme Covert, on the Conveyance of such Estate or Interest to the said Mayor and Commonalty and Citizens, or other Person or Persons as aforesaid, shall be paid to such Person or Persons as she shall, by Writing under her Hand, nominate to receive the same, in Trust, to be reinvested in Lands, Tenements or Hereditaments, to be conveyed and settled for such Uses, Estate and Interest, as the said Feme Covert had in the Premisses so purchased by the said Mayor and Commonalty and Citizens, or other Person or Persons as aforesaid.

Where Feme Covert is seised in Fee Simple, &c. in any of the Premisses to her sole and separate Use, the Purchase-money is to be paid to her Attorney, in Trust, to be reinvested in other Lands to be settled to the same Uses.

IX. And be it further enacted by the Authority aforesaid, That the Principal Money arising from the Sale of any Houses, Edifices, Lands, Tenements and Hereditaments, which shall be purchased for the Purposes contained in this Act of any Body Corporate or Collegiate, Corporation Aggregate or

The Money payable in respect of Lands, &c. belonging to Corporate Bodies, &c.

is to be paid to them or to their Order, in Truſt, to be reinveſted in other Lands, and to be ſettled to the ſame Uſes.

or Sole, being Feoffees in Truſt, Guardians, Committees, or other Truſtees, ſhall be paid to them reſpectively, or to ſuch Perſons as they ſhall reſpectively nominate to receive the ſame, in Truſt, with all convenient Speed then afterwards to be reinveſted in the Purchaſe of other Meſſuages, Lands, Tenements and Hereditaments, to be conveyed and ſettled to and upon, and ſubject to the like Uſes, Truſts, Limitations, Remainders and Contingencies, as the Houſes, Edifices, Lands, Tenements and Hereditaments, which ſhall be purchaſed from them reſpectively by the ſaid Mayor and Commonalty and Citizens, or other Perſon or Perſons as aforeſaid, were reſpectively ſettled, limited or aſſured, at the Time of ſuch the purchaſing of the ſame, or ſo many thereof as, at the Time of making ſuch Conveyances and Settlements, ſhall be exiſting and capable of taking Effect.

All Bargains and Sales in purſuance of this Act, and inrolled in the Huſtings, deemed good and valid in Law.

X. And be it further enacted by the Authority aforeſaid, That all Bargains and Sales whatſoever, to be made and acknowledged by any Perſon or Perſons whomſoever, and which ſhall be inrolled in the Huſtings of the ſaid City, of any ſuch Lands, Tenements and Hereditaments, as ſhall be purchaſed by virtue of and for the Purpoſes of this Act, ſhall have the Force, Effect and Operation in Law, to all Intents and Purpoſes, which any Fine or Fines, Recovery or Recoveries whatſoever, would have, if levied or ſuffered by the Bargainer or Bargainers, or any Perſon or Perſons ſeiſed of any Eſtate in the Premiſſes, in Truſt, for or to the Uſe of ſuch Bargainer or Bargainers, in any legal Manner or Form whatſoever.

Memorials of all Claims of Right, &c. to any of the Premiſſes to be purchaſed and conveyed as aforeſaid,

are to be entered, within five Years from the Date of the Inrolment of the Bargain and Sale, with the Town Clerk; his Fee for entering the ſame.

All Claims not entered or proſecuted within five Years, are null and void.

XI. And be it further enacted by the Authority aforeſaid, That all and every Perſon and Perſons whoſoever, having or claiming any Right, Title, Intereſt, Uſe, Property, Claim and Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder or Expectancy, in, to, or out of any Lands, Tenements or Hereditaments, which by virtue and for the Purpoſes of this Act ſhall be purchaſed and conveyed, or mentioned or intended to be conveyed, by any ſuch Bargain and Sale as aforeſaid, ſhall within the Space of five Years, to be computed from the Date of the Inrolment of ſuch Bargain and Sale, enter a Memorial of ſuch their Right, Title, Intereſt, Uſe, Property, Claim and Demand, in a Book to be for that Purpoſe prepared and kept by the Town Clerk of the ſaid City; which Book the ſaid Town Clerk is hereby required to prepare and keep accordingly, and for which Entry he ſhall be intitled to ſuch Fee, and no other, as the Regiſter of the County of *Middleſex* is by Law intitled, for the Regiſtry of a Memorial containing the ſame Number of Words; and all and every Perſon or Perſons whoſoever, not entering ſuch Right, Claim and Demand, within ſuch Time, and in ſuch Manner as aforeſaid, or having ſo entered the ſame, and not proſecuting ſuch their Right, Claim or Demand, with Effect, within the Space of five Years, to be computed from the Time of ſuch Entry, ſhall be for ever barred of all Right, Title, Uſe, Equity, Property, Claim or Demand whatſoever, whether in Poſſeſſion, Reverſion, Remainder, or Expectancy, in, to, upon, or out of the ſaid Premiſſes, and every Part thereof; and the ſaid Mayor and Commonalty and Citizens, and thoſe claiming by, from or under them, ſhall be quieted in the Poſſeſſion of all ſuch Lands, Tenements, Hereditaments and Premiſſes; any Law, Statute, Uſage, Matter or Thing whatſoever to the contrary notwithſtanding.

Perſons barred of their Right, &c. by virtue of this Act, may bring their Action for the Purchaſe-money received, &c.

XII. Provided nevertheleſs, That any Perſon or Perſons, barred of any Right, Title, Eſtate, Intereſt, Claim or Demand whatſoever, in, to, or out of the ſaid Lands, Tenements and Hereditaments, by virtue of this Act, ſhall be at Liberty to bring an Action or Actions of Debt, or for Money had and received to his, her or their Uſe, or take ſuch other legal Remedy as he, ſhe or they ſhall think proper, againſt any Perſon or Perſons, or the legal Repreſentative of any Perſon or Perſons, who received the Purchaſe-money ariſing from ſuch Sale of the ſaid Lands, Tenements and Hereditaments, or Premiſſes aforeſaid; and that in every ſuch Caſe, the Plaintiff or Plaintiffs, on Proof of ſuch Title as would have enabled them to recover ſuch Lands, Tenements or Hereditaments, or any Part thereof, or any Eſtate or Intereſt in the ſame, ſhall recover the ſaid Purchaſe-money, or ſo much thereof as ſhall be equivalent to their Intereſt in the ſaid Premiſſes, together with ſuch Intereſt as ſhall be equivalent to the meſne Profits of the Premiſſes which they would have been intitled to recover, in caſe this Act had not been made.

Tenants at Will, or Leſſees for a Year, &c. are to deliver up immediate Poſſeſſion of the Premiſſes,

upon Payment or Tender of ſix Months Rent, or a Year's Notice to quit the ſame;

and if they ſhall refuſe to give ſuch Poſſeſſion, the Court may iſſue their Precept to the Sheriffs,

XIII. And be it further enacted, That all and every Tenant at Will, or Leſſee for a Year, or other Perſon or Perſons, in Poſſeſſion of any ſuch Lands, Tenements, Hereditaments, and Premiſſes, or any Part thereof, which ſhall be purchaſed by virtue of, and for the Purpoſes of this Act, and who ſhall have no greater Intereſt in the Premiſſes than a Tenant at Will, or as Leſſee by Parole for a Year, or from Year to Year, ſhall deliver up the Poſſeſſion of ſuch Premiſſes immediately to the ſaid Mayor and Commonalty and Citizens, or to ſuch Perſon or Perſons as the Mayor, Aldermen and Commons of the ſaid City, in Common Council aſſembled, ſhall appoint to take Poſſeſſion of the ſame, in caſe the Mayor, Aldermen and Commons of the ſaid City, in Common Council aſſembled, or ſuch Perſon or Perſons authoriſed by them, ſhall pay or tender to him or them ſix Months Rent of the ſame Premiſſes, or ſhall give him or them twelve Months Notice to quit ſuch Poſſeſſion, when ſuch Perſon or Perſons in Poſſeſſion ſhall, at the End of the ſaid twelve Months, or ſo ſoon after as he or they ſhall be required, peaceably and quietly deliver up the Poſſeſſion of the ſaid Premiſſes to the ſaid Mayor and Commonalty, and Citizens, or the Perſon or Perſons authoriſed by the Mayor, Aldermen and Commons of the ſaid City, in Common Council aſſembled, to take Poſſeſſion thereof: And that in caſe any ſuch Perſon or Perſons, ſo in Poſſeſſion as aforeſaid, ſhall refuſe to give ſuch Poſſeſſion as aforeſaid, then it ſhall and may be lawful to and for the ſaid Court of Mayor and Aldermen to iſſue their Precept or Precepts to the Sheriffs of the ſaid City, to deliver Poſſeſſion of the Premiſſes to ſuch Perſon or Perſons, as ſhall in ſuch Precept

or Precepts be nominated to receive the same: And the said Sheriffs are hereby required to deliver such Possession accordingly of the said Premisses, and to levy such Costs as shall accrue from the Issuing and Execution of such Precept or Precepts, on the Person or Persons so refusing to give Possession as aforesaid, by Distress and Sale of his, her or their Goods.

who are to deliver Possession accordingly, and levy the Costs of Execution.

XIV. And be it further enacted by the Authority aforesaid, That all and every Person and Persons, who shall have any Mortgage or Mortgages on such Lands, Tenements and Hereditaments as aforesaid, not being in Possession thereof by virtue of such Mortgage or Mortgages, shall on the Tender of the Principal Money and Interest due thereon, together with six Months Interest of the said Principal Money, by the Mayor, Aldermen and Commons of the said City, in Common Council assembled, or by such Person or Persons as they shall appoint, immediately assign such Mortgage or Mortgages to the said Mayor and Commonalty, and Citizens, or to such Person or Persons as the Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall appoint; or in case such Mortgagee or Mortgagees shall have Notice in Writing from the Mayor, Aldermen and Commons of the said City, in Common Council assembled, or the Person or Persons so by them appointed, that they will pay off and discharge the Principal and Interest which shall be due on the said Mortgage or Mortgages, at the End or Expiration of six Months, to be computed from such Notice given; that then at the End of the said six Months, on Payment of the Principal and Interest so due, such Mortgagee or Mortgagees shall assign their Interest in the Premisses to the said Mayor and Commonalty and Citizens, or such Person or Persons as the Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall appoint: And in case such Mortgagee or Mortgagees shall refuse so to assign as aforesaid, on such Tender or Payment, that then all Interest on every such Mortgage shall cease.

Mortgagees, upon Tender of the Principal and Interest due, together with Half a Year's extra Interest,

are to assign over their Mortgages immediately;

or otherwise, upon six Months Notice given them, and Payment of the Principal and Interest which shall be then due,

if they refuse, the Interest to cease from that Time;

XV. And be it further enacted by the Authority aforesaid, That upon Payment of the Principal Money and Interest due on any Mortgage as aforesaid, into the Bank, at the End of six Months from such Notice as aforesaid, for the Use of the Mortgagee or Mortgagees, to be paid him, her or them, at such Time as the said Court of Mayor and Aldermen shall order and direct; the Cashier or Cashiers of the Bank shall give a Receipt or Receipts for the said Money, in like Manner as is herein before directed, in Cases of other Payments into the Bank; and thereupon all the Estate, Right, Title, Interest, Use, Trust, Property, Claim and Demand of the said Mortgagee or Mortgagees, and of every Person or Persons in Trust for him, her or them, shall vest in the said Mayor and Commonalty and Citizens; and they shall be deemed to be in the actual Possession of the Premisses comprised in such Mortgage or Mortgages, to all Intents and Purposes whatsoever.

and upon Payment of the Principal and Interest into the Bank, at the End of six Months from such Notice, for the Use of such Mortgagee, and the Cashier's Receipt taken for the same, the Right of such Mortgagee is to vest in the City.

XVI. And be it further enacted by the Authority aforesaid, That all Sums of Money, or other Consideration, Recompence or Satisfaction, to be paid and made pursuant to any such Agreement or Verdict as aforesaid, or which shall be due on such Mortgage, shall be tendered to the Party or Parties intitled to the same; and in case of Refusal to accept the same, shall be paid into the Bank of *England*; before the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, or any Person or Persons authorised or appointed by them, shall proceed to pull down any House or Houses, or other Erections and Buildings, or to use the Ground for the Purposes of this Act: And the said Monies shall be paid into, and the Accounts thereof be, from time to time, carried on by the Bank, in the Names of the Chamberlain, Town Clerk, and Comptroller of the Chamber of the said City, for the Time being, in Trust for the Persons intitled to the said Monies.

The Purchase-money, &c. to be first tendered to the Parties,

and on their Refusal to accept the same, is then to be paid into the Bank, before the Premisses shall be made use of; the Monies to stand in the Names of the Chamberlain, Town Clerk, and Comptroller, in Trust for the Parties intitled thereto.

XVII. And be it further enacted by the Authority aforesaid, That the said Court of Mayor and Aldermen, shall have Power, from time to time, to impose any reasonable Fine, not exceeding the Sum of ten Pounds, on such Sheriffs, or their Deputy or Deputies, Bailiffs or Agents respectively, making Default in the Premisses, and on any of the Persons who shall be summoned and returned on any such Jury or Juries, who shall not appear, or who shall refuse to be sworn on the said Jury or Juries, or being so sworn, shall not give his or their Verdict; and also on any Person or Persons who shall be summoned to give Evidence touching any the Matters aforesaid, and shall not attend, or shall refuse to be sworn, or who being sworn shall refuse to give his, her or their Evidence; also on any other Person or Persons who shall, in any other Manner, wilfully neglect his or their Duty in the Premisses, contrary to the true Intent and Meaning of this Act; and from time to time to levy such Fine or Fines, by Distress and Sale of the Offender's Goods, by Warrant under the Hand and Seal, or Hands and Seals of any Justice or Justices of the Peace, together with the reasonable Charges of every such Distress and Sale, returning the Overplus (if any) to the Owner: And all such Fines shall be applied to the Use of the Poor of the Hospitals of *Bridewell* and *Bethlehem*, within the said City, and be paid for that Purpose to the Treasurer of the said Hospitals for the Time being.

Court may fine the Sheriffs, their Deputies, Bailiffs, or Agents,

Jurymen,

Evidences,

and all other Persons, making Default in the Premisses; and levy the same by Distress and Sale, to be applied to the Use of Bridewell and Bethlehem Hospitals.

XVIII. Provided always, and be it hereby enacted and declared by the Authority aforesaid, That if any Person or Persons, Body or Bodies Politick, Corporate, or Collegiate, shall be applied to, by or on Behalf of the Mayor, Aldermen and Commons of the said City, in Common Council assembled, to treat for, sell, dispose of, or convey, for any of the Purposes of this Act, any Part or Parts of any House, Warehouse, Yard or Ground, in the actual Occupation of one Tenant, or of several joint Tenants; and the Person or Persons, Body or Bodies Politick, Corporate or Collegiate, so applied to, shall by Notice in Writing, to be left at the Comptroller's Office in the Guildhall of the said City within thirty Days next after such Application, signify his, her or their Inclination

Where the Proprietors shall be applied to for Sale and Conveyance of any Premisses let by them,

and they shall signify their Inclination to treat, &c.

Inclination or Desire to treat for, sell, dispose of and convey the Whole of such House, Warehouse, Yard or Ground; then and in every such Case, the Whole of every such House, Warehouse, Yard or Ground, shall be deemed, taken and held to be necessary to be purchased, for effecting the Purposes of this Act: And if it shall happen that the Mayor, Aldermen, and Commons of the said City, in Common Council assembled, shall not think proper or be willing to purchase the Whole of such House, Warehouse, Yard or Ground, then and in every such Case, nothing in this Act contained shall extend, or be construed to extend, to compel the Owner or Owners, Occupier or Occupiers thereof, to treat for, sell, dispose of or convey any Part of such House, Warehouse, Yard or Ground; any Thing herein before contained to the contrary hereof in any wise notwithstanding.

the Whole of the Premisses shall be deemed necessary to be purchased; but if the Court shall not be willing to purchase the Whole, the Proprietors are not bound to sell a Part.

XIX. Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen and Commons of the said City, in Common Council assembled, or any Person or Persons in whom any House or Ground shall be vested by virtue of this Act, to let, sell or dispose of so much or such Parts thereof, as shall not be necessary for the opening or widening of any of the said Streets, Lanes, Ways and Passages, to any Person or Persons, to and for such Use or Uses as they shall think proper.

Such Parts of any Premisses, &c. as shall not be necessary for the opening or widening of the Streets, may be let or sold by the Court or Proprietors.

XX. Provided also, and be it further enacted by the Authority aforesaid, That it shall and may be lawful to and for the Mayor, Aldermen and Commons of the said City, in Common Council assembled, and they are hereby authorized and impowered, from Time to Time, to appoint a Committee to manage and transact such Matters and Things as shall be necessary in or about the Execution of the Purposes intended by this Act; which Committee so to be appointed, shall have such or so much of the Powers and Authorities by this Act given to the Mayor, Aldermen and Commons of the said City, in Common Council assembled, as the Mayor, Aldermen and Commons of the said City, in Common Council assembled, shall, from Time to Time, think fit or proper to delegate to such Committee.

A Committee may be appointed, and Power delegated to them for carrying the Purposes of this Act into Execution;

XXI. Provided nevertheless, and be it enacted by the Authority aforesaid, That no Person concerned in Building, or dealing in any Materials for Building, shall be capable of acting as a Member of any Committee so to be appointed, or intrusted to manage or conduct the Execution of the Purposes aforesaid; neither shall any Person be eligible or capable of acting as a Member of such Committee, during such Time as he shall have or execute any Office or Place of Profit by or under the Authority of this Act, or hold any Place or Employment under the said Mayor and Commonalty and Citizens, or during such Time as he shall have any Share or Interest in any Contract or Agreement for effecting the Purposes aforesaid.

but no Persons here described, may be of such Committee.

'XXII. And whereas by the pulling down several of the said Houses and Buildings, or some 'Part or Parts thereof, and laying the same into Streets and Ways for the Purposes aforesaid, the 'Rectors, Vicars or Curates of the respective Parishes wherein such Houses and Buildings respec-'tively now stand, will be deprived of their Remedy for recovering the Tythes, or yearly Sums of 'Money, or customary Payments in lieu of Tythes, now charged on such respective Houses or 'Buildings, and payable by the respective Occupiers thereof, unless some Provision shall be made 'by this Act for the future Payment of the same;' Be it therefore enacted by the Authority aforesaid, That whatever the Tythe or yearly Sum of Money, or customary Payment in lieu of Tythe, charged on any Messuages, Tenements or Buildings, to be pulled down and laid into Streets and Ways under the Authority of this Act, shall be valued or ascertained at by any Jury to be impanelled by virtue of this Act, shall be deducted out of the Sum at which the said Messuages, Tenements or Buildings shall be so valued or ascertained, and the same shall be paid into the Chamber of the City of *London*, for the Use of the said City: And all such Tythes, Sums of Money, or customary Payments in lieu thereof, which shall be in Arrear, or shall then after become due and payable to the Rectors, Vicars or Curates of the said respective Parishes wherein such Houses, Buildings or Tenements respectively are, for or in respect of any such Houses, Buildings or Tenements, which or whereof any Part or Parts shall be so pulled down and laid into Streets or Ways, shall for ever then afterwards be charged upon all and every the Manors, Messuages, Lands, Tenements, Markets, Fairs and all other the Revenues of and belonging to the said Mayor and Commonalty, and Citizens of the said City, in Possession or Reversion, but without Prejudice to all precedent Charges thereon; and such Arrears shall be forthwith paid; and the growing Payments shall then after be payable to the Rectors, Vicars or Curates of the said several Parishes respectively and their Successors for the Time being for ever, clear of all Taxes and Deductions, by the Chamberlain of the said City for the Time being, at the four most usual quarterly Feasts, or Days of Payment in every Year, (that is to say) The Annunciation of the Blessed Virgin *Mary*, the Nativity of Saint *John Baptist*, the Feast of Saint *Michael the Archangel*, and the Nativity of our Blessed Saviour, by equal Payments in every Year; the first Payment thereof to begin and commence on such of the said Feast Days as shall first and next happen after the pulling down any of such Houses, Buildings or Tenements, or any Part or Parts thereof, and laying the same into the Streets and Ways aforesaid, for the Purposes aforesaid.

The Tythe, &c. charged on any Messuages, to be pulled down and laid into the Streets, is to be deducted out of the Purchase money, and paid into the Chamber of London,

and is to be thereafter chargeable with all Arrears thereof, on the City Lands, &c.

and paid quarterly by the Chamberlain to the respective Rectors and Vicars, &c. free of all Taxes and Deductions,

'XXIII. And whereas so much of the Act, passed in the eleventh Year of the Reign of his late 'Majesty King GEORGE the First, intituled, *An Act for the better regulating of Buildings, and to pre-'vent Mischiefs that may happen by Fire within the weekly Bills of Mortality, and other Places therein 'mentioned*, as relates to the pulling down or rebuilding of Partitions or Party Walls between House 'and House, is confined to Cases where one of the Houses is to be erected or built; and it may

Act 11 Geo. 1. c. 28.

'happen

'happen that Party Walls within the said City or Liberties thereof, may be so far out of Repair as to 'render it necessary to pull down and rebuild the same, although neither of the adjoining Houses 'require to be new built: And whereas the Workmen appointed by virtue of the said recited Act 'to examine Party Walls, are often equally divided in Opinion about the Necessity of rebuilding 'the same, whereby a Certificate from the major Part of such Workmen, as by the said recited Act 'is required, cannot be obtained, and the Purposes of the said Act, in many Instances, have been 'evaded;' Be it therefore enacted and declared by the Authority aforesaid, That so much of the said recited Act, as relates to Party Walls within the said City or Liberties, shall, from and after the passing of this present Act, extend and be construed, deemed and taken to extend, to all Cases whatsoever, within the said City or Liberties, where it is or shall be necessary to pull down and re build any Party Wall, whether either of the adjoining Houses shall or shall not be, or required to be rebuilt or new built: And that from and after the passing of this present Act, in case the major Part of the Workmen apointed, in manner by the said recited Act prescribed, to view the Party Wall of any House or Houses, within the said City or Liberties, intended to be pulled down, shall not, within the Space of one Month next after such Appointment, sign a Certificate in Writing, as by the said Act is required, then, and in every such Case, it shall and may be lawful to and for the Court of Mayor and Aldermen of the said City, and they are hereby authorized and required, upon Application to them for that Purpose made, by the Owner or Occupier of either of the Houses between which the Party Wall so proposed to be pulled down shall be, to name and appoint one other able Workman to be added to the Workmen appointed by virtue or in pursuance of the said recited Act: And the Workmen, so appointed by virtue or in pursuance of the said former Act, and of this present Act, or the major Part of them, who shall meet for that Purpose (reasonable Notice having been given to all of them of such intended Meeting) shall view the Party Wall, so proposed to be pulled down: And in case the major Part of such Workmen shall certify in Writing under their Hands, that such Party Wall is defective and bad, and ought to be pulled down, then, and in such Case, it shall and may be lawful to and for the Owner or Occupier of either of the said adjoining Houses to cause such Party Wall to be pulled down and rebuilt, and he or she shall have such Remedy for recovering a Moiety of the Expences thereof, as in and by the said recited Act is given or provided; subject nevertheless to such Appeal and Determination by the Justices of the Peace of and for the said City, as by the same Act is directed.

So much of the recited Act, as relates to Party Walls, is to extend to all Cases where it shall be necessary to pull down and rebuild any Party Wall within the City, or the Liberties thereof; and where a Majority of the Workmen shall refuse to sign a Certificate pursuant to the said Act,

the Court, upon Application to them, may appoint another Workman to be added to the Number;

and the Majority certifying thereupon such Wall to be bad,

it is to be pulled down, and rebuilt,

subject however to the Determination of the Justices, upon Appeal to them.

'XXIV. And whereas it would tend greatly to prevent the Spreading of the fatal Effects of Fire 'within the said City and Liberties, if Party Walls between House and House, within the same, 'were to be made of greater Thickness than is prescribed by the Act, passed in the seventh Year of 'the Reign of her late Majesty Queen ANNE, intituled, *An Act for making more effectual an Act, 'made in the sixth Year of her Majesty's Reign, for the better preventing of Mischiefs that may happen by 'Fire*; and if no Timbers, except the Timbers of the Roof, Girders, and the Templets under the 'same, were laid into the Party Walls; and if the Ends of the Girders, lying within the said Party Walls, did not exceed one Foot; and if none of the Ends of the Girders in adjoining Houses 'met, or were laid opposite to each other, and the Sides thereof were laid at least nine Inches distant from each other;' Be it therefore enacted by the Authority aforesaid, That all Party Walls which from and after the Expiration of three Calendar Months next after the passing of this Act, shall be erected or built within the said City or Liberties thereof, shall be two Bricks and a half thick at the least in the Cellar, and two Bricks thick upwards to the Top of the Garret Floor; and that the same shall be built of Stone, or of good, sound, hard, well burnt Bricks, and none other; and also that from and after the Expiration of the said three Calendar Months, no Timbers, except the Timbers of the Roof, Girders and the Templets under the same, shall be laid into the Party Walls erected or built, or to be erected or built within the said City or Liberties; and that the Ends of Girders, lying within such Party Walls, shall not exceed one Foot; and that none of the Ends of the Girders, in adjoining Houses shall meet, or be laid opposite to each other; and that the Sides thereof shall be at least nine Inches distant from each other: And if any Head Builder, Master Bricklayer or Workman, shall erect and build, or cause to be erected and built, any Party Wall within the said City or Liberties, contrary to the Directions, true Intent and Meaning of this Act, or shall use, in the Building thereof, any Bricks, other than good, sound, hard, well burnt Bricks, or shall lay any Timber, in any Party Wall erected or built, or which shall be erected or built, within the said City or Liberties, contrary to the Directions, true Intent and Meaning of this Act; then such Head Builder, Master Bricklayer or Workman, shall for every such Offence forfeit and pay the Sum of fifty Pounds, to be equally divided, one Moiety thereof to the Informer, and the other Moiety to the Poor of the Parish where such Building shall be, and to be levied by Warrant under the Hands and Seals of two or more of his Majesty's Justices of the Peace, by Distress and Sale of the Offender's Goods, upon Conviction upon Oath of one or more credible Witness or Witnesses, or upon his or their own Confession, rendering the Overplus (if any be) to the Owner or Owners: And for want of such Distress, the Offender shall be imprisoned for the Space of six Months, unless the said Penalty shall be sooner paid, by Warrant under the Hands and Seals of the said two Justices, who are hereby required and impowered to issue such Warrant accordingly.

Act 7 Annæ, c. 17. *and see* 4 Geo. 3. c. 14.

Party Walls, for the future, are to be two Bricks and a half thick in the Cellar, and two Bricks upward;

and no Timbers, except those of the Roof, Girders and Templets, are to be laid into the same;

the Girders not to be more than 1 Foot therein, and not to meet, or be opposite to those in the adjoining Houses, and the Sides to be 9 Inches distant from each other; on Penalty of forfeiting 50 l. for every Offence in any of the Premisses;

to be divided between the Informer and Poor of the Parish, &c.

'XXV. And whereas several Houses within the said City and Liberties are, in Part, erected or 'built over the Grounds of other Proprietors, or the several Floors, Rooms or Parts thereof, are 'the Property of different Persons, whereby Difficulties and Disputes may arise amongst the said 'several Owners or Proprietors, touching the pulling down and rebuilding the said Premisses, or

'the Party Walls thereof, and such Rebuilding may thereby be prevented or delayed, to the great 'Injury and Inconvenience of such of the Owners as are desirous to rebuild the same;' For Remedy thereof, and in order to prevent the fatal Effects of Fire, be it enacted by the Authority aforesaid,

Where a Part Owner of a House gone to Decay shall be desirous to rebuild the same, but the other Parties shall refuse, &c. to join therein,

That when any House, within the said City or Liberties, in part erected or built over Ground being the Property of some other Person, or whereof the several Floors, Rooms or Parts, are the Property of different Persons, shall be so decayed as to make the Owner of the said Ground, or of any Part of the said House, desirous to rebuild the same, and the Owner or Owners, Occupier or Occupiers of such House, or of any Part or Parts of the said House, shall not be able or willing to join, or by reason of any legal Disability cannot join in such Rebuilding; then, and in every such Case, it shall and may be lawful to and for the Court of Mayor and Aldermen of the said City, and they are hereby authorized and required, upon Application to them by the Party so desiring to rebuild, to issue their Order to the Sheriffs of *London* to summon a Jury to be and appear before the said Court, at such Time as the said Court shall appoint, then and there to try whether the Premisses ought to be rebuilt or not, and to cause Notice thereof to be given to or left at such Premisses for such Owner or Owners, Occupier or Occupiers: And if such Jury shall be of Opinion that the Premisses ought to be rebuilt, and any of the said Owners or Occupiers, or some Person or Persons on his, her or their Behalf, shall not in Court upon such Verdict, declare and signify their Consent and Readiness to join in the Expence of such Rebuilding, then such Jury shall be again impanelled and sworn to enquire and fix the Value of the Part or Parts of the said House belonging to the Person or Persons so refusing or neglecting to signify, or being legally disabled from giving his, her or their Consent to such Rebuilding; and upon Payment or Tender of the Value, which shall be awarded by such Jury, to the Party or Parties interested, if he, she or they can be found within the said City or the Liberties thereof, or upon Payment thereof into the Bank of *England*, in the Name of the Chamberlain of the said City for the Time being, for the Use and Behoof of the Person or Persons intitled thereto, in case he, she or they cannot be found within the said City or Liberties, the Estate and Interest of the Party or Parties, so refusing or neglecting, or being disabled as aforesaid, of, in or to the said Premisses, shall vest in the Person or Persons applying for and obtaining such Award or Verdict; and he, she or they may immediately proceed to pull down and rebuild the said House and Premisses, and any or every Part thereof; and shall from thenceforth hold and enjoy the same for ever, against such Owners and Occupiers, and his, her and their Heirs, Executors, Administrators and Assigns, and all other Persons whatsoever.

the Court upon Application to them, shall order the Premisses to be surveyed by a Jury;

and if they shall be of Opinion that the same ought to be rebuilt, and any of the Parties shall not thereupon consent to join in the Expence,

the Jury is to fix the Value of such Persons Part;

and upon Payment or Tender of the Money awarded, &c.

the Premisses to vest in the Person obtaining the Verdict, who may proceed to pull down and rebuild the same.

XXVI. Provided always, and be it enacted by the Authority aforesaid, That in all Cases where any Party Wall within the said City or Liberties shall, by virtue of the said recited Act of the eleventh Year of his late Majesty's Reign, and of this present Act, be pulled down and rebuilt agreeable to the Directions of this present Act, by the Owner or Occupier of one of the adjoining Houses, the Expence of such Party Wall shall be estimated and computed at and after the Rate of seven Pounds *per* Rod; any thing in the said former Act to the contrary thereof in any wise notwithstanding.

Where a Party Wall shall be pulled down by virtue of Act 11 Geo. I. and rebuilt agreeable to the Directions of this Act,

the Expence shall be computed at 7 l. per Rod;

XXVII. Provided also, and be it enacted by the Authority aforesaid, That in all Cases where any Party Wall shall be erected or built, agreeable to the Directions of this present Act, in Execution of any Contract or Contracts entered into with the Builder or Workman before the first Day of *March* one thousand seven hundred and sixty, the Expence of such Party Wall shall be estimated and computed at and after the Rate of seven Pounds *per* Rod; any thing in such Contract or Contracts to the contrary thereof in any wise notwithstanding.

and where any Party Wall shall be built agreeable to the Directions of this Act, in Execution of any Contract entered into before 1 March 1760, the Expence shall be computed in like Manner.

'XXVIII. And whereas Houses and Tenements in several Parts of the said City of *London*, and 'the Liberties thereof, are often, either from litigated Titles thereto, or the Obstinacy or Poverty 'of the Owners or Proprietors thereof, or of Parties interested therein, in so ruinous a Condition, 'that Passengers passing thereby are in Danger of their Lives, from the falling thereof, or of Bricks 'or Timber therefrom; and often are hurt by the falling of the Walls thereof, or of Bricks or 'Timber therefrom;' Be it therefore enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and sixty, if any Presentment shall be made by any Inquest or Grand Jury in *London*, that any Houses or Tenements in the said City of *London*, or the Liberties thereof, are in such ruinous Condition, it shall be lawful for the Court of Mayor and Aldermen, and the said Court is hereby required, on Notice of any such Presentment being made, and on a Copy thereof being laid before them, to cause, with all convenient Speed then afterwards, a proper and sufficient Hoard to be put up to guard all such ruinous Houses and Tenements from the publick Street, and to cause Notice in Writing to be given to the Owner or Owners, or other Person or Persons interested therein, if he, she or they can be found in the said City of *London* or the Liberties thereof; and if not, to cause such Notice in Writing to be left at the Premisses in such ruinous Condition; to repair the same, or to take down such Buildings, as the Case shall require, within the Space of six Days then next ensuing: And if such Owner or Owners, or other Person or Persons interested in any such Houses or Tenements shall not repair or take down the same, within the said Space of six Days after any such Notice as aforesaid shall be given or left as aforesaid, then, on Proof, on Oath, being made of any such Notice being so given or left, the said Court is hereby authorized and required, with all convenient Speed then afterwards, to order and cause all or so much of such Houses or Tenements as are or shall be in such ruinous Condition, and likely to be dangerous to Passengers passing thereby, to be taken down and secured, in such Manner

When any House or Tenement shall be presented as in a ruinous Condition,

the Court shall order a sufficient Hoard to be put up before the same,

and give Notice to the Owner to take down or repair such Buildings forthwith;

and if such Order shall not be complied with, the Court may cause such Buildings to be taken down and secured;

Manner as shall from time to time be thought requisite: And all the Charges of putting up every such Hoard, and taking down and securing all or so much of such ruinous Houses or Tenements as shall be necessary to be taken down or made secure, for the Safety of Passengers passing that Way, shall from time to time be paid by the Owner or Owners of such Houses or Tenements, if known, and he, she or they can be met with, within the said City of *London*, or the Liberties thereof: And if such Owner or Owners shall, on Demand thereof, neglect or refuse to pay the same, then such Charges may be levied, by Warrant under the Hand and Seal, or Hands and Seals, of any such Justice or Justices of the Peace, by Distress and Sale of the Goods and Chattles of such Owner or Owners, if any such can be found in the said City of *London*; and if no such Owner or Owners can be met with in the said City of *London*, or the Liberties thereof, or sufficient Distress of his, her or their Goods or Chattles cannot be met with, wherefrom such Costs and Charges may be levied; then, and in every such Case, the Person or Persons, who shall at any Time then after occupy any such Houses or Tenements, or the Ground whereon the same stood, is and are hereby required and authorized to pay the same, and to deduct the same out of the Rent thereof: And if he she or they shall neglect or refuse to pay such Charges, then the same shall, by Warrant under the Hand and Seal, or Hands and Seals, of any such Justice or Justices as aforesaid, be levied by Distress and Sale of the Goods and Chattles of any such Occupier or Occupiers, in Manner as other Distresses and Sales are by this Act directed to be made, together with the Costs of every such Distress and Sale; and the Landlord and Landlords of the Premisses is and are hereby required to allow every such Occupier and Occupiers all such Charges which he, she or they shall so pay, or which shall be recovered by Distress and Sale from him, her or them as aforesaid, upon Receipt of the respective Rent: And every Occupier, paying any such Charges, shall be acquitted and discharged, for so much Money as he, she or they shall so pay, as if the same had been actually paid to such Person or Persons, to whom his, her or their Rent should have been due or payable; and such Money, as the same shall from time to time be received or recovered, shall be paid to the Chamberlain of the said City, and be by him from time to time placed to the Credit of the Cash of the said City of *London*.

and levy the Charges on the Owner, if he can be found;

or on the future Occupier of such House, &c.

which is to be allowed in his Rent.

The Money recovered to be paid to the Chamberlain. *See farther* 4 *Geo.* 3. *c.* 14.

'XXIX. And whereas the Pavements of the Streets in the City of *London* and the Liberties thereof 'are frequently damaged, by the breaking up of the same to amend or new-lay Water Pipes, or to 'lay Water therefrom, belonging to Proprietors of Water-works, and by improper laying of such 'Water Pipes, and also by the bursting, leaking, or ouzing of Water Pipes belonging to the Pro'prietors of Water-works; and such Pavements are sometimes re-laid, and also amended, by Pavi'ours employed by such Proprietors of Water-works, with bad Materials, and in an improper Man'ner, and whilst the Ground is wet by the ouzing of the Pipes, and by reason thereof the Pavement 'made on the Ground when so wet often gives Way, and has Holes therein;' Be it therefore enacted by the Authority aforesaid, That if at any Time after the said twenty-fourth Day of *June* it shall be made appear, on Oath, before any Justice or Justices of the Peace of the said City of *London*, by any credible Person, or shall be found on the View of any such Justice or Justices, or by the Presentment of any Inquest or Grand Jury of the said City, that any Pavement in the said City, or the Liberties thereof, is damaged by the breaking up the same to amend or re-lay any Water Pipe or Pipes, or to lay Water therefrom, belonging to the Proprietors of any Water-works, or by the bursting or leaking, or ouzing of any Water Pipe or Pipes belonging to the Proprietors of any Water-works, or by the improper laying of any Water Pipe or Pipes in the said City of *London*, or the Liberties thereof, belonging to any Proprietors of Water-works; or that any such Pavement hath been laid down, amended, or new or re-laid, by any Paviour employed by or under any Proprietors of Water-works, with bad Materials, or in an Improper Manner; then, and in any of the said Cases, it shall be lawful for any such Justice or Justices to cause Notice thereof, in Writing, to be given or left, by the Party or Parties complaining, at the publick Office of the Proprietors of the Water-works to whom such Water Pipes which shall have occasioned any such Damage shall belong, or by whose Paviour any Pavement shall have been so defectively laid new, or relaid, or amended, with bad Materials, or in an Improper Manner, or with their Collector of the District in which any such Default in Pavement shall be, to make good, amend, or new-lay, in a proper Manner, every such Pavement, within the Space of three Days next after every such Notice, in Writing, shall be so given or left as aforesaid: And if the Proprietors of such Water-works shall not, within the said Space of three Days next after every such Notice in Writing shall be so given or left as aforesaid, cause, at their Costs and Charges, every such defective Pavement to be well and effectually re-laid, repaired, or amended, with good Materials, and in a proper and effectual Manner, it shall be lawful for any such Justice or Justices of the said City to cause every such Pavement, defective or improper Pavement, to be well and effectually relaid, repaired or amended, with good Materials, and in a proper and effectual Manner, by any Paviour or Paviours any such Justice or Justices shall think fit to employ for that Purpose, having Regard to the Condition such Pavement was in before the same was damaged by any of the Means aforesaid: And every Paviour who, pursuant to any Order of any such Justice or Justices, shall relay, or new lay, repair, amend, or make good, any such Pavement, or defective or improper Pavement as aforesaid, shall from time to time be paid the Charges of doing thereof, as the same shall be ascertained under the Hand or Hands of some Justice or Justices of the said City of *London*, who is and are hereby respectively authorized

Where the Pavements of the Streets shall be damaged by the breaking up the same, to amend or relay any Water Pipes, &c.

any Justice upon Complaint, or View thereof, may give Notice at the Office of the Proprietors of the Water-works, &c. to make good, or new lay such Pavements forthwith;

and if such Order shall not be complied with,

such Justice may set Men to work,

who shall be paid their Charges, as ascertained by a Justice,

who is likewise to determine by whom the Whole, or any Part thereof, ought to be paid;
and on their refusal of Payment accordingly may levy the Charge by Distress and Sale.

rized to ascertain the same; and also to determine and adjudge whether all or what Part of such Charges ought to be paid by the Proprietors of such Water-works, or whether any and what Part thereof ought to be paid by the Person or Persons who was or were liable by Law to have made good such Pavement, in case the same had not been damaged by some of the Means as aforesaid: And if the Proprietors of such Water-works shall not, on Demand being made at their publick Office, or on their Collector of the District as aforesaid, of the Money which shall be ordered to be paid by them by any such Justice or Justices as aforesaid, pay the same, within the Space of three Days next after any such Demand as aforesaid shall be made thereof; or if any Person or Persons liable by Law to have made good any such Pavement as aforesaid, shall not pay such proportionable Part of the Charges of making good the same, as any such Justice or Justices as aforesaid shall determine and ascertain, by any Order which shall be made and signed by him or them, ought to be paid by such other Person or Persons respectively, within the Space of three Days next after any such Notice thereof shall have been given to, or left for, such other Person or Persons, at his, her or their usual Place of Abode, and Demand of Payment thereof shall be made on him, her or them, or at his, her or their usual Place of Abode; then on Oath being made of such Demand, and of the Money so ordered to be paid remaining unpaid by the Space of three Days from the Time of the same having been demanded as aforesaid (and which Oath every such Justice and Justices as aforesaid is and are hereby respectively impowered to administer) any such Justice or Justices shall, by Warrant under his Hand and Seal, or their Hands and Seals, directed to the Constables of the said City, cause the Expences of amending every such Default in Pavement, defective or improper Pavement, or new or relaying any such Pavement as aforesaid, which shall have been amended or re-laid under any such Order as aforesaid, to be levied by Distress and Sale of the Goods and Chattles of the Proprietors of such Water-works, or of the Collector as aforesaid of the District in which any such Default of Pavement as aforesaid shall have been, or of the other Persons liable to make good any such defective Pavement, in such Proportion as any such Justice or Justices as aforesaid shall determine and ascertain the same ought to be so paid, together with the Charges of every such Distress and Sale, rendering the Overplus, if any, to the Owners thereof; and which Money, when levied, shall be paid to the Paviour or Paviours who shall have been employed by any such Justice or Justices as aforesaid, and have amended, repaired, or re-layed, any such Pavement or or Pavements as aforesaid.

Inhabitants deemed competent Witnesses.

XXX. And be it further enacted by the Authority aforesaid, That the Inhabitant of any Parish where any Offence against this Act shall have been committed, shall be admitted and allowed to be a competent Witness, notwithstanding his or her Inhabitancy in such Parish.

No Order of a Justice may be quashed for want of Form,
or removed by Certiorari.

XXXI. And it is hereby also enacted by the Authority aforesaid, That no Order which shall be made by any Justice or Justices, by virtue of or under this Act, or any other Proceedings to be had, touching the Conviction or Convictions of any Offender or Offenders against this Act, shall be quashed or vacated for want of Form only; or be removed or removeable by *Certiorari*, or any other Writ or Process whatsoever, into any of his Majesty's Courts of Record at *Westminster*.

Limitation of Actions.

XXXII. And be it enacted by the Authority aforesaid, That if any Action shall be brought, or Suit commenced, against any Person or Persons, for any thing done in pursuance of this Act, or in relation to the Premisses, or any of them, such Action or Suit shall be laid or brought within six Months next after the Fact done; and shall be laid or brought in the City of *London*, and not elsewhere: And the Defendant or Defendants in such Action may plead the General Issue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon; and that the same was done in pursuance and by Authority of this Act: And if the same shall appear to have been so done, or if any Action or Suit shall not be brought within the Time before limited; or shall be brought in any other County or Place than as aforesaid; then the Jury shall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs shall become nonsuited, or suffer a Discontinuance of his, her or their Action or Actions; or if a Verdict shall pass against the Plaintiff or Plaintiffs; or if, upon Demurrer, Judgment shall be given against the Plaintiff or Plaintiffs; the said Defendant or Defendants shall have Treble Costs, and shall have such Remedy for recovering the same, as any Defendant or Defendants hath or have, for Costs, in other Cases by Law.

General Issue.

Treble Costs.

Publick Act.

XXXIII. And it is hereby further enacted, That this Act shall be deemed a Publick Act; and shall be taken Notice of as such, by all Judges, Justices, and all other Persons whatsoever, without specially pleading the same.

First SCHEDULE *to which the Act refers.*

Openings to be made

In the Ward of Alderſgate.

A Paſſage, twenty Feet wide, to be opened, from the Eaſt Side of *Alderſgate Street* (oppoſite to *Little Britain*) to the Weſt of *Noble Street*, oppoſite to *Oat Lane*; and from thence through to *Wood Street*, oppoſite to *Love Lane*.

In the Ward of Aldgate.

A Paſſage, fifty Feet wide, to be opened, from the Maſon's Shop facing *Crutched Fryars*, in the Occupation of *Dent*, in a direct Line to the *Minories*.

A Paſſage, Twenty-five Feet wide, to be opened, through *Northumberland Alley*, into *Crutched Fryers*.

In the Ward of Biſhopſgate.

A Paſſage, twenty-five Feet wide, to be opened, through *Angel Court*, in *Biſhopſgate Street*, into *Little Saint Helen's*.

A Paſſage, twenty Feet wide, to be opened, from *Broad Street*, through *Union Court*, into *Biſhopſgate Street*.

In Coleman Street *Ward.*

A Paſſage, fifty Feet wide, to be opened, from the North End of *Tokenhouſe Yard* to *London Wall*.

In the Ward of Farringdon without.

A Paſſage, thirty Feet wide, in the Middle Part of *Snow Hill*, from thence to *Fleet Market*.

A Paſſage, twenty-five Feet wide from *Butcherhall Lane* into *Little Britain*.

In Farringdon *Ward* within.

To make a Paſſage through *Cock Alley*, on the South Side of *Ludgate Hill*, and oppoſite to the *Old Baily*, forty Feet wide, into *Black Fryers*.

Second SCHEDULE *to which the Act refers.*

Paſſages to be improved and enlarged

In the Ward of Aldgate.

TO pull down the Houſes on the Eaſt Side of *Billeter Lane*, in order to inlarge the Paſſage to the Width of thirty Feet.

To pull down the Houſes at the Eaſt End of *Leadenhall Street*, to make the Paſſage there thirty-five Feet wide.

To pull down ſuch Part of the Houſes on the Eaſt Side of *Poor Jury Lane*, beginning at, and including, a Houſe on the North Side of *The Horſe and Trumpet*, and extending ſouthwards towards *Gould Square*, as will be ſufficient to range in a Line with that End of the Lane next to *Aldgate*; the Paſſage of which is intended to be made thirty-five Feet wide, by pulling down, and ſetting back, all the Houſes from the Gate to the ſaid *Horſe and Trumpet*.

In Broad Street *Ward.*

To pull down the Houſe at the Weſt End of the Buildings ſituate between *Cornhill* and *Threadneedle Street*, and oppoſite to the South End of *Prince's Street*, and lay the Ground into the Street.

To pull down the Houſes on the South Side of *Threadneedle Street*, extending from the Houſe before mentioned eaſtward, till it reaches to that Part of the Street which is oppoſite to the Bank Gates; and to inlarge the Paſſage there to thirty-five Feet in Width.

In the Ward of Coleman Street.

To pull down one House on the North East Corner of the *Old Jury*, and another House at the South West Corner of *Coleman Street*, both of which are occupied by Brasiers, and lay the Ground thereof into the Street.

In Cordwainers *Ward.*

To pull down the House at the North East Corner of *Trinity Lane* near the *Dog* Tavern, and lay the Ground into the Street.

In the Ward of Cornhill.

To pull down the House at the West End of the Buildings situate between *Cornhill* and *Lombard Street*, and lay the Ground into the Street.

In the Ward of Cripplegate within.

To pull down the Houses which project forwards at the West End of *Silver Street*, from the End of *Monkwell Street*, quite through into *Aldersgate Street*, to make a commodious Street forty Feet wide.

To pull down the House at the Corner of *Aldermanbury* facing *Milk Street*, which was formerly the *Baptist Head* Tavern, and lay the Ground thereof into the Street.

In the Ward of Farringdon within.

To pull down the Tin Shop, and the Trunkmaker's House, at the South West Corner of *Cheapside*, leading into *St. Paul's Churchyard*, and lay the Ground into the Street.

To pull down such Part of the Houses in *Creed Lane* as are necessary to widen the Passage to thirty Feet.

In the Ward of Faringdon without.

To pull down all the Houses in the Middle Row between the Paved Alley adjoining to *Saint Sepulchre's* Church and *Giltspur Street*, from the North End thereof quite through to the South End, which faces *Hart Street*, and lay the Ground into the Street.

To pull down all the Houses in the Middle Row between the *Great Old Baily* and *Little Old Baily*, beginning at the North End thereof, which faces *Hart Street*, and proceeding southwards, including the *Baptist's Head* at the South End, facing the *Great Old Baily*, and lay the Ground into the Street.

To pull down the Shops or Sheds under *Saint Dunstan's* Church in *Fleet Street*, and lay the Ground into the Street.

In Langbourn *Ward.*

To pull down such Part of the Houses, at the End of *Mark Lane*, next to *Fenchurch Street*, as will make the Passage there thirty Feet wide.

To pull down such Part of the Houses at the East End of *Lombard Street* as will make the Passage there thirty Feet wide.

In the Ward of Portsoken.

To pull down the House at the North East Corner of *Hounsditch*, and adjoining to the Churchyard, and lay the Ground thereof into the Street.

In Tower *Ward.*

To pull down such Part of the Houses on *Saint Dunstan's Hill*, adjoining to the *George* Alehouse, and opposite to the Chain, and such Part of the Warehouses opposite to the End of *Saint Dunstan's* Church, as will render the Passage there thirty Feet wide.

To pull down the House on the North West Corner of *Great Tower Street*, now occupied by Master *Crawford*, a Brushmaker, and also the House on the South East Corner of *Little Tower Street*, now in the Occupation of Messieurs *Julon* and *Lindner*, Hatters, in order to make that dangerous Passage safe and convenient.

To pull down the House in *Mark Lane* which adjoins to the Church of *Allhallows Staining*, and projects twelve Feet before the other Houses, in order to make it range in a Line with the said Houses, and inlarge the narrow Passage there.

In the Ward of Vintry.

To pull down the Houses on the North Side of *Thames Street* which are situated and reach from *Elbow Lane* to *College Hill*, and also those Houses on the South Side of the said Street which reach from *Vintners Hall* to *Bull Wharf Lane*, in order to make the said Street forty Feet wide,

To pull down the House at the Corner of *Tower Royal*, facing *College Hill*, and lay the Ground into the Street.

In the Ward of Wallbroke.

To pull down the House at the North East Corner of *Bucklersbury*, which projects before the other Buildings.

In Bishopsgate *Ward.*

To pull down the two Houses between *New Broad Street* and *New Broad Street Buildings*, which project so far into the Street as to make the Passage and Communication to the said Streets very narrow and inconvenient.

CAP. XXXI.

An Act for regulating the Proceedings in Personal Actions in the respective Courts Baron of the Hundred of *High Peak*, and Manor of *Castleton*, in the County of *Derby*.

Preamble.

'WHEREAS his most Excellent Majesty, in Right of his Duchy of *Lancaster*, is seised to him, his Heirs and Successors, of and in the Hundred and Liberty of *High Peak*, and Manor of *Castleton*, in the County of *Derby*, and of the Jurisdictions of the two several Courts Baron within, and appertaining to the said Hundred and Manor respectively: And whereas from Time immemorial, Plea hath been held every three Weeks, or so often as was requisite, in all Personal Actions arising within the said several Jurisdictions, where the Debt or Damages have been under forty Shillings: And whereas notwithstanding Justice hath, for many Years, been administered in the said several Courts Baron, in the most strict and impartial Manner, yet the Method of compelling Debtors, and other Persons, to appear to the said Actions which are commenced in the said Courts Baron, is in both the said Courts by Summons and Distress infinite; which is a very dilatory, and often an ineffectual Method for that Purpose; and by reason thereof, and also by reason of the Expence which attends the Prosecution of Causes to Judgment in the said Courts, and often afterwards when such Causes are removed up to some superior Court, honest Creditors are many Times discouraged from attempting to recover the Debts due to them, and thereby many evil-disposed Persons, who have contracted small Debts within the said Hundred and Manor, are incouraged (though able) to refuse or delay the Payment thereof, and do often set their Creditors at Defiance; therefore the Freeholders, Resiants and Inhabitants, within the said Hundred and Manor, have applied to the Right Honourable the Chancellor and Council of his Majesty's said Duchy, in order that some proper Method may be provided for regulating the Proceedings in, and amending the Defects which so attend, the several Jurisdictions of the said Courts Baron respectively, and for preventing all unnecessary Delays and Expences in the said Proceedings, and for providing, from among the several Suitors of the said several Courts Baron, fit, able, discreet, and indifferent Homagers or Jurors to try all Issues which shall stand for Trial in any Plaint, Suit or Action to be depending in the said respective Courts, and the like fit, able, discreet, and indifferent Homagers or Jurors for the finding of Inquests and taking of Inquisitions upon Processes which may issue out of, or on any other Proceedings which may be had in the said Courts respectively, in Nature of Writs of Inquiry of Damages at the Common Law; and the said Chancellor and Council are of Opinion, that it will be for the Benefit of his Majesty's Subjects respectively inhabiting within the said Hundred and Manor, if an Act could be obtained for the Purposes aforesaid:' Wherefore may it please your most Excellent Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and sixty, whenever any Plaint shall be entered, or any Suit or Action shall be commenced, in either of the Courts Baron so as aforesaid belonging to the said Hundred of *High Peak*, or Manor of *Castleton* (the Debt or Damages in such Plaint, Suit or Action, not amounting to the Sum of forty Shillings) it shall and may be lawful to and for all and every Person and Persons, who shall have so entered any such Plaint, or commenced any such Suit or Action as aforesaid, by himself or themselves, or by his or their Agent or Agents, to apply to the Stewards of the said Courts Baron respectively, or to his or their Deputy or Deputies, to issue his or their Precept to the Bailiff or Bailiffs, or other proper Officer or Officers of the said respective Courts, to warn and summon the Defendant or Defendants in every such Plaint, Suit or Action, to appear at the next Court, and to make his or their Defence to such Plaint, Suit or Action, in such Manner as such Defendant or Defendants shall be advised; and thereupon such Steward or Stewards, or his or their lawful Deputy or Deputies, shall accordingly issue his or their Precept to the Bailiff or Bailiffs, or other proper Officer or Officers, to warn or summon the said Defendant or Defendants to appear and make his or their Defence as aforesaid; and all and every such Bailiff and Bailiffs, and other Proper Officer and Officers, is and are hereby authorised and required to execute the said Precept, by personal Service of a Copy of such Precept on the Defendant or Defendants, or by leaving a Copy of such Precept at the Dwelling-house or Place of Abode of such Defendant

On Plaint or Suit entered, or commenced, for a Debt or Damage not amounting to 40 s.

Application to be made to the Steward of the Court, to summon the Defendant,

Steward to issue his Precept accordingly to the Bailiff, who is to execute the same;

and the Defendant not appearing thereto,

Plaintiff may enter a Common Appearance, and proceed thereon,

Defendant or Defendants, at least five Days before the Return of such Precept; and if the Defendant or Defendants, who shall be named in any such Precept so executed as aforesaid, shall not appear at the Return thereof, or within the Space of one Hour after the Calling or Opening of the Court, which shall be held next after the issuing of such Precept, then and in such Case, it shall and may be lawful to and for the said Plaintiff or Plaintiffs (Proof being made upon Oath in open Court by the Bailiff or other Officer, of his having duly executed such Precept) to enter a Common Appearance for such Defendant or Defendants, and to proceed thereon, as if such Defendant or Defendants had entered his or their Appearance in pursuance of such Precept; any Law or Usage to the contrary notwithstanding.

On Issue joined between the Parties, Matter thereof to be tried by the Suitors of the Court,

and their Judgment to be final and conclusive.

II. And be it enacted, That where any Plaint shall be entered, or any Suit or Action shall be commenced at any Time after the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and sixty, in either of the said Courts Baron, so as aforesaid belonging to the said Hundred of *High Peak*, or Manor of *Castleton*, (the Debt or Damages in such Plaint, Suit or Action, not amounting to the Sum of forty Shillings) all such Matters and Things as shall be put in Issue between the Parties upon any such Plaint, Suit or Action, shall severally be tried and determined by and before such of the Suitors or Homagers, owing Suit and Service to the said Courts respectively, as herein after are directed to be for that Purpose nominated, chosen and summoned; and such Verdict as they the said Suitors or Homagers in the said several Courts Baron shall respectively find upon every such Trial, and the Judgments thereupon to be entered, shall from time to time be final and conclusive to all and every the Parties, Plaintiffs and Defendants in the said several Plaints, Suits or Actions.

Defendant suffering an interlocutory Judgment,

and Process of Inquiry issuing thereupon,

the special Suitors of the Court, to take the Inquisition;

and their Judgment to be binding and conclusive.

III. And be it further enacted, That when any Plaint shall be entered, or any Suit or Action shall be commenced, at any Time after the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and sixty, in either of the said Courts Baron so as aforesaid belonging to the said Hundred of *High Peak*, or Manor of *Castleton* (the Debt or Damages in such Plaint, Suit or Action, not amounting to forty Shillings) then if the Defendant or Defendants in such Plaint, Suit or Action, shall suffer an interlocutory Judgment or Judgments to be signed or entered against him or them, for want of a Plea or Pleas, or for any other Cause, and in and by such interlocutory Judgment or Judgments, Process shall be directed to issue in the Nature of a Writ of Inquiry of Damages; then and in such Case, all and every the Inquests to be found, and the Inquisitions to be taken upon any such Process or Processes, shall be found, had and taken, by and before such of the Suitors or Homagers of the said Courts Baron respectively, as are herein after directed to be for that Purpose nominated, appointed and summoned; and such Inquest or Inquisitions as shall be so found or taken by the said Suitors or Homagers, and the Damages which they shall assess, and the Judgments which shall be entered upon the Return of such Processes respectively, shall from time to time be binding and conclusive to all and every the Parties, Plaintiffs and Defendants in the said several Plaints, Suits or Actions.

Steward, upon Application, to summon Witnesses,

who are required to attend and give Evidence upon Oath;

IV. And be it further enacted, That it shall and may be lawful to and for the Stewards of the said Courts Baron respectively, and their lawful Deputy or Deputies for the Time being, to issue, and he and they are hereby required upon the Application of any of the Parties, his or their Attorney or Attornies, Agent or Agents, to issue his and their Warrants under his and their Hands and Seals, to all such Persons, as any of the said Parties shall be advised to be material Witnesses for them, or any of them, to produce upon any such Trial, or upon the taking of any such Inquest or Inquisition as aforesaid, by which Warrants such Witnesses as shall be named therein, shall be required, and they are hereby required, being first personally served with a Copy of such Warrant or Warrants, to give their personal Attendance at every such Trial, Inquest or Inquisition, and there to give in their Evidence touching the Matters which shall be in Difference, or shall be to be tried or inquired into between the Parties, according to Truth; and such Stewards, and their said lawful Deputy or Deputies, shall respectively have full Power and Authority to interrogate and examine such or any other Witnesses before the said Suitors or Homagers *viva voce*, upon their corporal Oaths, in such Manner as shall be most conducive to the Discovery of the Truth; and after any Verdict or Inquest shall be found, or Inquisition shall be had or taken, and Damages assessed in any such Plaint, Suit or Action, Judgment shall be given for such of the Parties for whom the said Verdict shall be given, or Damages assessed, in such Manner as shall be just.

Verdict and Judgment to be given thereupon.

Witnesses not attending, or refusing to give Evidence,

may be amerced by the Steward;

Fine to be affeered by the Suitors; and applied to the injured Party, and the Crown.

V. And be it also further enacted, That where any Person or Persons, residing within either of the Jurisdictions of the said Courts Baron, after being by Warrant, under the respective Hands and Seals of the said Stewards, or their Deputies respectively (to be duly served as aforesaid) so required to appear and give Evidence, shall refuse or wilfully neglect to appear, or shall refuse to be examined and give their Evidence concerning the Matters in Difference, without sufficient Cause shewn for such Refusal or Neglect, in every such Case, it shall and may be lawful to and for the respective Stewards of the said respective Courts and their Deputies (Proof being first made in open Court, upon Oath, of the due Service of every such Warrant or Warrants respectively) to fine such Person and Persons who shall so make Default in any Sum not exceeding the Sum of forty Shillings, nor less than twenty Shillings; and thereupon such Fine or Fines, or so much thereof as the said respective Stewards or their Deputies shall appoint, shall be applied to and for the Use of the Party who shall appear to the Court to be injured by being deprived of the Benefit of such Evidence, and the Residue to be and remain to and for the Use of his said Majesty, his Heirs and Successors, in the Right aforesaid; the Whole, together with the Costs and Charges of levying thereof to be recovered by Distress and

Sale of the Offenders Goods and Chattels by Warrant under the respective Hands and Seals of the Stewards of the said respective Courts Baron, or their respective Deputies; and for want of such Distress the Offenders to be committed to Prison by such Warrant as aforesaid, for any Space of Time not exceeding twenty Days, unless he or they shall sooner pay the said Sum so imposed as aforesaid, together with the Costs and Charges attending such Commitment. For want of Distress, Offender to be committed.

VI. And for avoiding of all unnecessary Prolixity and Multiplicity of Pleading; It is hereby enacted, That where any Plaint shall be entered, or any Suit or Action shall be commenced in either of the said several Courts Baron, in any Personal Action, the Debt or Damages in such Plaint, Suit or Action, not amounting to the Sum of forty Shillings, it shall and may be lawful to and for the Plaintiff or Plaintiffs in every such Plaint, Suit or Action, and he and they is and are hereby respectively authorised to declare in the Form or to the Effect following (that is to say) Form of Plaintiff's Declaration.

'HUNDRED of *High Peak*, or Manor of *Castleton* (*as the Case is*) To wit, *A. B.* complains 'of *C. D.* for that the said *C. D.* before the Day of 'in the Year of our Lord [*naming the Day of entering the Plaint*] within the Jurisdiction 'of this Court, was indebted to the said *A. B.* in the Sum of [*which may be expressed 'to be either for Goods before that Time sold and delivered, or for Work and Labour done, or for Money 'lent, or for Money laid out and expended for the Use or by the Order of the said* C. D. *or for Money or 'Goods had and received by the said* C. D. *for the Use or by the Order of the said* A. B. *or upon Account 'stated, or for Non-performance of Promises, Assumptions, Contracts, Agreements, or other Undertakings, 'or for some other of the aforesaid, or any other proper Cause or Causes of Action, as the Plaintiff shall be 'advised*] which said Sum the said *C. D.* hath not paid to the said *A. B.* but refuseth to pay the 'same, to his Damage of thirty-nine Shillings and eleven Pence; and therefore he brings this Suit, 'and so forth."

VII. And be it further enacted, That it shall and may be lawful to and for the Defendant and Defendants in every such Plaint, Suit or Action, to plead a General Issue to such Declaration in the Form or to the Effect following; that is to say, Defendant may plead generally thereto;

'AND the said *C. D.* comes and defends himself, and saith, he is not indebted to the said *A. B.* 'as in his said Declaration is supposed; and therefore he puts himself upon the Homage.'

VIII. And be it further enacted, That if any Defendant or Defendants in any such Plaint, Suit or Action as aforesaid, shall be advised, or shall find it necessary to insist on Special Matter for his or their Defence in any such Plaint, Suit or Action, that then it shall and may be lawful to and for such Defendant and Defendants to plead a General Issue in the Form or to the Effect herein before-mentioned, and to give such Special Matter in Evidence; so as nevertheless the Defendant or Defendants do severally at the Time of filing his or their Plea, give the Plaintiff or Plaintiffs Notice in Writing, at the Foot of such Plea of the Special Matter intended to be given in Evidence, and insisted on as aforesaid. and if necessary, give the Special Matter in Evidence, giving the Plaintiff Notice thereof.

IX. And be it enacted, That in case any Defendant or Defendants in any Plaint, Suit or Action, to be entered or commenced in Manner aforesaid, shall instead of pleading the General Issue, plead a Dilatory, or any other Plea besides the General Issue, or shall demur to the Plaintiff's Declaration, and it shall appear to the Satisfaction of the Steward of the Court wherein such Plaint, Suit or Action shall have been entered or commenced, or his Deputy, and be by the said Steward, or his Deputy, declared in open Court as his Opinion, that such Plea or Demurrer was put in by the Defendant or Defendants, merely with an Intent or Purpose to delay the Plaintiff or Plaintiffs in the prosecuting his or their Plaint, Suit or Action; that then and in every or any of the said Cases, it shall and may be lawful for the Plaintiff or Plaintiffs in such Plaint, Suit or Action, to sign Judgment as for want of a Plea. Defendant pleading otherwise than the General Issue, and Court declaring the same to be merely dilatory, Plaintiff may sign Judgment as for want of Plea;

X. And be it also further enacted, That when any Plaint shall have been entered, or any Suit or Action commenced in either of the said Courts Baron, and an Appearance thereto shall have been regularly entered for the Defendant or Defendants, and the Plaintiff or Plaintiffs in such Plaint, Suit or Action, shall have declared against such Defendant or Defendants; then in case the Defendant or Defendants shall not plead to such Declaration at the next Court after such Declaration shall have been filed, but shall make Default after being three Times solemnly called, it shall and may be lawful to and for the Plaintiff or Plaintiffs, to sign Judgment by Default against the Defendant or Defendants so neglecting to plead to such Declaration, in such Plaint, Suit or Action. or if after Appearance entered, and Declaration made, Defendant shall not plead thereto,

XI. And be it further enacted, That when any Plaint shall have been entered, or any Suit or Action commenced in either of said Courts Baron, and an Appearance thereto shall have been regularly entered for the Defendant or Defendants, and the Plaintiff or Plaintiffs in such Plaint, Suit or Action, shall have declared against such Defendant or Defendants, then in case the Defendant or Defendants shall not plead to such Declaration at the next Court after such Declaration shall have been filed, but shall make Default after being three Times solemnly called, it shall and may be lawful to and for the Plaintiff or Plaintiffs to sign Judgment by Default, in such Plaint, Suit or Action, and at the same Court, or upon such Notice as is herein after directed in that Behalf, at any subsequent Court, it shall and may be lawful to and for the Steward of the Court, wherein such Plaintiff may sign Judgment by Default;

Plaint, Suit or Action shall have been so entered or commenced, and such Proceedings had as aforesaid, or his Deputy, and the said Steward and his Deputy is and are hereby required upon the Prayer of the Plaintiff or Plaintiffs in such Plaint, Suit or Action, to impanel a Jury or Homage of twelve Persons, from among the Suitors or Homagers then attending such Court; and such Jury or Homage so impanelled, shall be in Nature of an Inquest to inquire, and shall accordingly inquire, or make Inquisition upon their Oath, by all such lawful Ways and Means as the Jurors or Homagers of the same Court may do upon a Trial of any Issue therein, what Damages the Plaintiff or Plaintiffs in such Plaint, Suit or Action, hath or have sustained by reason of the Defendant or Defendants Non-payment of the Debt, or Non-performance of the Premisses mentioned in the Plaintiff or Plaintiffs Declaration, or by reason of any other Matter or Thing, in respect whereof such Plaint shall have been entered, or such Suit or Action shall have been commenced as aforesaid; and such Jury or Homage shall and may on such Inquest or Inquisition, assess the Plaintiff or Plaintiffs such Damages and Costs of Suit as shall be just; upon which Inquest found, or Inquisition had, and Damages assessed, final Judgment shall be entered, and Execution had and awarded, in such Manner as the Circumstances of the Case shall require.

and a Jury thereupon shall be summoned to assess the Damages and Costs,

and Judgment and Execution awarded.

Plaintiff not declaring upon the Defendant's appearing,

or not proceeding to Trial, or being nonsuited, &c.

Court to award Defendant Costs.

XII. And be it further enacted, That if any Person or Persons shall by virtue of this Act be at any Time or Times hereafter summoned to appear in either of the said Courts Baron upon any Suit, Plaint or Action whatsoever, and the Person or Persons so summoned shall have appeared accordingly, then if the Plaintiff or Plaintiffs who shall so have entered such Plaint, or commenced such Suit or Action, shall not declare against such Person or Persons so summoned at the next Court after such Appearance; or if the Plaintiff or Plaintiffs shall have declared, and the Defendant or Defendants shall have pleaded an issuable Plea; then in case the Plaintiff or Plaintiffs in such Plaint, Suit or Action, shall not proceed to Trial within two Courts held next after the pleading such issuable Plea; or if the Plaintiff or Plaintiffs shall discontinue his or their Action, or be nonsuited, or a Verdict given against him or them, and Judgment shall be thereupon entered against him or them in such Plaint, Suit or Action; then and in any of the Cases aforesaid it shall and may be lawful to and for such of the said Courts in which such Plaint shall have been so entered, or Suit or Action commenced as aforesaid, to award the said Defendant or Defendants so summoned as aforesaid, his or their Costs of Suit in respect of the Premisses: And thereupon Execution shall be awarded by the said Courts respectively, for such Sum and Sums of Money as shall be awarded for Costs as aforesaid against the Plaintiff or Plaintiffs in such Plaint, Suit or Action; and the same Sum and Sums of Money for which such Execution shall be so awarded, shall be paid, recovered, levied, and attached on such Plaintiff or Plaintiffs awarded to pay the same, or on his or their Goods and Chattels, by any such Processes out of the said respective Courts, or by any such other Ways or Means as any Sum or Sums of Money is or are hereby or herein after directed to be levied and recovered by Force and Virtue of this Act.

Plaintiff may notwithstanding renew his Suit.

XIII. Provided always, That nothing herein contained shall extend to disable the Plaintiff or Plaintiffs in any Plaint, Suit or Action, who shall not have duly prosecuted his Plaint, Suit or Action, or shall discontinue the same, or shall be nonsuited therein, from entering any new Plaint, or commencing any new Suit or Action for the same Debt or Damages for which his or their original Plaint, Suit or Action was entered or commenced.

10 Days Notice of Trial to be given to Defendant,

and Copy thereof to be left with the Steward of the Court,

XIV. And be it enacted, That ten Days Notice of Trial, and of taking Inquisitions in the Nature of Writs of Inquiry at Common Law (except as to the assessing of Damages at the Court whereat Judgment shall be signed as aforesaid) shall be given in Writing to the Defendant or Defendants in every Plaint, Suit or Action depending in the said respective Courts Baron, or to be left at his or their Dwelling-house or Place of Abode; and that a Copy thereof shall be left with the Steward of the Court, in which such Plaint, Suit or Action shall be entered or commenced, or his Deputy, ten Days before the Court at which such Plaint, Suit or Action is intended to be tried, or such Inquisition taken.

Plaintiff not being reliant,

'XV. And whereas Causes of Action may frequently arise, and be proper and convenient to be 'prosecuted, within the Jurisdictions of the said Courts Baron respectively, and the Person or 'Persons to whom any such Action or Actions shall accrue, may not live or reside within the same; 'or it may happen that the Person or Persons having entered his or their Plaint, or commenced his 'or their Suit or Action within the said Courts respectively, may, pending such Action or Actions, 'depart or withdraw himself or themselves from such respective Jurisdictions; and it will tend to 'the Advantage of the Inhabitants of the said Hundred and Manor, and promote useful Credit, to 'provide a Remedy for the Costs of Suit of any Defendant or Defendants who shall be sued at the 'Suit of any such Person or Persons as aforesaid, in case he or they shall not duly prosecute his or 'their Plaint, Suit or Action, or discontinue the same, or become nonsuit in any such Plaint, 'Suit or Action, or in case a Verdict shall be given, and Judgment thereupon entered against the 'Plaintiff or Plaintiffs therein;' Be it therefore enacted, That when any Person or Persons shall be minded to enter any Plaint, or commence any Suit or Action, against any Person or Persons for any Debt, Matter or Thing whatsoever in either of the said Courts, and such Person or Persons, Plaintiff or Plaintiffs, shall not reside within the Jurisdiction of the Court in which he or they shall be so minded to enter such Plaint, or commence such Action; or in case any Plaintiff or Plaintiffs having entered his or their Plaint, or commenced any Suit or Action in either of the said Courts, shall, pending the same, depart or withdraw himself or themselves from such Jurisdiction; then and in either of the said Cases, he or they shall, at the Time of his or their entering such Plaint,

or

or commencing such Suit or Action, and previous to his or their withdrawing himself or themselves from such Jurisdiction, by himself or themselves, or his or their Agent, bring with him or them to, or cause to appear before, the Steward for the Time being of such of the said Courts respectively whereout Process shall be required to issue, or his Deputy, one or more sufficient Person or Persons, being a Householder or Householders, residing within the Jurisdiction of the Court whereout such Process shall be so required, or hath issued, and shall cause or procure such Person or Persons so being a Householder or Householders, to enter into a Recognizance to the Defendant or Defendants in such Plaint, Suit or Action; and which Recognizance the said Steward or his Deputy shall, and is hereby authorized to take in the penal Sum of thirty-nine Shillings and eleven Pence, to be levied on the Goods and Chattels of them the said Person or Persons so entering into such Recognizance, by such Ways and Means as any other Sum or Sums of Money is or are herein directed to be levied and recovered by this Act, with Condition, to be there under written, that such Recognizance shall be void, upon full Payment being made to the Defendant or Defendants of all his and their Costs of Suit, in case the Plaintiff or Plaintiffs in any such Plaint, Suit or Action as aforesaid, shall not duly prosecute the same, shall discontinue his or their Action, or become nonsuit, or that a Verdict shall be given against him or them, and then, upon entering into such Recognizance as aforesaid, and not otherwise, it shall and may be lawful to and for such Person or Persons to enter and prosecute his and their Plaint, and commence and carry on his or their Suit or Action against such Defendant or Defendants.

is to bring before the Steward some Householder residing within the Jurisdiction of the Court, to enter into Recognizance to prosecute the Suit with Effect, &c.

XVI. Provided always, That if any Person or Persons not residing within the Jurisdiction of the Court wherein he or they shall enter, or be minded to enter, any Plaint, or commence any Suit or Action, or having entered any Plaint or commenced any Suit or Action, shall previous to his or their withdrawing himself or themselves from such Jurisdiction, refuse or decline to procure such Recognizance as aforesaid to be entered into, that then, and in every such Case, it shall and may be lawful to and for the Steward of the said Court, or his Deputy, to forbear granting his or their Precept or Precepts against the Defendant or Defendants in such Plaint, Suit or Action, or permit any further Proceedings in any Action or Suit then depending, until such Time as such Recognizance shall be entered into in Manner as aforesaid.

Plaintiff not procuring such Recognizance,

Steward may forbear granting Precept against Defendant.

XVII. Provided also, That in case any Proceedings shall have been had in either of the said Courts Baron upon any Plaint entered, or any Suit or Action commenced, by any Person or Persons whatsoever, not residing within the Jurisdiction of the Court wherein such Plaint shall have been so entered, or having withdrawn himself or themselves from the Jurisdiction of the same Court, and it shall afterwards appear to the Satisfaction of the Steward of the said Court in which such Action shall be so brought and depending, or his Deputy, that the Person or Persons who shall have so entered such Plaint, or commenced such Suit or Action, or his or their Agent or Agents, have not caused or procured such Recognizance to be entered into as is herein before mentioned; that then, and in either of the said Cases, the Plaint, Suit or Action so depending, shall be wholly discontinued, and the Plaintiff or Plaintiffs entering or commencing the same, shall for the future be disabled from entering any new Plaint, or commencing any new Suit or Action, in either of the said Courts Baron, for the Debt or Damages for which such Plaint was entered, or such Suit or Action was commenced as aforesaid, unless the Plaintiff or Plaintiffs in such Plaint, Suit or Action shall, before the entering of any new Plaint or Commencement of any new Suit or Action, or further Proceedings had against such Defendant or Defendants, pay or cause to be paid, to such Defendant or Defendants his or their Costs sustained in such former Plaint, Suit or Action; such Costs to be settled or ascertained by the respective Stewards of the said Courts Baron, or their lawful Deputies.

If Proceedings shall be had on such Suit, without Recognizance being first entered into,

Suit to be discontinued, and Plaintiff disabled to renew the same;

till Costs be paid to Defendant.

XVIII. And be it enacted, That all and every Recognizance and Recognizances to be entered into and taken pursuant to this Act, shall be fairly entered by the respective Stewards of the said Courts Baron, or their Deputies, in a Book or Books to be kept for that Purpose, without Stamp, and shall be in the Form, or to the Effect following; that is to say,

Recognizance to be entered without Stamp,

in the following Form.

'HUNDRED of *High Peak*, or Manor of *Castleton*, To wit, The Day of upon a Plaint to be entered, or upon further prosecuting his Plaint (*as the Case shall be*) in the Court Baron of this Hundred or Manor, by *A. B.* of in the County of against *C. D.* of within the Jurisdiction of the said Court, I *E. F.* of within the Jurisdiction of the said Court, do hereby acknowledge to owe to the above named *C. D.* the Sum of thirty-nine Shillings and eleven Pence, to be levied upon my Goods and Chattels: "The Condition of this Recognizance is such, That "if the said *E. F.* shall, upon Demand, well and truly pay, or cause to be paid unto the said *C. D.* "all such Sum or Sums of Money as shall, at any Time or Times, be awarded by the said Court "Baron to be paid by the said *A. B.* to the said *C. D.* as and for his the said *C. D.* his Costs of Suit "in the above-mentioned Plaint, then this Recognizance to be void, or else to remain in full Force "and Virtue."

All and every of which said Recognizances shall be signed by the Party or Parties entering into the same, and shall be witnessed by the respective Stewards of the said Court Baron, or their Deputies for the Time being, wherein the same shall be acknowledged or taken.

Defendants may pay the Money into Court,

XIX. And be it enacted, That where any Plaint shall be entered, or any Suit or Action commenced, in either of the said Courts Baron, in any Personal Action, it shall and may be lawful to and for the Defendant or Defendants who shall have appeared to any such Plaint, the Plaintiff or Plaintiffs in such Plaint, Suit or Action, having declared against such Defendant or Defendants, to bring the Debt, Sum or Sums of Money, into the Court wherein such Plaint shall be entered, or such Suit or Action commenced, and to pay the same into the Hands of the Steward of the same Court, or his Deputy, and then to plead a General Issue, whereupon the said Court shall make a Rule or Order, without Stamp, in the Words, or to the Effect following; (that is to say)

and plead the General Issue, whereupon the Court is to make the following Rule,

"HUNDRED of *High Peak*, or Manor of *Castleton*, To wit, The Day
" of in the Year of our Lord
A. B. against *C. D.* } " brought into Court the Sum of the Defendant having it is therefore ordered, That unless the
" Plaintiff shall accept thereof, with Costs, to be taxed by the Steward, or his Deputy,
" in full Discharge of this Suit, the said Sum of shall be struck out of
" the Declaration, and paid out of Court to the Plaintiff, or his Attorney or Agent; and upon the
" Trial of the Issue, the Plaintiff shall not be permitted to give Evidence for the said Sum of

" By the Court."

A Copy of which said Rule shall be served upon the Plaintiff or Plaintiffs in such Plaint, Suit or Action, or upon one of the Persons who shall enter into such Recognizances as aforesaid, or left at his or their Dwelling-houses or Places of Abode respectively, at least ten Days before the Court next after making the said Rule.

'XX. And to the End that all such Matters and Things as shall or may be put in Issue between 'the Parties, upon any Plaint to be entered, or Suit or Action to be commenced, in either of the 'said Courts Baron, may be tried by twelve fit, able, discreet and indifferent Suitors or Homagers, 'owing Suit and Service to the said Courts Baron respectively;' Be it enacted, That when and so

Upon Issue joined and Notice of Trial,

often as due Notice shall have been given by the Plaintiff or Plaintiffs of the Trial of the Issue or Issues in any such Plaint, Suit or Action, to the respective Stewards of the said several Courts Baron, or their respective Deputies, in Manner before appointed, it shall and may be lawful to and for such Stewards, or their Deputies respectively, and they are hereby required, at least five Days before the holding of any Court Baron for the said hundred or Manor respectively, at which any

Steward to issue Precepts for summoning a Jury of 24 Persons,

Issue or Issues joined in either of the said Courts Baron are intended to be tried, to issue their Precepts under their respective Hands and Seals to the Bailiff or Bailiffs, or other Person or Persons to whom the Return of such Precepts for the Time being shall belong, thereby commanding them to summon twenty-four fit, able, discreet and indifferent Suitors of the said several Courts respectively, to serve as Jurors or Homagers at the next Court to be held for the said Hundred or Manor respectively, in which Precepts shall be contained the Names, Places of Abode, and Additions of such twenty-four Persons, so directed to be summoned for the Trial of such Issues as aforesaid; and thereupon every such Bailiff or Bailiffs, and other Person or Persons to whom such Precepts shall issue, shall forthwith summon the Persons whom he or they shall be required to summon by such Precept or Precepts, by Writing under his or their respective Hands, thereby summoning or warning such

Summons to be made by personal Service.

Person or Persons to appear and serve as Jurors and Homagers at the then next Court; every such Summons or Warning to be made by personal Service of the Summons, or by leaving the same at the Dwelling-houses or Places of Abode of such Person or Persons respectively.

Jurors Names to be written on distinct Pieces of Paper, and rolled up, and put into a Box,

XXI. And be it further enacted, That the Name of each and every Person who shall be summoned to try such Issue or Issues in the said respective Courts Baron, with the Place of Abode and Addition of each and every such Person, shall be written by the said several Stewards, or their Deputies respectively, on several Pieces of Paper of an equal Size and Bigness, as near as may be; and every such distinct Piece of Paper, upon which every such Name shall be respectively written, shall, immediately, previous to such Trial, be rolled up and put into a Box, to be provided and kept for that Purpose; and when any Plaint, Suit or Action shall be brought on to be tried, the said Stewards of the said Courts Baron, or their Deputies respectively, shall and may in open Court draw

and 12 of those present, and not challenged, to be drawn;

out twelve of the said Papers one after another; and if any of the Persons whose Names shall be drawn, shall not appear, or shall appear, and be challenged and set aside, then such further Number shall be drawn, until twelve Persons (all Causes of Challenges having been examined into, and allowed or over-ruled) shall have been drawn and approved of, or allowed of, as fair and indifferent Persons to try such Issue or Issues.

who are to be the Jury, &c.

XXII. And be it further enacted, That such twelve Persons, who shall be so drawn, and shall appear and be approved of as indifferent Persons to try the said Issue or Issues, shall (being first duly sworn in Manner hereafter directed) be the Jury or Homage to try the said Cause; and the Names and Persons of such Jury or Homage so drawn and sworn, shall be kept apart till such Jury or Homage shall have given in their Verdict, and such Verdict shall be duly entered, or until such Jury or

the Names to be returned again into the Box, to serve on Trial of other Issues depending,

Homage shall, by the Consent of Parties or Leave of the Court, be discharged; and then the same Names shall be rolled up again, and returned into the same Box, there to be kept with the other Names remaining undrawn, and so, from Time to Time, as often as any other Issue or Issues shall be to be tried in any other Plaint, Suit or Action, to be depending in the same several Courts respectively; and the same Course shall be observed for the Nomination and Appointment of a Jury

or Homage to try such Issue or Issues respectively, until all the Issues which shall then stand for Trial shall be tried, or the Juries discharged thereof as aforesaid.

Limitation of Challenges to Jury.

XXIII. Provided always, and it is hereby enacted and declared, That no Challenge to the Array of such Jury or Homage shall be taken or allowed, or any peremptory Challenge to more than two of such Jurors of Homagers, by each of the Parties, his or their Attorney or Agent; any Law, Usage or Custom to the contrary thereof notwithstanding.

Jury to be sworn.

XXIV. And be it further, That every Suitor, who shall be summoned to serve as a Juror or Homager in each of the said Courts Baron, shall, before he enters upon the Trial of any Plaint, Suit or Action there depending, take the following Oath, that is to say,

The Oath.

'I *A. B.* do swear, That I will well and truly try the Issue joined between the Parties, and a true Verdict give, according to the Evidence which shall be now produced, touching the Matters in Variance, without Favour or Affection to either Party.'

So help me God.

Juror who has served six Times in the same Year,

to be discharged, upon his Request, from future Service for that Year,

and other fit Persons to be returned thereupon.

XXV. Provided always, and it is hereby enacted, That if any Person who shall be summoned to attend either of the said Courts Baron as a special Suitor, Juror or Homager, shall make it appear to the Satisfaction of the respective Stewards of the same Courts, or their respective Deputies, that he has already served on the Trial of Issues in the said respective Courts, or on the taking or finding of Inquests as a Juror or Homager six Times in the same Year in which he shall then be summoned; then, and in such Case, the Person who shall so make it appear that he hath so already served six several Times in that Year, shall upon his craving to be discharged be essoined and discharged from all future Service as a special Suitor, Juror or Homager for the trying of Issues, or the taking or finding of Inquests for the then current Year; and then and in such Case, some other fit, able, discreet, and indifferent Suitor of the said respective Courts shall be returned *instanter* to serve in the Place and Stead of the Suitor who shall be so essoined and discharged as aforesaid.

Precepts for summoning Jurors, to be issued 5 Days before the Sitting of the Court.

'XXVI. And to the End that a competent Number of fit, able, discreet and indifferent Suitors 'may be provided to find Inquests, and take Inquisitions on all Processes which shall issue out of 'the said respective Courts Baron, or other Proceedings which shall be there had, in Nature of 'Writs of Inquiry of Damages,' Be it enacted, That the respective Stewards of the said several Courts Baron, or their respective Deputies, shall at least five Days before the holding of a Court Baron for the said Hundred or Manor respectively, from Time to Time, issue his or their Precept or Precepts, under his or their respective Hands and Seals, to the Bailiff or Bailiffs of the said Courts respectively, or to such other Person or Persons to whom the Return of such Precepts shall, for the Time being, respectively belong, thereby commanding them to summon any Number of fit, able, discreet and indifferent Suitors, owing Suit and Service to the said Courts respectively, not exceeding twenty-four, nor less than twelve, to attend at the next Court to be then next held for the said Hundred or Manor respectively, and there to serve as Jurors or Homagers for the finding of Inquests, and taking of Inquisitions upon Processes to issue out of, or other Proceedings to be had in the said Courts Baron respectively, in Nature of Writs of Inquiry of Damages; and such Jury or Homage shall continue to serve as such during the Sitting of the same Court, or until they shall be dismissed by the Steward thereof, or his Deputy for the Time being.

Jury to be continued during the Sitting of the Court.

The Names and proper Addition of the Jurors, to be entered in the Precepts.

Summons to be made by Personal Service.

XXVII. And it is hereby enacted, That in every of the said Precepts, the Names of the Persons so directed to be summoned for the finding of Inquests, or taking of Inquisitions as aforesaid, shall be written and expressed at full Length, with the Place of Abode and Addition of every such Person so directed to be summoned, to the End no Mistake may happen in the Description of them, or any of them; and thereupon every such Bailiff or Bailiffs, or other Person or Persons to whom such Precepts shall issue, shall forthwith summon the Person or Persons whom he or they shall be required to summon by such Precept or Precepts, by Writing under his or their respective Hands, thereby summoning or warning such Person and Persons to appear and serve as Jurors or Homagers at the then next Court; every such Summons or Warning to be made by personal Service of the said Summons, or by leaving the same at the Dwelling-houses or Places of Abode of such Persons respectively.

Where 12 of the Jurors shall not appear,

Inquests may be taken by any 12 Suitors of the Court.

XXVIII. And be it also further enacted, That where twelve at the least of the Suitors at the said respective Courts Baron, who shall have been duly summoned pursuant to such Precept of the respective Stewards of the said Courts, or their Deputies or any of them, shall not appear at the said respective Courts, in order to find Inquests and take Inquisitions upon such Processes issuing out of, or other Proceedings to be had in, the said respective Courts as aforesaid; that then, and in such Case, such Inquests shall and may be found, and such Inquisitions shall and may be taken, by any twelve Suitors of the said respective Courts Baron; and such Inquests and Inquisitions, as such Suitors shall find or take thereupon, shall be good and sufficient to all Intents and Purposes, as if the same had been found or taken by twelve or more of the Suitors of the said Courts Baron respectively who shall have been summoned as aforesaid; any thing herein contained to the contrary thereof in any wise notwithstanding.

Suitor to be sworn before he enters upon Inquest.

XXIX. And be it enacted, That every Suitor of the said respective Courts Baron, before he serves upon any such Inquest, and before he enters upon any Inquiry of Damages sustained by any Plaintiff or Plaintiffs, in any Plaint, Suit or Action depending in the said Courts Baron respectively,

tively, where interlocutory Judgment shall have been entered against the Defendant or Defendants, shall take the following Oath; that is to say,

'I *A. B.* do swear, That I will well and truly inquire into and assess Damages between the Parties, without Favour or Affection.'

So help me God.

Steward of the Court may Fine Jurors for not attending.

XXX. And be it further enacted, That if any Person owing Suit and Service to the said Courts Baron respectively, who shall have been duly summoned pursuant to this Act to appear at the next Court to be held for the said Hundred or Manor, and there to serve as a Juror or Homager, either for the Trial of Issues, or for the finding of Inquests, and taking of Inquisitions upon such Processes or Proceedings as aforesaid, shall make Default and actually refuse or wilfully neglect to appear after being three Times called in open Court; and upon Oath made in open Court by such Bailiff or Bailiffs, or by some other credible Person or Persons, that such Suitor so making Default had been duly summoned; then, and in every such Case, it shall and may be lawful to and for the respective Stewards of the said Courts Baron, or their Deputies, for the time being (unless reasonable Cause shall be shewn to the contrary) to fine such Person so being a Suitor as shall so make Default, and actually refuse, or wilfully neglect, to appear, in any Sum not amounting to forty Shillings, nor less than ten Shillings; which said Fine or Fines, not being paid by the Space of ten Days after such Fine or Fines set, shall, together with the Costs of levying thereof, be recovered by Distress and Sale of such Defaulter's Goods and Chattles, by Warrant under the Hand and Seal of the Steward of the said respective Courts Baron, or his Deputy, and shall be applied to and for the Use of his said Majesty, his Heirs and Successors, in the Right aforesaid.

Fines to be levied by Distress and Sale,

and to be applied for the Use of his Majesty, &c.

Proceedings or Judgments of the Courts not removeable,

but to be final and conclusive;

XXXI. And be it enacted, That from and after the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and sixty, no Plaint, Suit or Action to be entered or commenced in either of the said Courts Baron, or any Judgment or other Proceedings to be had thereupon, shall be removed or removeable out of either of the said Courts Baron, by any Writ of *Recordari facias Loquelam*, *Certiorari*, false Judgment, or otherwise howsoever, but such Judgments as shall be respectively given in the said Courts respectively, shall be final and conclusive to all Parties whatsoever.

Plaints in Replevin excepted.

XXXII. Provided always, That all Plaints in Replevin shall be proceeded in and removeable in the same Manner as if this Act had never been made.

All Persons resiant within the Jurisdiction of the Court may plead and be impleaded.

XXXIII. Provided also, and it is hereby enacted and declared, That it shall and may be lawful to and for all and every the Inhabitants and others residing within the said Jurisdictions respectively, as well Attornies as others, to sue and be sued, plead and be impleaded in the said Courts Baron respectively, in any Plaint, Suit or Action, where the Debt or Damages shall not amount to the Sum of forty Shillings; any Privilege, Exemption, Law, Usage or Custom to the contrary thereof in any wise notwithstanding.

Jurisdiction of the Court not extended by this Act.

XXXIV. Provided also, That nothing herein contained shall be construed to enlarge, extend, or increase, or to diminish, lessen, restrain, or prejudice, the Jurisdictions of the said Courts Baron respectively, save in such Matters and Things as are in and by this Act expresly mentioned and declared.

Proceeding of the Court in Real Actions not altered by this Act.

XXXV. Provided also, That nothing herein contained shall extend to abridge, change or alter the Proceedings in the said several Courts, in the Nature of a Real Action, but that such Proceedings may and shall be had therein, as were used and accustomed before the passing this Act.

Jurisdiction of the Berghemote, &c. Courts, not altered by this Act.

XXXVI. Provided also, That nothing herein contained shall extend to abridge, change or alter the Jurisdiction or Proceedings in the Berghemote Courts, or Mineral Courts, or any of the Mineral Laws, Customs or Usages within the Hundred of *High Peak*, and Manor of *Castleton* aforesaid, but that the same shall and may continue and be as were used and accustomed before the passing of this Act.

Form of Precept for Execution on Judgment.

XXXVII. And be it enacted, That as well in all Cases where Judgment shall be given or pronounced in the said Courts Baron respectively, in any Plaint, Suit or Action, depending in the said Courts, or either of them, for the Plaintiff or Plaintiffs, Defendant or Defendants, and Execution shall be thereon awarded, as in all other Cases where the said Courts Baron, or either of them, shall order or award any Costs, Damages, Charges, or Expences, or any Fine or Fines, Sum or Sums of Money whatsoever, to be paid, rendered or answered by any Plaintiff or Plaintiffs, Defendant or Defendants, or other Person or Persons in pursuance of this Act, it shall and may be lawful for the respective Stewards of the said Courts Baron for the Time being, and their Deputies respectively, at the Prayer of the Party or Parties interested therein, or of some other Person on his or their Behalf, or of their own Authority in Behalf of his said Majesty, his Heirs and Successors, where his said Majesty, his Heirs and Successors shall be interested therein, in such Right as aforesaid, to issue a Precept or Warrant under their respective Hands and Seals in the Nature of a Writ, either of *Fieri facias* or *Levari facias*, to be directed to the Bailiff or Bailiffs of the said respective Courts, or other proper Officer or Officers, thereby directing and requiring him or them to levy such Debt, Costs, Damages, Charges or Expences, Fine or Fines, Sum or Sums of Money, for which Judgment shall have been recovered against such Plaintiff or Plaintiffs, Defendant or Defendants, or which such

Plaintiff or Plaintiffs, Defendant or Defendants, or other Person or Persons, shall be so ordered or awarded to pay, render or answer as aforesaid; and such Bailiff and Bailiffs, and other proper Officer and Officers, is and are hereby authorized to levy and raise the Sum or Sums of Money to be mentioned in such Precept or Warrant, in the same Manner as any Sheriff may levy Money by virtue of any Writ of *Fieri Facias* issuing out of any of his Majesty's Courts of Record at *Westminster*.

Form of Precept for Execution by Attachment.

XXXVIII. And be it also enacted, That as well in all Cases where Judgment shall be given or pronounced in the said Courts Baron respectively, in any Plaint, Suit or Action depending in the said Courts, or either of them, for the Plaintiff or Plaintiffs, Defendant or Defendants, and Execution shall be thereupon awarded, as in all other Cases where the said Courts Baron, or either of them, shall order or award any Costs, Charges, Damages or Expences, or any Fine, Sum or Sums of Money whatsoever, to be paid, rendered or answered by any Plaintiff or Plaintiffs, Defendant or Defendants, or other Person or Persons, in pursuance of this Act, it shall and may be lawful for the respective Stewards of the said respective Courts Baron for the Time being, or their Deputies respectively, at the Prayer of the Party or Parties interested therein, or of some other Person on his or their Behalf, or of their own Authority on Behalf of his said Majesty, his Heirs and Successors, as aforesaid, when is said Majesty, his Heirs and Successors shall be interested therein, in such Right as aforesaid, to issue a Precept or Warrant under their respective Hands and Seals, in the Nature of a Writ of *Capias ad satisfaciendum*, to be directed to the Bailiff or Bailiffs of the said respective Courts, or other proper Officer or Officers, thereby directing and requiring him or them to attach and take the Body and Bodies of such Person and Persons against whom such Precept shall be issued as aforesaid, and to detain him and them in Prison under safe Custody, for the Space of three Calendar Months, or for such other or shorter Space of Time as shall be within the true Intent of any of the Provisions or Directions contained in this Act.

Person attached paying the Debt and Fees to be discharged.

XXXIX. Provided nevertheless, That if any Person or Persons so being attached or taken in Execution by virtue or in pursuance of this Act upon any such Precept or Warrant, shall at any Time during his or their Imprisonment, or being in Custody as aforesaid, pay or tender the Sum or Sums of Money so set or imposed, or awarded or directed to be paid by the said Courts Baron respectively, together with his or their Fees, and all other reasonable Costs to be incurred subsequent thereto, then he and they shall be forthwith discharged out of Custody, and suffered to go at large.

Execution not issuable on Default of Appearance of Defendant.

XL. Provided always, and be it enacted, That no Execution by virtue or under the Authority of this present Act shall issue or be taken out in any Plaint, Suit, or Action, where the Defendant or Defendants in such Plaint, Suit or Action, shall have made Default in not appearing to the original Precept in such Plaint, Suit or Action; and the Plaintiff or Plaintiffs by virtue of this Act shall have appeared for such Defendant or Defendants, and shall have declared against him or them, and shall have entered Judgment against such Defendant or Defendants by Default, unless it shall be made appear to the Satisfaction of the respective Stewards of the said Courts Baron respectively, or their respective Deputies for the time being, that the Plaintiff or Plaintiffs in every such Plaint, Suit, or Action, shall have caused Notice in Writing to have been given to or left at the Dwelling-house or Place of Abode of such Defendant or Defendants, That a Declaration was filed against such Defendant or Defendants as aforesaid, at least five Days before the Court on which the Defendant or Defendants was or were, by virtue of this Act, or otherwise, to have pleaded to such Declaration.

unless Notice be given him of Declaration filed.

Persons affronting or disturbing the Court, while sitting, to be taken into Custody;

XLI. And be it enacted, That if any Person or Persons shall contemptuously affront the said Courts Baron, or either of them, or be guilty of any Contempt or Disturbance in the said several Courts Baron, or either of them, during the Sitting of the Court, it shall and may be lawful to and for the respective Stewards of the said Courts Baron respectively, and his and their Deputy and Deputies respectively, to order such Person or Persons so offending, to be taken into the Custody of the Bailiff or Bailiffs, or other Officer or Officers there, belonging to or attendant on the said respective Courts; and such Bailiff or Bailiffs, Officer or Officers, is and are hereby authorized and required to take such Person or Persons into his or their Custody, and to detain him, her or them during the Sitting of the said respective Courts, and the respective Stewards of the said respective Courts Baron, or their Deputies may, if he or they shall think fit, impose a Fine upon the Person or Persons so offending in the Premisses as aforesaid, so as such Fine do not exceed the Sum of forty Shillings, to be levied together with Costs, in such Manner as herein after mentioned, and be applied to and for the Use of his said Majesty, his Heirs and Successors, in the Right aforesaid; and upon Nonpayment of such Fine or Fines as aforesaid, it shall and may be lawful to and for the respective Stewards of the said respective Courts Baron, and their respective Deputies, by Warrant under their respective Hands and Seals, to commit such Offender or Offenders to Prison, or to the Custody of any of the Bailiffs or Officers attending the said Courts respectively, for any Space of Time not exceeding forty Days, unless he, she or they shall sooner pay the said Fine or Fines so imposed as aforesaid; in which Case, he, she or they on Payment of such Fine or Fines, shall be forthwith discharged out of Custody.

and may be fined,

and committed for Nonpayment.

Persons obstructing Officer of the Court in the Execution of his Office, to be fined.

XLII. And be it enacted That if any Person or Persons shall wilfully obstruct, hinder or prevent the Bailiffs or other Officers of the said Courts Baron respectively, or any of them, in the Execution of any Precept, Warrant or Summons, or other Process to be issuing out of the same Courts Baron,

Baron, or either of them, or otherwise, in the due Execution of their Office; or if such Bailiffs or other Officers of the said respective Courts Baron, or any of them, shall neglect or refuse to make due Execution of the several Processes issuing out of the same Courts Baron respectively, or shall in any respect misbehave himself or themselves in the due Execution of his or their Office or Offices, or offend contrary to the true Intent and Meaning of this Act, and due Proof shall be made thereof in open Court to the Satisfaction of the respective Stewards of the said several Courts Baron, or their respective Deputies, upon the Oath of such Bailiff or Bailiffs, Officer or Officers, or other credible Person or Persons (which Oath and all other Oath and Oaths herein before mentioned or directed to be administered in the said respective Courts Baron, in pursuance of this Act, the respective Stewards of the said Courts Baron respectively, or their respective Deputies, are hereby, from time to time, severally authorized and required to administer); then, and in such Case, it shall and may be lawful to and for the respective Stewards of the said Courts Baron, or their Deputies, to fine such Offender or Offenders in any Sum or Sums not exceeding forty Shillings; which Fine or Fines so to be set or imposed, together with the Costs and Charges of levying thereof, shall and may be recovered by Distress and Sale of the Offenders Goods and Chattles, by Warrant under the Hands and Seals of the respective Stewards of the respective Courts Baron, or their Deputies, and be applied to and for the Use of his said Majesty, his Heirs and Successors, in the Right aforesaid; and if the Person or Persons so offending shall not be a Householder or Householders within the Jurisdiction of such of the said Courts Baron in which such Fine or Fines shall be assessed or imposed, that then it shall and may be lawful to and for the respective Stewards of the said respective Courts Baron, or their Deputies, by Warrant under their respective Hands and Seals, to commit such Offender or Offenders to Prison, or to the Custody of any of the Bailiffs or Officers of or belonging to the said respective Courts Baron for any Number of Days, not exceeding forty Days, unless such Fine or Fines shall be sooner paid; in which Case the Offender or Offenders shall be forthwith discharged out of Custody, and suffered to go at large.

Fine to be levied by Distress and Sale.

Offender not being a Householder within the Jurisdiction of the Court, may be committed, on Non payment.

Prison of the Court for the Hundred of High Peak, &c.

XLIII. And be it further enacted, That the Prison or Gaol for the Time being, kept by the Bailiff or Keeper of the Gaol of the Hundred of *High Peak*, or such other Place within the Jurisdictions aforesaid, or either of them, as the Stewards of the said respective Courts Baron, or their Deputies shall from time to time, by Writing under their Hands and Seals, nominate or appoint, shall be and be used as and for the Prison or Gaol for the said Courts Baron, and in which all Persons who shall be taken in Execution, or be committed or detained by virtue or in pursuance of this Act, shall and may be kept in safe Custody; and the said Bailiff or Keeper of the Gaol of the Hundred of *High Peak*, or his Deputy, and such other Person or Persons as shall by virtue of this Act be appointed Bailiff or Keeper of such other Prison within the Jurisdictions aforesaid, for the time being, or either of them, is and are hereby authorized and required to receive and detain all such Persons as shall be committed to his or their Custody by virtue of this Act.

Fees of Court.

XLIV. And be it further enacted, That the Fees which shall be paid, had and taken by the respective Stewards of the said Courts Baron respectively, or their Deputy or Deputies, and by the Bailiffs of, and other Persons practising in, the said several Courts, for or in respect of the Proceedings in any Plaint, Suit or Action to be brought or depending, in the said Courts Baron respectively, in Conformity to this Act, or of any other Matter herein contained, shall be such as herein after are mentioned; and no greater Fees shall be taken in respect thereof than as follows; that is to say,

FEES to be taken by the respective STEWARDS or their DEPUTIES.

FOR entering every Plaint, four Pence.
For every Summons thereon, four Pence.
For entering every Defendant's Default, three Pence.
For entering Appearance for every Defendant, eight Pence.
For filing every Declaration, six Pence.
For Copy of every Declaration, one Shilling.
For every Rule or Order to pay Money into Court, and receiving Money into Court, one Shilling.
For paying Money out of Court, six Pence.
For filing every Plea of General Issue, Special Plea, or Demurrer, six Pence.
For Copy of every Plea of General Issue, Notice of Special Matter, or Demurrer, one Shilling.
For entering every interlocutory Judgment, one Shilling.
For every Precept to summon a Jury to enquire of Damages, eight Pence.
For impanelling and swearing the Suitors to make Inquiry, and for entering every Inquisition of Damages, three Shillings and four Pence.
For every final Judgment, one Shilling.
For every Execution, eight Pence.

For

For entering every Issue, six Pence.
For every Precept in the Nature of *Venire facias*, eight Pence.
For every *Subpœna* for Witnesses, six Pence.
For impanelling and swearing the Jury or Homage in each Cause, and taking and entering each Verdict, three Shillings and four Pence, to be paid in equal Moieties between the Parties, Plaintiff and Defendant.
For administering each Oath for every different Purpose directed by this Act, four Pence.
For entering every Judgment of *Non-pros*, for want of Declaration, or where the Plaintiff shall not in due Time proceed to Trial, shall discontinue his Action, shall be nonsuit, or have a Verdict against him, one Shilling.
For every Rule to discontinue any Plaint or Action, six Pence.
For taking every Recognizance, one Shilling.
For every Warrant of Distress, upon a Fine to be levied of the Offender's Goods, over and above such Fine, Six Pence.
For every Warrant of Commitment, six Pence.
For every Acknowledgment of Satisfaction, two Pence.
For every Search in the Books, four Pence.

ATTORNIES or AGENTS FEES.

FOR entering every Plaint or Action with the Steward, one Shilling.
For drawing and ingrossing every Declaration, and Stamps, one Shilling and three Pence.
For drawing Copy, and Service of every Notice of Declaration filed, Notice of executing Inquiry, or Notice of Trial, and every other Notice, six Pence.
For Copy of Rule for Payment of Money into Court, and Service, three Pence.
For paying Money into Court, three Pence.
The like for receiving Money out of Court, three Pence.
For drawing and ingrossing every Plea, and Notice of Special Matter or Demurrer, and Stamps, one Shilling and three Pence.
For each Ticket for Witnesses, three Pence.
Service thereof on each Witness, six Pence.
For drawing Brief, and Copy, two Shillings and six Pence.
Fee, and attending Trial, five Shillings.
For every other Attendance in Court, two Shillings and six Pence.
Attending taxing Costs, six Pence.

BAILIFFS FEES.

FOR serving every Precept or Summons, four Pence.
For calling every Default, one Penny.
For executing every Precept or Warrant, in nature of *Fieri facias*, *Levari Facias*, or *Capias ad satisfaciendum*, two Shillings.
For summoning every Jury or Homage, for the Trial of any Issue, or for taking any Inquisition, one Shilling.
For executing every Warrant of Distress, upon Fine to be levied of the Offender's Goods, over and above such Fine, and for executing every Warrant of Commitment, one Shilling.
For taking every Person into Custody, committed for Contempt in Court, one Shilling.

FEES to be taken by the BAILIFFS or GAOLER, or other PERSON, to whom any Person shall be committed by virtue of this Act.

ON the Commitment of every Person, one Shilling.
On the Discharge of every Person out of Custody, six Pence.

A Table of which Fees shall be publickly hung up in the Court Houses, or Places where the said Courts Baron respectively shall be usually held. Table of Fees to be hung up in the respective Courts.

XLV. And be it enacted, That all and every the Fines which shall be imposed, laid and made by force or in pursuance of this Act, shall be fairly entered in a Book or Books to be kept for that Purpose; such Entry to be made by the said Stewards, or their Deputies respectively for the Time being. Fines to be entered in a Book.

XLVI. Provided also, That nothing herein contained shall be construed or extended to alter or change the Manner of appointing the Stewards of the said Courts Baron, or either of them, but the Appointments of such Stewards shall continue and be in the same Manner and Form, as they were appointed before the passing of this Act; any thing herein contained to the contrary thereof in any wise notwithstanding.

Appointments of present Steward, &c. not vacated.

XLVII. Provided also, and be it enacted, That nothing herein contained shall be construed to vacate or make void the Appointments of the present Stewards of the said several Courts Baron, or either of them, or of his or their Deputy or Deputies, but that the same shall continue and be valid and effectual to all Intents and Purposes, as they were before the passing of this Act.

Stewards to take an Oath of Office.

XLVIII. And be it enacted, That all succeeding Stewards of the said several Courts Baron respectively, before they shall act as such in pursuance of this Act, (except in appointing of Deputies as herein after is mentioned) shall severally take the following Oath in the same Courts Baron respectively (that is to say)

The Oath.

'I *A. B.* do swear, That I will well and truly execute the Office of Steward of the Court Baron of for according to the best of my Skill and Knowledge; and that I will not deny or delay Justice; and will not by myself, or knowingly, by my Deputies, Clerks, or Servants under me, or by any other Person or Persons, receive or take, or cause, or permit or suffer to be received or taken in any Plaint, Suit or Action, brought or to be brought in Conformity to an Act of Parliament, intituled, *An Act for regulating the Proceedings in Personal Actions in the respective Courts Baron of the Hundred of* High Peak *and Manor of* Castleton *in the County of* Derby; any greater or other Fees, than such as are directed to be taken in and by the said Act.'

So help me God.

Entry to be made thereof, and signed by Stewards and two Suitors.

Which Oath shall and may be administered by any two Suitors present, and shall be entered in the Court Books kept for the said Courts Baron respectively, and signed by the said Stewards respectively, and attested by the Suitors present at the Administration thereof, or any two of them.

Stewards may appoint sufficient Deputies to act for them.

XLIX. And be it enacted, That it shall and may be lawful to and for the respective Stewards of the said several Courts Baron of the Hundred of *High Peak* and Manor of *Castleton* for the Time being respectively, to appoint one or more sufficient Deputy or Deputies, to act for them respectively in the Office of Steward of the said respective Courts Baron; which Deputies, in the Absence of the same Stewards respectively, shall have the same Authority as if the principal Stewards were themselves personally present respectively; and shall from time to time be displaceable and removeable, and shall accordingly be displaced and be removed at the Will and Pleasure of the respective Stewards of the said several Courts Baron for the Time being.

Deputy Stewards to take an Oath of Office.

L. Provided always, and be it enacted, That all Deputy Stewards of the said Courts Baron respectively, before he or they shall act as such in pursuance of this Act, shall take the Oath herein before directed to be taken by the principal Stewards of the said several Courts Baron, adding the Word (Deputy) before the Word (Steward) and leaving out the Word (Deputies) before the Word (Clerks) which Oath shall and may be administered by any two of the Suitors then present.

In Cases of Vacancy, Deputy to act till a new Steward is appointed.

LI. Provided nevertheless, That from and immediately after the Displacing, Resignation, Removal or Death, of any Principal Steward or Stewards of the said respective Courts Baron, and when and so often as the Office of Principal Steward in either of the said Courts shall become vacant, it shall and may be lawful to and for the Deputy Steward and Stewards of such Courts for the Time being, to execute the Office of Principal Steward of such Courts, until such Time as another Steward shall be nominated or appointed to succeed in the Place of such Principal Steward, whose Office shall be then void.

Stewards and Deputies of the Courts to take the Oaths to his Majesty, and qualify themselves according to

Act 1 Geo. 1. c. 13.

and 25 Car. 2. c. 2.

or they incur the Penalties and Disabilities inflicted by the said Acts.

LII. Provided also, and be it enacted, That all and every succeeding Stewards of the said respective Courts Baron, within six Months next after they shall respectively act as such in pursuance of this Act (except in the Appointment of any Deputy or Deputies as aforesaid) and also the present and all and every succeeding Deputy Stewards of the said Courts Baron respectively, within six Months next after they shall respectively act as such in pursuance of this Act, shall take and subscribe the Oaths appointed to be taken in and by an Act of Parliament made in the first Year of the Reign of his late Majesty King GEORGE the First, intituled, *An Act for the further Security of his Majesty's Person and Government, and the Succession of the Crown in the Heirs of the late Princess* Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *and his open and secret Abettors*, in such Manner and Form as in and by the said Act is directed; and shall also within the Times aforesaid respectively, receive the Sacrament of the Lord's Supper, according to the Usage of the Church of *England*, and make and subscribe the Declaration against Transubstantiation according to an Act of Parliament made in the twenty-fifth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing the Dangers which may happen from Popish Recusants*; and in Default of taking the said Oaths, or of receiving the Sacrament, or of making and subscribing the said Declaration, in the Manner, and within the Times aforesaid respectively, every such Steward and Deputy so offending shall incur such Penalties, Forfeitures and Disabilities, as by the said several Acts are respectively enacted and inflicted.

LIII. And

LIII. And be it enacted, That if any Person or Persons shall make Oath, or give Evidence in any Plaint, Suit or Action depending, or in any other Proceedings to be had in the several Courts, or either of them, whereby he, she or they shall commit wilful and corrupt Perjury, and be thereof duly convicted, then every such Person and Persons shall incur and suffer the like Pains and Penalties as any other Person or Persons convicted of wilful and corrupt Perjury is, are or shall be liable to by the Laws and Statutes of this Realm. Penalty of wilful and corrupt Perjury.

LIV. And be it enacted, That in case any Action or Suit shall at any Time hereafter be commenced, brought or prosecuted against any Steward, Deputy Steward, Bailiff, Suitor, Officer or Minister of the said Courts Baron respectively, or against any other Person or Persons, for or in respect of his or their acting in pursuance of, or under the Authority of this Act, then it shall and may be lawful for such Person or Persons respectively, in every such Action or Suit, to plead the General Issue, and give this Act and the Special Matter in Evidence; and the Warrant or Precept under the respective Hands and Seals of the respective Stewards of the said Courts Baron, or their respective Deputies, being duly proved in any Action or Suit, shall be deemed a sufficient Proof of the Authority of the said Courts Baron respectively, and of all other Proceedings in the said respective Courts, previous to the issuing of such Warrant or Precept; and in case the Plaintiff or Plaintiffs in such Action or Suit shall not duly prosecute the same, shall have a Verdict pass against him or them, or shall be nonsuited, or discontinue his or their Action or Suit, the Defendant or Defendants shall in any of the said Cases, be intitled to, and be allowed to recover Treble Costs of Suit. Steward, or Officers of the Court being sued, may plead the General Issue. Treble Costs.

LV. And be it further enacted, That in case any Personal Action for the Recovery of any Debt or Damages, shall be commenced and prosecuted against any Person or Persons after the said twenty-fourth Day of *June* in the Year of our Lord one thousand seven hundred and sixty, in any of his Majesty's Courts of Record at *Westminster*, or elsewhere out of the said Courts Baron respectively, and it shall appear to the Judge or Judges of the Court where such Action shall be tried, that the Debt or Damages to be recovered by the Plaintiff or Plaintiffs in such Action doth not amount to the Sum of forty Shillings; and the Defendant or Defendants in such Action shall duly prove by sufficient Testimony to be allowed by any of the Judge or Judges of the Court where such Action shall be tried, that at the Time of commencing such Action, such Defendant or Defendants was or were resiant within the Jurisdiction of either of the said Courts Baron, and was or were liable to be summoned or warned in either of the said several Courts Baron for such Debt or Damages; then and in such Case, unless the Judge or Judges who shall try such Cause shall in open Court certify in Writing under his or their Hands respectively, that there was a probable or reasonable Cause of Action for forty Shillings, or more, or that the Freehold or Title to Lands or Tenements principally came in Question at such Trial, such Plaintiff or Plaintiffs shall not recover, but be nonsuited in such Action, and the Defendant or Defendants shall be intitled to, and be allowed, and recover Treble Costs of Suit. Where any Action shall be brought in any other Court, for a Debt recoverable in the Courts Baron, Plaintiff to be nonsuited, and Defendant to recover Treble Costs, unless the Judge certify there was a probable Cause for such Action, &c.

LVI. Provided always, That it shall and may be lawful to and for the Plaintiff or Plaintiffs in such Action, afterwards to proceed against such Defendant or Defendants for the Recovery of such his Debt or Damages in such of the said Courts Baron, within the Jurisdiction whereof the Defendant or Defendants is or are resiant; any Thing herein contained to the contrary thereof in any wise notwithstanding. Plaintiff may afterwards sue in Courts Baron for his Debt.

LVII. And be it further enacted, That this Act shall be deemed a Publick Act, and shall be judicially taken Notice of as such by all Judges, Justices, and all other Persons, without specially pleading the same. Publick Act.

CAP. XXXII.

An Act for draining and preserving certain Fen Lands and Low Grounds in the Isle of *Ely*, and Counties of *Suffolk* and *Norfolk*, between *Mildenhall River* South, *Plant Load* and *Brandon River* North, bounded on the West by the River *Ouse*, and on the East by *Winter Load*, *Earswell Brooke*, and the *Hard Lands* of *Mildenhall*; and for impowering the Governor, Bailiffs and Commonalty, of the Company of Conservators of the Great Level of the Fens, commonly called *Bedford Level*, to sell certain Fen Lands lying within the Limits aforesaid, commonly called *Invested Lands*.

'WHEREAS certain Fen Lands and Low Grounds, lying and being in the Townships of *Ely*, in the Isle of *Ely* and County of *Cambridge*, and in the Parish of *Littleport*, within the said Isle; and also in the several Parishes of *Mildenhall* and *Lakenheath* in the County of *Suffolk*, and *Helgay* in the County of *Norfolk*, situate between the Rivers of *Mildenhall* and *Brandon*, within the Great Level of the Fens, called *Bedford Level*, containing in the Whole eighteen thousand Acres, or thereabouts, have for several Years past been, and still are overflowed with Waters, through the Defect of their Outfalls to the Sea; by which Means the said Fen Lands and Low Grounds are rendered of very little or no Value, to the Loss of the Public, as well as the great Damage and Impoverishment of the Owners of such Lands, and of the Inhabitants of the several Parishes and Places where the same do lie: And whereas the said Fen Lands and Low Grounds Preamble.

'cannot be drained and preserved without the Aid of Parliament: And whereas some Parts of the 'said Fen Lands and Low Grounds lying near the Highlands, are much higher in their Situation 'than the rest, and may be most conveniently drained into *Mildenhall* River separately:' Therefore, to the End that the said Fen Lands and Low Grounds may be drained, improved and preserved, May it please your Majesty, that it may be enacted; And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said Fen Lands and Low Grounds, intended to be drained under the Powers and Authorities of this present Act, shall be divided into two separate Districts or Divisions, in Manner following; that is to say, The first of the said Districts or Divisions shall contain all that Part of the said Fen Lands and Low Grounds, which are North West of an old Sewer called *Baldwin's Load*, and are bounded as follows; to wit, From *Brandon Creek's End*, by the East Bank of the River *Ouse*, to *Prickwillow Bridge*, and from thence by the North Bank of *Mildenhall River*, to the said Sewer called *Baldwin's Load*, and then along the said Load to the *Outring Ditch* of the *Adventure Land* taken out of *Coplow Fen*, and then by the said Ditch to the Ditch between *Mildenhall Common* and the *Severals*, and along the last mentioned Ditch to a Place called *The Willows*, and then along a Drove-way on the North Side of *Litly Field* to *Peaver's Load*, otherwise *Earswell Brooke*, and then along the West Side of the said *Brooke* to *Winter Load*, and by the said *Load* and *Lakenheath Old Load* to *Plant Load*, and by *Plant Load* to the *Adventure Land* called *Arkinstall*, and then through *Arkinstall East Moor* in *Lakenheath* and *Lowell Moor* to the Bank lately made by *George Wright* Esquire and along the said Bank to the *Adventure Land* taken out of *Redmoor Fen*, and then by the *Outring Ditch*, on the South and West Sides of *Redmoor Fen*, to the South Bank of *Brandon River*, and along the last mentioned Bank to the River *Ouse*, at *Brandon Creek's End* aforesaid: And the second District or Division shall contain that Part of the said Fen Lands and Low Grounds on the South East of *Baldwin's Load*, lying in the said Parish of *Mildenhall*, amounting (over and above High and Skirt Grounds) to about three thousand four hundred Acres, which are bounded as follows; that is to say, From the South West End of *Baldwin's Load*, by the North Bank of *Mildenhall River* to the Hardlands of *West Row*, and then along the Skirts of the Hardlands of *Mildenhall Rows* to a Drove-way at the South West Corner of *Litly Field*, and from thence by the Skirts of the Hardlands of *Holiwell Row* and the Edge of the *Harst*, next *Elden Lane*, to *Peaver's Load*, otherwise *Earswell Brooke*, and along the West Side of the said *Brooke* to a Drove-way at the North East End of *Litly Field*, and then along the said Drove-way, the Skirts of *Litly Field*, and the Willows, to the Ditch between *Mildenhall Common* and the *Severals*, and along the South Side of the said Ditch to the *Outring Ditch* of the *Adventure Land* taken out of *Coplow Fen*, and along the East Side of the last-mentioned Ditch to *Baldwin's Load*, and then along the South East Side of the said *Load* to the North Bank of *Mildenhall River*, at the South West End of *Baldwin's Load* aforesaid.

Boundary of the first District.

Boundary of the second District.

II. And be it further enacted by the Authority aforesaid, That the Lord Bishop of *Ely*, the Lord or Lords, Lady or Ladies of the Manor of *Littleport* for the Time being, or in his, her or their Absence respectively, his, her or their respective Agent or Deputy, appointed by Writing under his, her or their respective Hands, an Agent appointed by the Dean and Chapter of *Ely*, under their Common Seal, and every Person who, for the Time being, shall be *bona fide* seised or possessed in his or her own Right, of three hundred Acres of Land, taxed by virtue of this Act, lying within the said first District, not being Tenant at Rack-rent, or in the Absence of any such Person, his or her Agent, to be appointed under his or her Hand as aforesaid, and such other Persons as are hereby appointed and directed to be chosen for the Township of *Ely*, and the several Parishes of *Littleport*, *Mildenhall* and *Lakenheath*, shall be Commissioners for putting this Act, and all the Powers and Authorities herein after mentioned in Execution, within the said first District; and that *James Harkness* Esquire, *Aungier Love Peacock*, and *Thomas Page*, shall be the first Commissioners for the said Township of *Ely*; *Henry Morley* junior, and *Henry Tansley*, shall be the first Commissioners for the said Parish of *Littleport*; *John Drage* Esquire, and *Robert Hanslip*, shall be the first Commissioners for the said Parish of *Mildenhall*; and *John Hanslip* shall be the first Commissioner for the said Parish of *Lakenheath*; and that these Persons shall continue Commissioners for the said first District, in respect of the said Township and Parishes, until the second *Tuesday* in *April* in the Year of our Lord one thousand seven hundred and sixty-one; and that so many other Commissioners for the said District shall be yearly chosen at the Shire-house in *Ely*, by such Persons as, for the Time being, shall be *bona fide* seised or possessed in his or her own Right, of six Acres of taxable Land lying in the said District, belonging to each of the Towns of *Ely* and *Mildenhall*, as shall make in the Whole one Commissioner for every three hundred Acres of taxable Land in the said District belonging to those Towns respectively, which shall not be vested in the Corporation of *Bedford Level* at the Time of such Election; and also that so many other Commissioners for the said District shall be yearly chosen in the Parish Church of *Littleport*, by such Persons as shall be *bona fide* seised or possessed, in his or her own Right, of six Acres of taxable Land in the said District, belonging to each of the Parishes of *Littleport* and *Lakenheath*, as shall make in the Whole one Commissioner for every three hundred Acres of taxable Land in the said District, belonging to those Parishes respectively, not invested as aforesaid; the Commissioners for the Year one thousand seven hundred and sixty-one, and for every succeeding Year, to be chosen upon the second *Tuesday* in *April*: And the Election of every such Commissioner or Commissioners shall be certified under the Hands of a major Part of the Electors

Commissioners for the first District,

to be annually elected.

Electors present at such Election to the next General Meeting of the said Commissioners: And in case Neglect or Default shall be made in the chusing Commissioners, in respect of the said Township or any of the said Parishes, then the Persons who were Commissioners for the preceding Year, in respect of the Township, Parish or Parishes where such Neglect or Default shall happen, shall continue Commissioners in respect of the same, until other Commissioners shall be chosen as aforesaid in respect thereof, upon the second *Tuesday* in *April* in the next or some succeeding Year.

Agents may be appointed.

III. And also be it further enacted by the Authority aforesaid, That every Person who shall be *bona fide* seised or possessed as aforesaid of three hundred Acres or more, of Land taxed by virtue of this Act, over and above such three hundred Acres as is before mentioned, may, and every such Person is hereby authorized to appoint, by Writing under his or her Hand, one Agent for every three hundred Acres of such Land that such Person shall be so seised or possessed of, over and above the first mentioned three hundred Acres as aforesaid, to be a Commissioner or Commissioners for the said first District; and also that all and every the Lord or Lords, Lady or Ladies of the several and respective Manors for the Time being, who shall be *bona fide* seised or possessed as aforesaid, of three hundred Acres or more, of Land taxed by virtue of this Act, may, and every such Owner is hereby authorized to appoint, by Writing under his or her Hand, an Agent for every three hundred Acres of such Land that such Lord or Lady shall be so seised or possessed of as aforesaid, to be a Commissioner or Commissioners for the said first District; and that all and every Person and Persons so appointed shall, during the Pleasure of the said respective Owners, and the Time that such Owners shall be so seised or possessed as aforesaid, likewise be, and he is hereby appointed a Commissioner for the said first District, together with the Persons before mentioned, for putting this Act, and all and every the Powers and Authorities herein contained in Execution.

Commissioners for the second District.

IV. And be it further enacted by the Authority aforesaid, That the Lord or Lords, Lady or Ladies of the Manors of *Mildenhall* and *Aspalls* in *Mildenhall*, for the Time being, or his, her or their Deputy, to be from Time to Time appointed for that Purpose, by Writing under his, her or their Hand or Hands, the Vicar of *Mildenhall* for the Time being, or his Deputy, to be from Time to Time appointed by Writing under his Hand, and every Person who shall be *bona fide* seised or possessed, in his or her own Right, of two hundred Acres of Land, taxed by virtue of this Act, lying within the said second District, not being Tenant at Rack-rent, or in the Absence of any such Person, his or her Agent, to be appointed under his or her Hand as aforesaid, *Barham Rushbrooke* Esquire, *Elisha Biscoe* Esquire, *Isaac Cook*, *Richard Husk*, *Abraham Bird* senior, *Joseph Ellington*, *Thomas Coe*, *John Fuller*, *Thomas Swale* and *Isaac Fox*, together with the Persons appointed and to be chosen as herein after mentioned, shall be Commissioners for putting this Act, and all the Powers and Authorities herein after mentioned, in Execution, within the said second District.

Agents may be appointed.

V. And also be it further enacted by the Authority aforesaid, That every Person who shall be *bona fide* seised or possessed as aforesaid of two hundred Acres or more, of Land taxed by virtue of this Act, over and above such two hundred Acres as is before-mentioned, may, and every such Person is hereby authorized to appoint, by Writing under his or her Hand, one Agent for every two hundred Acres of such Land that such Person shall be so seised or possessed of, over and above the first-mentioned two hundred Acres as aforesaid, to be a Commissioner or Commissioners for the said second District; and also that all and every the Lord or Lords, Lady or Ladies of the said several and respective Manors for the Time being, who shall be *bona fide* seised or possessed as aforesaid of two hundred Pounds or more, of Land taxed by virtue of this Act, may, and every such Owner is hereby authorized to appoint, by Writing under his or her Hand, an Agent for every two hundred Acres of such Land that such Lord or Lady shall be so seised or possessed of as aforesaid, to be a Commissioner or Commissioners for the said second District; and that all and every Person and Persons so appoined, shall during the Pleasure of the said respective Owners, and the Time that such Owners shall be so seised or possessed as aforesaid, likewise be, and he his hereby appointed a Commissioner for the said second District, together with the Persons before-mentioned, for putting this Act and all and every the Powers and Authorities herein contained in Execution.

New Commissioners of the second District to be chosen in the Place of Persons dying or becoming disqualified:

VI. And for supplying and continuing a sufficient Number of Commissioners for putting this Act in Execution within the said second District, Be it further enacted by the Authority aforesaid, That upon the Death, Disqualification, Resignation or Refusal to act of any of the said Commissioners herein before-named for the said second District (other than and except the Lord or Lords, Lady or Ladies of the Manors of *Mildenhall* and *Aspalls* in *Mildenhall*, or his, her or their respective Deputy, to be appointed as aforesaid, the Vicar of *Mildenhall*, and his Deputy to be appointed as aforesaid, and the Persons seised or possessed of two hundred Acres as aforesaid, or their Agents) it shall and may be lawful to and for the remaining Commissioners of the said District, and for all and every other Person and Persons, who, for the Time being, shall be *bona fide* seised or possessed, in their own Right, of twelve Acres of Fen Lands, for which they pay the Taxes to be imposed by virtue of this Act, lying within the said second District, or the major Part of them assembled at such Meetings so to be held as aforesaid for the said District, to elect and chuse, from Time to Time, one or more fit Person or Persons so qualified as aforesaid, to be a Commissioner or Commissioners in the Place or Places of such of the said Commissioners as shall so die, be disqualified, resign, or refuse to act; and every such new Commissioner or Commissioners, to be from Time to Time elected and chosen as aforesaid, shall have the like Power and Authority to act and do, in all

all Things relating to the Premisses, as the Commissioners before-named for the said District are authorized and impowred to do by virtue of this Act (which Order and Method shall hereafter be observed as to the Choice of Commissioners for the said District, from Time to Time, as Occasion shall require); and every such Election and Choice of any new Commissioner shall be entered and registered *gratis*, by the Collector or Receiver of the said District, in a Book to be kept for that Purpose.

Their Qualification.

VII. Provided always, and be it enacted by the Authority aforesaid, That no Person (except the Lord Bishop of *Ely*, the Lord or Lords, Lady or Ladies of the several and respective Manors of *Littleport*, *Mildenhall* and *Aspalls* in *Mildenhall*, the Vicar of *Mildenhall*, and the Deputies or Agents to be appointed as herein is directed) shall be enabled to act, sit or meet as a Commissioner for either of the said Districts or Divisions, unless he be Owner of twenty-four Acres of Land lying within such District respectively, and pay the Taxes that shall be imposed by virtue of this Act for the same.

Commissioners to make Cuts, &c.

VIII. And be it further enacted, That the said Commissioners, or any seven or more of them, or their Successors, in their respective Districts or Divisions, are hereby authorized, and shall have Power, from Time to Time, to make such Cuts, Drains, Dams, Banks, Tunnels and Outlets, through the said Fens and Low Grounds, or any Part thereof, so bounded and described as aforesaid,

erect Engines,

and to erect such Works and Engines thereupon for draining and conveying the Waters from the same, as shall be thought fit, necessary and convenient, by the said Commissioners, or any seven more of them, in their respective Districts or Divisions, at the Meeting or Meetings of the said Commissioners herein after appointed for the Purposes aforesaid.

(except, &c.)

IX. Provided always, and be it further enacted by the Authority aforesaid, That nothing in this Act contained shall impower the said Commissioners to erect any Mill or Engine within the Distance of one Mile from any Decoy now in being for wild Fowl.

and make Satisfaction for Damages.

X. Provided always, and be it further enacted, That if the Commissioners for either of the said Districts shall make, or cause to be made, any Cut, Drain, Dam, Bank, Tunnel or Outlet, through any several Grounds, or erect any new Work or Works thereupon, then they shall pay a reasonable Satisfaction to the Person or Persons who hath or have a Right to the Soil through which such Cut, Drain, Dam, Bank, Tunnel or Outlet shall be made, or whereupon such Work or Works, Engine or Engines shall be erected for the Damages such Person or Persons shall sustain, and as shall be agreed upon between the said respective Commissioners, or any seven or more of them, and the Person or Persons having such Right as aforesaid: And if the said Commissioners, or any seven or more of them, and such Person or Persons, cannot agree about the Amount of such Damage, that then the same shall be assessed, adjudged and finally determined by the Justices of the Peace, or the major Part of them, at the next General or Quarter Session of the Peace to be held for the County of *Cambridge*, if the Damage be done within the *Isle of Ely*, or the next Quarter Session to be held at *Lynn* or *Swaffham* for the County of *Norfolk*, if the Damage be done within the said County, or at *Saint Edmund's Bury*, for the County of *Suffolk*, if the Damage be done within that County.

Meetings of the Commissioners.

XI. And for the better putting this Act in Execution, Be it further enacted, That the Commissioners for each of the said Districts, or any seven or more of them respectively, shall meet twice in every Year; to wit, the Commissioners for the first District at some publick Place in *Ely* or *Littleport*, to be appointed by them the said Commissioners, or any seven or more of them, upon the *Friday* following the first *Sunday* after the eleventh Day of *April*, and the third *Friday* in *October*, or oftner, if they see a Cause; their first General Meeting to be at the Shire House in *Ely*, on the third *Friday* after the passing this Act; their second Meeting to be at *Littleport*; and all succeeding Meetings to be at *Ely* and *Littleport* alternately (except the Meeting on the aforesaid *Friday* following the first *Sunday* after the eleventh Day of *April*, which shall always be held at *Ely*) and the Commissioners for the second District at some publick House in *Mildenhall*, to be appointed by them the said Commissioners, or any seven or more of them, upon the first *Thursday* in *May*, and first *Thursday* in *November*, or oftner, if they see Cause; their first Meeting to be at the *Cock* in *Mildenhall*, on the fourth *Thursday* after the passing this Act; and at such Meetings the said Commissioners shall respectively have full Power and Authority to make Orders, and give Directions for the better and more orderly Management of the Work of draining the said Fens and Low Grounds, and for making proper Cuts and Drains through the same, and for making and erecting

Officers to be appointed.

proper Works and Engines thereupon, and for the Maintenance thereof; and also to appoint one or more Collector or Collectors, Receiver or Receivers, or such other proper Officer or Officers in each of the said Divisions, as they the said Commissioners shall respectively think fit, for taking care of such Works, and for collecting the Rates or Assessments which shall be made or assessed for the Maintenance thereof; and to allow and appoint to be paid to such Officers, out of the said Rates or Assessments, such yearly or other Wages or Salaries for their Trouble and Pains in their respective Offices, as the said Commissioners respectively, or the major Part of them present at such Meetings, shall think reasonable; and shall also have Power, at any Meeting to be held as aforesaid, to remove any such Collector or Collectors, Receiver or Receivers, or other Officer or Officers, and to appoint another or others in his or their Room and Stead, as Occasion shall require: And such Collector or Collectors, Receiver or Receivers, to be appointed as aforesaid, shall, before they act in the Execution of their several Offices, give to the Commissioners of the District for which they serve, such Security for the due Execution of their respective Offices, and for performing the several

Trusts

Trusts to them committed, as the said Commissioners, or the major Part of them present at such Meeting, shall in their Discretion think fit.

Commissioners to be paid one Shilling each towards the Expences of their Meetings.

XII. Provided always, and it is hereby further enacted, That towards the defraying the Expences of the said Commissioners, upon Account of their Attendance at any of the Meetings to be held as aforesaid, for putting this Act in Execution, the Sum of one Shilling, and no more, shall be paid by the respective Collector or Receiver of the Rates and Taxes, to each of the said Commissioners present at any such Meeting, and shall be allowed, in the Accounts of such Collector or Receiver as so much Money paid for the Purposes of this Act; but so that the whole Expence, at any one Meeting, shall not exceed the Sum of twenty Shillings; any thing herein contained to the contrary notwithstanding.

XIII. And, for carrying on and effecting the said Work of draining, and securing the Repayment of such Sum and Sums of Money as shall be borrowed for that Purpose, Be it enacted, That all and singular the Fen Lands and Low Ground within the said first District, and all and every the respective Owner and Owners, Occupier and Occupiers of such Lands and Grounds, shall be, and the same are hereby rated, assessed, taxed and charged during the first seven Years, to be computed from the Feast of Saint *John* the Baptist which shall be in the Year of our Lord one thousand seven hundred and sixty, with the yearly Sum of one Shilling, and after the Expiration of the said seven Years, with the yearly Sum of one Shilling and six Pence, for every Acre of the said Fen Lands and Low Grounds, so long as any Money, which shall at any Time have been borrowed for the Purposes of this Act, or the Interest thereof, shall remain unpaid; and when there shall be no such Debt remaining, it shall and may be lawful for the Commissioners of the said District, or any seven or more of them, at any such Half-yearly Meeting to be held as aforesaid, to assess, rate, tax and charge all and singular the said Fen Lands and Low Grounds, and all and every the respective Owner or Owners, Occupier or Occupiers thereof, with such yearly Sum, not exceeding one Shilling *per* Acre, as they shall judge necessary for completing and maintaining the said Works within the said first District; and also that all and singular the Fen Lands and Low Grounds within the said second District, and all and every the respective Owner and Owners, Occupier and Occupiers of such Lands and Grounds, shall be, and the same are hereby rated, assessed, taxed and charged during the first three Years, to be computed from the Feast of Saint *John* the Baptist before mentioned, with the yearly Sum of two Shillings, and after the Expiration of the said three Years, with the yearly Sum of one Shilling and six Pence for every Acre of the said Fen Lands and Low Grounds, so long as any Money which shall at any Time have been borrowed for the Purposes of this Act, or the Interest thereof, shall remain unpaid; and when there shall be no such Debt remaining, it shall and may be lawful for the Commissioners of the said District, or any seven or more of them, at any such Half-yearly Meeting to be held as aforesaid, to assess, rate, tax and charge all and singular the said Fen Lands and Low Grounds, and all and every the respective Owner or Owners, Occupier or Occupiers thereof, with such yearly Sum, not exceeding one Shilling *per* Acre, as they shall judge necessary for completing and maintaining the said Works.

High Lands, &c. included in Schedule, exempted from Taxes.

XIV. Provided always, That no Assessment, Rate, or Tax shall be made, collected, or levied, upon the Hardlands of *Sheppy*, *Undley*, or *Kenny Hills*, or upon any other Highlands within the Boundaries aforesaid, which have not been subject to Inundations, nor upon the Bordering or Skirt Lands which are particularly described in the Schedule to this Act annexed; but all the said Lands shall be for ever exempted from all Taxes to be assessed, rated or charged by virtue of this Act.

Lands dug into Turf Pools exempted for 7 Years, unless occupied, or continued to be dug into Turf; and if so to pay half Taxes.

XV. Provided also, That no Assessment, Rate or Tax shall, during the first seven Years after the making this Act, be made, collected or levied upon any Lands within the said first District, which are now dug out into Hod or Turf Pools, and shall lie unoccupied; but in case any Lands so dug shall be occupied, or if any Turf shall be dug therein during the said Term of seven Years, then the same shall be assessed, rated and charged for all the Remainder of the said Term, with the same Rates and Taxes wherewith the other Fen Lands in the said District shall be charged by virtue of this Act.

Peter Fen and Coplow Delves to pay half Taxes only.

'XVI. And whereas the poor Inhabitants of *Mildenhall* have certain Commons, called *Peter* '*Fen* and *Coplow Delves*, within the Limits of the said first District, wherein they dig their Win-'ter's Firing, and as charging the said Lands with the same Tax as is hereby imposed on other 'Lands within the said District, would be taxing them more than they are able to pay;' It is hereby further enacted, That the said Lands shall never be taxed or charged with more than Half of the Tax wherewith other Lands within the said District are or shall be charged by virtue of this Act.

Commissioners to let Part of such Lands for Payment of such Taxes.

'XVII. And whereas some of the poor Inhabitants of *Mildenhall* make considerably more Use 'of the said Common and Lands than others of them do, by reason whereof, and of the great 'Number of Poor who use the same, it would be very difficult to collect the Taxes charged there-'upon from the Poor themselves;' Be it therefore enacted, That it shall and may be lawful for the Commissioners for putting this Act in Execution, to sever so much of the said Commons and Lands from the rest thereof, as shall be sufficient to raise the Taxes charged thereupon, and to let the same from Year to Year; and in case Default be made in Payment of the Rent due for such Part thereof so severed and let, the said Commissioners, and their Successors, shall have the same Powers for recovering the Rent so in Arrear, that other Landlords have by the Laws and Statutes of this Realm.

No Taxes to be paid for Lands above Litly Droveway and the Waters from those Lands to run through the Grip into the Ditch between Mildenhall Common and the Severals.

XVIII. Provided always, and be it further enacted, That no Assessment Rate or Tax shall be made, collected or levied, upon any of the Lands above *Litly Droveway*; and that the Waters draining from the said Lands shall be permitted, without the Interruption of the Commissioners for either District, to run through a Place called the *Grip*, at the South West End of *Litly Droveway*, and from thence by their usual Course, into and along the Ditch between *Mildenhall Common* and the *Severals*, which divides the two Districts, and to be conveyed from thence, with the *Delf* Waters, through the first District, in such Manner as the Commissioners of the said first District shall think proper; but the Owner or Owners, Occupier or Occupiers of the Lands next *Peaver's Load*, shall keep and maintain the Bank on the West Side of the said *Load*, now kept and maintained by them, of a sufficient Height and Strength to prevent the Waters of the said *Load* from flowing through the said Lands into the Lands intended to be drained by virtue of this Act: And in case any Owner or Owners, Occupier or Occupiers of any of the Lands adjoining to the above mentioned Bank, shall refuse or neglect sufficiently to maintain the said Bank, it shall and may be lawful for the Commissioners of either District, or any seven or more of them respectively, to employ Workmen sufficiently to repair the same, and by Warrant under their Hands to authorize or impower their respective Collector or Collectors, or any other Person or Persons, to levy and raise the Charge and Expence of doing thereof by Distress and Sale of such Goods and Chattles as shall at any Time thereafter be found on the Lands and Grounds to which such Part of the Bank so repaired shall adjoin or belong; rendering the Overplus of the Money raised by such Distress and Sale (if any) to the Owner thereof.

Owners of the Land to maintain the Bank next Peaver's Load; in Default thereof, Commissioners to repair the same, and levy the Charge.

'XIX. And whereas it will be necessary, in order to the draining the said Districts separately, 'that a Bank should be made either on the North West or South East Side of *Baldwin's Load*: And 'whereas the Lands on the South East Side of the said *Load* are more hard and firm, and in better 'Condition to erect a Bank upon, than the Lands on the opposite Side of the said *Load*; and the 'Proprietors of the Lands in the Second District are willing to be at the Expence of erecting and 'maintaining a Bank on the South East Side of the said Load, rather than to have the Waters of 'the aforesaid *Grip* and *Delves* thrown upon them by a Bank being made on the opposite Side thereof;' Be it therefore further enacted by the Authority aforesaid, That the Commissioners for the said Second District shall make and maintain a Bank on the South East Side of *Baldwin's Load*, of sufficient Height and Strength to prevent the Waters (except such Waters as shall overflow by the Breach of Banks maintained by the Corporation of *Bedford Level*) draining off the Lands in the Second District from flowing into or annoying any of the Lands in the First District: And if the Commissioners for the said Second District shall refuse or neglect to make and sufficiently maintain a Bank on the South East Side of the said *Load*, then it shall and may be lawful for the Commissioners of the First District to make such a Bank on the North West Side thereof, up to the *Hardlands* of *Mildenhall* or *Undley Commons*, as they shall find necessary; any thing in this Act contained to the contrary notwithstanding.

Bank to be made by the Commissioners of the 2d District on the S. E. Side of Baldwin's Load.

Money may be borrowed;

XX. And, to the End that a sufficient Sum of Money may be speedily raised for the Purposes of this Act; Be it further enacted, That the Commissioners for the said first District, or any nine or more of them, and the Commissioners for the said second Division, or any seven or more of them shall have full Power and Authority, at any of their respective Meetings to be held as aforesaid, from time to time, and at any Time or Times hereafter, to borrow any Sum or Sums of Money which they shall think necessary, and by Writing under their Hands and Seals to assign over the said yearly Rates and Taxes hereby charged, or to be charged, upon the said Fen Lands and Low Grounds within the said respective Districts or Divisions, and every or any Part thereof (the Costs and Charges of the Assignments to be paid out of the said Taxes) as a Security for the Repayment of such Sum or Sums, with Interest not exceeding five Pounds *per Centum per Annum*, to the Person or Persons who shall advance or lend such Sum or Sums, his, her or their Trustee or Trustees; and that out of the Money to be borrowed for the said Second District, there shall, in the first Place, be paid to the Commissioners of the first District the Sum of one hundred and thirty Pounds, towards defraying the Expences of obtaining this Act of Parliament; and that the Commissioners of the said First District shall, out of the said one hundred and thirty Pounds to be paid to them as aforesaid, and out of the first Money which shall be borrowed for the said First District, pay and discharge so much and such Part of the Charges and Expences of obtaining this Act, as shall remain unpaid after the Application of the Sum of one hundred and fifty Pounds, which the Governor, Bailiffs, and Commonalty of the Company of Conservators of the Great Level of the Fens have agreed to advance, towards discharging of the said Charges and Expences; and that the Residue of the Money so to be borrowed shall be applied and disposed of in making such Cuts, Drains, Dams, Banks Tunnels, and Outlets, and erecting such works and Engines as will be necessary for draining and improving the said Fen Lands and Low Grounds, and to no other Use or Purpose whatsoever.

Application thereof.

Taxes charged with the Money borrowed, and in Default of Payment, to vest in the Creditors;

XXI. And it is hereby further enacted and declared, That the Rates, Taxes, and Sums of Money to be assessed by virtue of this Act upon the said Fen Lands and Low Grounds, in each of the said Districts or Divisions, shall be charged and chargeable, in the first Place, with the Payment of the principal Money so to be borrowed for the Service of such District or Division respectively; and the Interest of such Money from time to time shall vest in the respective Creditors, upon Default of Payment of such Principal and Interest, until the same shall be fully satisfied and paid, together with the Costs and Charges occasioned by the Nonpayment thereof; and the said Creditors, their

Executors, Administrators and Assigns respectively, shall have the same Power, Rights and Privileges of raising and recovering the several Taxes and Sums of Money payable by the several Owners and Occupiers of the said Fen Lands and Low Grounds, for and in respect of such principal Money and Interest, in case of Default of Payment thereof, as the said Commissioners or their Collectors could have had, in case the said Principal and Interest had been regularly and fully satisfied and paid.

and to be assignable by Indorsement.

XXII. And be it further enacted, That every Person, to whom any Assignment of the said Rates and Taxes shall be made for securing any such Sum or Sums of Money lent as aforesaid, or who shall be intitled to the Money thereby secured, shall have full Power, from time to time, by Indorsement on the original Grant or Security, without Stamps, to assign or transfer the same to any Person or Persons whomsoever; and such Transfer or Assignment, from and after the Time that the same is entered in a Book to be kept by the said Commissioners for that Purpose (which Entry their Clerk or Treasurer is hereby required to make, upon producing such Assignment and Payment of one Shilling for the said Entry) shall intitle such Assignee or Assignees, his, her or their Executors, Administrators, or Assigns, to the said principal Sum and all the Interest due or to grow due thereupon; and such Assignee or Assignees may, in like Manner, assign again, and so *toties quoties*, as Occasion shall require, every such Assignment being entered as aforesaid.

Recovery of Taxes.

XXIII. And be it further enacted, That if any Person or Persons so rated and taxed as aforesaid, shall refuse or neglect to pay the Rate or Tax charged upon him, her or them respectively, within the Space of twenty-one Days after the respective Times of Payment to be appointed by the said Commissioners (publick Notice thereof being affixed upon the Market Cross at *Ely* for the First District, and upon the Market Cross at *Mildenhall* for the Second District, by the Collector or Receiver of the said respective Districts for the Time being) it shall be lawful for such Collector or Receiver respectively, or for any other Person or Persons, by virtue of any Warrant or Precept under the Hands and Seals of five or more of the Commissioners (which said Warrant or Precept such Commissioners, or any five or more of them, in their respective Districts or Divisions, are hereby impowered and required, from time to time, to make, as Occasion shall require) to levy the Sum or Sums so assessed and rated by Distress and Sale of such Goods and Chattles as shall be found upon all or any of the Grounds and Premisses so charged with any such Sum or Sums of Money, if any Distress can be found thereon; and the Goods and Chattles so distrained to keep by the Space of five Days, at the Costs and Charges of the Owner or Owners thereof; and if such Owner or Owners shall not, within the said Space of five Days, pay the Sum or Sums so assessed or rated, that then the Goods and Chattles so distrained shall be appraised by two or more of the Inhabitants of the Parish where the same shall be taken, or other sufficient Persons, and be sold by the said Collector or Collectors, Receiver or Receivers, for Payment of the said Money; and the Overplus (if any be) coming by such Sale, after the Sum or Sums so rated and assessed, and the Charges of taking, keeping, and selling the said Distress are deducted, shall be returned to the Owner or Owners thereof, upon Demand: And the several and respective Tenants of all and singular the said Fen Lands and Low Grounds, bounded and described as aforesaid, which are or shall be assessed or rated by virtue of this Act, are hereby required and authorized to pay the Sum and Sums of Money which shall be so assessed and charged upon such Fen Lands and Low Grounds; and to deduct out of the Rent so much of the said Assessment or Rate as the said Fen Lands or Low Grounds, or the Tenant or Tenants in respect thereof, are or shall be assessed or rated at; and the Landlords, both mediate and immediate, according to their respective Interests, are hereby required to allow such Deduction and Payment, upon Receipt of the Residue of their Rent; and every Tenant, paying such Assessment or Rate, shall be acquitted and discharged for so much Money as the said Assessment or Rate shall amount to, as if the same had been actually paid to the Person or Persons intitled to the Rents of such Lands or Grounds; except where there is a Lease for three or more Years to come, from the Commencement of this Act, in which Case, the Proportion of the Assessment or Rate which the Tenant ought to bear and pay, in Consideration of the Benefit he receives, shall be adjusted and awarded by seven or more of the Commissioners for putting this Act in Execution, within their respective Districts or Divisions; but the Taxes or Assessments for and in respect of the Farm and Lands, called *Sheppey Farm*, or *Sheppey Dairy*, shall always be paid and borne by, and in case of Nonpayment, levied upon the Tenants or Occupiers of the said Farm and Lands, and not by the Landlords thereof; any thing herein before contained to the contrary thereof in any wise notwithstanding.

Taxes assessed upon the Lands of Ann Brasset, to be paid by Thomas Smith.

XXIV. Provided also, and be it further enacted by the Authority aforesaid, That the Taxes which are or shall be assessed by virtue of this Act, upon the Lands of *Ann Brasset*, Widow, now leased, for the Term of her Life, to *Thomas Smith*, his Executors, Administrators and Assigns, shall, during the said Lease, be paid and borne by the said *Thomas Smith*, his Executors, Administrators, or Assigns, and not by the said *Ann Brasset*; any thing herein before contained to the contrary notwithstanding.

Lands to remain as Security for Taxes in Arrear;

XXV. Provided also, and it is hereby enacted and declared, That in case any of the said Fen Lands and Low Grounds shall, at any Time hereafter, be untenanted or unoccupied, so that no sufficient Distress can be found for levying the said Rates and Taxes, then the Lands and Grounds chargeable therewith shall always remain a Security for Payment thereof; and all Goods and Chattels,

tels which shall at any Time thereafter be found thereon, shall and may be distrained, kept, appraised and sold, in Manner aforesaid, until all Arrears of the said Rates and Taxes, and the Charges of such Distress shall be fully paid and satisfied: And also that it shall and may be lawful to and for the Collector or Collectors, Receiver or Receivers of the said respective Districts for the Time being, to enter upon and lett the same Lands and Grounds, to be mown and fed from Year to Year only, for the best Rent that can be gotten for the same, and to take the Rents and Profits thereof for the Use of the said Commissioners, to be applied for the Purposes of this Act, until all Arrears of the said Taxes, Rates and Charges shall be fully satisfied and paid; rendering the Overplus of such Rents and Profits (if any) after the discharging such Arrears, to the Owner or Owners of such Lands and Grounds.

and to be lett to satisfy the same,

Owners to keep Outring or Division Dykes good; and in Default Commissioners to do the same, and recover the Charges.

XXVI. And be it further enacted, That if the Owner or Owners, Occupier or Occupiers of any of the said Fen Lands or Low Grounds, to which any leading Outring or Division Dyke doth or shall belong, hath or have filled up, or shall fill up, or make any Way over the same, without laying a sufficient Tunnel under it, or shall neglect or refuse sufficiently to rode, scour, cleanse, open or repair such leading Outring or Division Dyke, after twenty-one Days Notice given to him, her or them for that Purpose by the respective Collector or Collectors, Receiver or Receivers for the Time being, appointed by virtue of this Act; then it shall be lawful for such Collector or Collectors, Receiver or Receivers, to cause such Dyke to be roded, scoured and cleansed in a sufficient Manner; and where there is not a sufficient Tunnel under such Ways, to cause those Ways to be taken up, and made so wide and deep as the Dyke ought to be; and by Warrant or Precept under the Hands and Seals of seven or more of the said Commissioners (which Warrant or Precept such Commissioners, or any seven or more of them, in their respective Districts or Divisions, are hereby impowered and required, from time to time, to make as Occasion shall require) to levy the Charge thereof upon the Goods and Chattels of such Owner or Owners, Occupier or Occupiers, by Distress and Sale of his, her or their Goods and Chattles upon the Ground and Premisses to which such Dyke or Dykes, Way or Ways, doth or do, or shall respectively belong (over and above the other Rates and Taxes chargeable or to be charged upon the same Ground and Premisses by virtue of this Act) rendering the Overplus (if any) to such Owner or Owners, Occupier or Occupiers, when demanded, after all Charges paid.

Penalties on destroying Works,

XXVII. And be it further enacted, That if any Person shall, at any Time or Times hereafter, wilfully or maliciously cut the Bank against *Peaver's Load*, above *Litly Droveway*, and shall be thereof convicted upon the Oath of one or more credible Witness or Witnesses, before one Justice of the Peace for the said County of *Suffolk*; every Person so convicted shall forfeit, for every such Offence, the Sum of ten Pounds, to be levied by Distress and Sale of the Goods and Chattels of such Offender or Offenders, by Warrant under the Hand and Seal of the Justice before whom such Conviction shall be had; five Pounds thereof to be imployed in carrying on the Works and Improvements in and upon the Fen Lands and Low Grounds within the said first District; and five Pounds thereof to be imployed in carrying on the Works and Improvements in and upon the Fen Lands and Low Grounds within the said second District; and for want of such sufficient Distress, such Offender or Offenders shall, by the said Justice, be committed to the House of Correction, or Common Gaol for the said County of *Suffolk*, for any Time not exceeding two Months: And if any Person shall wilfully or maliciously cut, throw down or destroy any of the Banks, Works or Engines so to be made or erected as aforesaid, or by any ways hinder, obstruct, or lay open any of the Cuts, Drains, or other Works, to be made for draining or improving the said Fen Lands or Low Grounds as aforesaid, and shall be convicted of such Offence, upon Oath, before two of the Justices of the Peace for the said Isle of *Ely*, if the Offence shall be committed within the said Isle, or before two Justices of the Peace for the said Counties of *Suffolk* or *Norfolk*, respectively, if the Offence shall be committed in either of the said Counties; every Person so convicted thereof shall forfeit for every such Offence the Sum of one hundred Pounds, to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hands and Seals of any two of the said Justices before whom such Conviction shall be had, to be imployed in carrying on the Works and Improvements in and upon the said Fen Lands and Low Grounds within the District or Division where such Offence is or shall be committed; and for want of such sufficient Distress, such Offender or Offenders shall, by the said Justices, be committed to the common Gaol of the said Isle of *Ely*, or Counties of *Suffolk* or *Norfolk* respectively where the Offence shall be committed, there to remain without Bail or Mainprise, for any Time not exceeding twelve Calendar Months, at the Discretion of the said Justices: And if any Person shall wilfully or maliciously set fire to, burn, or otherwise destroy any of the said Engines to be erected as aforesaid, and be thereof lawfully convicted, such Person shall be adjudged guilty of Felony; and shall be subject and liable to the like Pains and Penalties as in Cases of Felony: And the Court, by or before whom such Person shall be tried, shall and have hereby Power and Authority to transport such Felon for seven Years, in like Manner as other Felons are directed to be transported by the Laws and Statutes of this Realm

or making Watering Places, or driving upon the Banks.

XXVIII. And it is hereby further enacted, That if any Person or Persons shall at any Time make, or cause to be made any Watering Place, or Place of Access, for Cattle to drink, in any of the Mill Drains within the said Fen Lands or Low Grounds, or shall continue to use any such Watering Place already made, after Notice in Writing to the contrary thereof given to him, her or them,

them, by any two or more of the said Commissioners; or if any Person or Persons shall drive, or cause to be driven, any Waggon, Cart, or other Carriage, upon any Bank which shall be made or maintained by virtue of this Act (unless such Bank hath been of Right used as a Cart-way, or be made upon a common Drove-way, and a sufficient Passage shall not be left along the Side of the said Bank); every Person or Persons so offending, being thereof convicted before one Justice of the Peace within whose Jurisdiction such Offence shall be committed as aforesaid, on the Oath of one or more credible Witness or Witnesses, or on the Confession of the Party offending, shall forfeit for every such Offence the Sum of ten Shillings, to the said Commissioners, to be applied as aforesaid, and to be levied by Distress and Sale of the Goods and Chattels of every such Offender or Offenders, by Warrant under the Hand and Seal of the said Justice before whom such Conviction shall be made.

Concerning Trees and Holts.

XXIX. And in order that the Mills or Engines to be erected or imployed by virtue of this Act, may the better answer the Purposes for which they were intended; Be it further enacted by the Authority aforesaid, That no Trees or Holts shall be planted, or Building erected, nearer to any Mill or Engine erected or imployed for the Purposes of this Act, than one hundred and fifty Yards: And if any Trees or Holts shall be planted, or Building hereafter erected, within the Distance aforesaid, then it shall and may be lawful for the said Commissioners, or any seven or more of them, to cause such Trees or Holts to be taken up and carried away, and such Building to be pulled down and removed; and it shall and may be lawful for the said Commissioners, or any seven or more of them, to cause any Trees or Holts which shall be growing within the Distance of one hundred and fifty Yards from any Mill, to be erected or imployed for the Purposes of this Act, at the Time such Mill or Engine shall be first erected or used, to be cut down; making such Satisfaction to the Owner of such Trees or Holts as shall be agreed upon between such Owner and the said Commissioners or any seven or more of them, or as shall in case of any Difference be ascertained by the Justices of the Peace within six Months after cutting down such Trees or Holts, at any Quarter-Session to be held for the County of *Cambridge*, if the Damage be done within the Isle of *Ely*; or at any Quarter-Session to be held at *Lynn* or *Swaffham* for the County of *Norfolk*, if the Damage be done in the said County; or at Saint *Edmundsbury* for the County of *Suffolk*, if the Damage be done in that County.

Moles to be destroyed.

XXX. And to the End that the Banks to be raised or maintained by virtue of this Act may be the better preserved; Be it further enacted by the Authority aforesaid, That if the Owner or Owners, Occupier or Occupiers of any of the said Fen Lands or Low Grounds adjoining or near to such Bank or Banks, shall neglect or refuse to catch or destroy the Moles in such Lands, after ten Days Notice given to him, her or them for that Purpose, by any Officer appointed by any two of the said Commissioners, then it shall be lawful for the said Commissioners, or any seven or more of them, to imploy some Person or Persons to catch and destroy the same; and by Warrant or Precept under their Hands and Seals (which Warrant or Precept such Commissioners, or any seven or more of them, are hereby impowered and required, from time to time, to make as Occasion shall require) to levy the usual Charge of catching such Moles by Distress and Sale of the Goods, Chattels, or Cattle, which shall be found upon the Grounds and Premisses respectively wherein such Moles shall be caught, over and above the other Rates and Taxes charged, or to be charged upon the same by virtue of this Act, and in the same Manner as the said Rates and Taxes are herein before directed to be levied, together with the Charges of making, keeping and selling such Distress; rendering the Overplus, if any be, to such Owner or Owners, Occupier or Occupiers respectively, after all Charges paid.

Stanches may be erected.

'XXXI. And whereas Part of the said Fen Lands lying near the Skirts of the Highlands, are 'higher in their Situation than the rest, and it is apprehended that such Lands, if the Sewers should 'lie in common, may be made too dry by such Time as the lowest Lands are well drained;' Therefore for the avoiding this Inconvenience, Be it further enacted by the Authority aforesaid, That it shall be lawful for the said Commissioners, or any seven or more of them, to erect Stanches or Overfalls at proper Places in the Drains or Dykes leading from such Lands, as they the said Commissioners shall, in their Discretion, judge necessary for the keeping up a sufficient Head of Water for the Benefit of such Lands.

For preventing immoderate Turf-digging.

XXXII. And to the Intent that the Taxes charged upon the Lands in the second District may not be diminished, but be well and duly paid, Be it enacted, That if any Person or Persons shall dig, or cause to be dug, into Hods or Turf any of the Fen Lands or Low Grounds, within the said second District taxed by virtue of this Act, more than one Turf deep, of the usual Length of eighteen Inches, from the Moor Head, before the Expiration of thirty Years after the last or former digging thereof, it shall and may be lawful for any Person or Persons, who shall be appointed for that Purpose, by Writing under the Hands of any two or more of the Commissioners for the said District, to go upon the Premisses, and to throw the said Hods or Turf so cut into the Pools or Pits from whence the same were taken, and to fill the said Pools or Pits with the said Turf, and other Earth, which shall have been taken thereout.

Separate Application of Taxes in each District.

XXXIII. And be it further enacted, That the Money, which shall at any Time by virtue of this Act be raised on that Part of the said Fen Lands and Low Grounds which lie within the said first District or Division, shall be applied to the Uses and Purposes of draining and improving the Lands

in that Diſtrict or Diviſion only; and that the Money, which ſhall be raiſed on ſuch Part of the ſaid Fen Lands and Low Grounds as lie within the ſecond Diſtrict or Diviſion, ſhall be applied to the Uſes and Purpoſes of draining and improving the Lands in that Diſtrict or Diviſion only.

Accounts how to be kept and entered.

XXXIV. And to the End it may appear clearly what Money has been raiſed from time to time by virtue of this Act, and that the Owners and Occupiers of the ſaid Fen Lands and Low Grounds may be ſatisfied that the Monies ſo raiſed have been duly applied; Be it further enacted, That once in every Year, on one of the Days herein before appointed for the Meeting of the ſaid Commiſſioners, Inſpection ſhall be had by the ſaid Commiſſioners, or any ſeven or more of them, in their reſpective Diſtricts, of the Receipts and Diſburſements of ſuch Money as ſhall have been raiſed by virtue of this Act, to the twenty-fifth Day of *March* then next preceding; and all Accounts relating to the ſame ſhall be then, or within ten Days after, made up and ſettled by the ſaid Commiſſioners, or any ſeven or more of them then aſſembled at ſuch Meeting as aforeſaid; at which Times the reſpective Collector or Collectors, Receiver or Receivers of the ſaid Rates and Sums of Money to be raiſed as aforeſaid, are hereby required to attend with proper Books of Accounts of their reſpective Receipts and Diſburſements, and all Vouchers for the ſame; and upon Conſideration and Examination thereof upon Oath (which Oath any of the ſaid Commiſſioners is hereby impowered to adminiſter) the ſaid Commiſſioners, or any ſeven or more of them, are hereby impowered to allow and paſs the ſaid Accounts as they ſhall think fit, or ſuch Part or Parts of the ſame as they ſhall ſee juſt and reaſonable: And ſuch Account or Accounts for the ſaid firſt Diſtrict or Diviſion, or ſuch Part or Parts of them as ſhall be allowed by the ſaid Commiſſioners, or any ſeven or more of them, under their Hands, ſhall be fairly entered in three ſeveral Books to be kept for that Purpoſe; one of which ſhall remain with the Commiſſioners for that Diſtrict or Diviſion, one ſhall be kept in the Pariſh Church of *Trinity* in *Ely*, and the other in the Pariſh Church of *Littleport* aforeſaid: And ſuch Account or Accounts for the ſaid ſecond Diſtrict or Diviſion, or ſuch Part or Parts of them as ſhall be ſo allowed by the ſaid Commiſſioners, or any ſeven or more of them, under their Hands, ſhall be fairly entered in two ſeveral Books, to be likewiſe kept for that Purpoſe; one whereof ſhall remain with the Commiſſioners for that Diſtrict or Diviſion, and the other ſhall be kept in the Pariſh Church of *Mildenhall* aforeſaid: And any of the ſaid Books ſhall and may be inſpected and peruſed, without Fee or any other Reward, at any Time, at ſeaſonable Hours, by any Perſon requiring the ſame, being an Owner of any of the ſaid Fen Lands or Low Grounds in the Diſtrict or Diviſion to which ſuch Book does belong.

Rights of the Lords of Manors reſerved.

XXXV. Provided always, and be it hereby enacted, That all ſuch Right or Rights as any Lord or Lords of any Manor or Manors, Liberties, Hundred, or Half Hundred, have heretofore had within his or their reſpective Manor or Manors, Liberties, Hundred, or Half Hundred, within or without the ſaid Boundaries, to Waifs, Eſtrays, Felons Goods, Privileges of Arreſts, Eſcheats, and all Royalties, not prejudicial to Draining, be thereby ſaved to them, their Heirs, Succeſſors and Aſſigns ſeverally and reſpectively; any Thing in this Act to the contrary thereof notwithſtanding.

Rights of the Corporation of Bedford Level reſerved.

XXXVI. Provided always, and it is hereby further enacted, That this Act, or any thing therein contained, ſhall not extend, or be conſtrued to extend, to invalidate, leſſen, diminiſh, alter, or take away any of the Rights, Powers and Authorities veſted in the Governor, Bailiffs and Commonalty of the Company of Conſervators of the Great Level of the Fens, called *Bedford Level*, or in the ſaid Governor, Bailiffs and Conſervators, by virtue of an Act made in the fifteenth Year of the Reign of King CHARLES the Second, intituled, *An Act for ſettling the Draining of the Great Level of the Fens, called* Bedford Level, or by virtue of any other Act or Statute whatſoever; but that all Rights, Powers and Authorities whatſoever, which by virtue of the ſaid Act of the fifteenth of King CHARLES the Second, or of any other Act or Statute whatſoever, now are veſted in the ſaid Governor, Bailiffs and Commonalty, or in the ſaid Governor, Bailiffs and Conſervators, or any of them, ſhall for ever hereafter remain, continue, and be in the ſaid Governor, Bailiffs and Commonalty, and in the ſaid Governor, Bailiffs and Conſervators, and every of them, as fully and amply, to all Intents and Purpoſes as if this Act had never been made.

Recital of Acts 15 & 20 Car. 2. c. 17. relating to Bedford Level Corporation, &c.

' XXXVII. And whereas by the ſaid Act of the fifteenth Year of King CHARLES the Second, ' it was, among other Things enacted, That the Governor, Bailiffs and Conſervators of the ſaid ' Great Level ſhould have Power to lay Taxes upon the ninety-five thouſand Acres of Land, al- ' loted as a Recompence for the draining of the ſaid Great Level, for the Support, Maintenance ' and Preſervation of the ſaid Great Level, and to levy the ſame, with Penalties for Nonpayment; ' and that the ſaid Governor, Bailiffs and Conſervators ſhould have Power to ſell ſo much of ſuch ' Parts and Proportions of the ſaid ninety-five thouſand Acres, upon which any Tax ſhould be in ' Arrear, or Penalties, in ſuch Proportion as the ſaid Governor, Bailiffs and Conſervators ſhould ' judge to be ſufficient to raiſe ſuch Taxes and Penalties: And whereas ſeveral Parcels of the ſaid ' ninety-five thouſand Acres of Land were, at different Times, put up to Sale, in purſuance and ' according to the Directions of the before recited Act of the fifteenth of King CHARLES the Se- ' cond, and of one other Act paſſed in the twentieth Year of the ſaid King CHARLES the Second, ' intituled, *An Act for the taxing and aſſeſſing of the Lands of the Adventurers within the Great Level of* ' *the Fens, in order to raiſe the Taxes and Penalties in Arrear for and in reſpect of the ſaid Lands*; but the ' ſame not being thought worth the Taxes and Penalties due thereon, ſuch Lands could not be ſold, ' ſo as to raiſe ſuch Penalties and Taxes; and the ſaid Governor, Bailiffs and Conſervators, having

' directed

'directed their Officers, from time to time, to bid for such Lands as could not be sold for the 'Amount of the Taxes and Penalties respectively due thereon, they the said Officers became the 'Purchasers of such Lands, and have either conveyed the same to the said Governor, Bailiffs and 'Commonalty, or declared such Purchases to have been made in Trust for the said Corporation, 'and the Lands so purchased remain vested in the said Corporation, and are called *Invested Lands*, 'and have been annually rated and assessed to the Taxes laid upon the said ninety-five thousand 'Acres, according to their respective Proportions, in pursuance of the said Acts of the fifteenth and 'twentieth of King CHARLES the Second; but such Taxes not having been raised or paid, the 'said Corporation have, from time to time, let such Invested Lands, or such Parts of them as they 'could find Tenants for, at such Rents as could be procured for the same; but the Profits arising 'from the Lands so lett have been very small and inconsiderable, and much less than the Taxes 'with which such Lands have been assessed: And whereas the said Corporation have agreed with 'Sir *Simeon Stuart*, of *Harteley* in the County of *Southampton*, Baronet, for the Sale of Part of the 'said Invested Lands, which have been at the Desire of the said Sir *Simeon Stuart* left out of the 'first District herein before described, for the Sum of one hundred Pounds, discharged of all Ar-'rears of Taxes assessed thereon, by virtue of the said Acts of the fifteenth and twentieth Years of 'King CHARLES the Second; but subject to future Taxes, to be assessed by virtue of the said Acts: 'And whereas it will be for the Benefit of the said Corporation that the Invested Lands within the 'said first District should be sold for the best Price that can be gotten for the same, discharged of all 'Arrears of Taxes assessed or to be assessed thereon, by virtue of the said Acts of the fifteenth and 'twentieth Years of King CHARLES the Second, before the said Lands shall be sold; but subject 'nevertheless, in like Manner as the rest of the said ninety-five thousand Acres, to the Taxes to be 'assessed by virtue of the said Acts, after the said Lands shall be so sold; and that in the mean 'Time, and until such Lands can be drained and sold, the said Corporation should be enabled to pay 'the Rates and Taxes to be assessed by virtue of this Act upon the said Lands, for draining the 'same;' Be it therefore further enacted, That the Receiver for the Time being of the said Corporation shall, out of the Taxes and Revenues of the South and Middle Levels (Part of the said Great Level) pay upon Demand, to the Collector or Collectors, to be appointed by the Commissioners for the said first District, all such Rates and Taxes as shall be charged by virtue of this Act upon the said Invested Lands, or any Part thereof, until the same shall be sold as herein after is directed; and such Receiver shall be and he is hereby absolutely discharged and indemnified of and for the Sums so by him paid to the said Collector or Collectors, as if such Sum had been paid to and by the Order and Direction of the said Corporation.

Receiver of the Corporation to pay the Taxes for Invested Lands.

XXXVIII. Provided always, and it is hereby further enacted, That the said Governor, Bailiffs and Conservators, or any five or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, shall have full Power and Authority to appoint annually, at their *April* Meeting, one Commissioner for every three hundred Acres of the said Invested Lands, for which the Taxes to be imposed by virtue of this Act shall be paid as aforesaid, for so long Time as three hundred Acres of the said Lands shall remain invested.

Corporation may appoint a Commissioner for every 300 Acres of Invested Lands.

XXXIX. Provided nevertheless, That one Half of the Commissioners so to be appointed, who shall not be Members of the said Corporation, shall be respectively Owners of six Acres or more of taxable Lands lying within the first District.

(Proviso)

XL. And whereas the said Corporation cannot sell the said invested Lands, discharged of the Arrears of Taxes, without being impowered by Authority of Parliament so to do; Be it further enacted, That it shall be lawful for the said Governor, Baliffs and Conservators, or any seven or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, to grant or convey under the Seal of the said Corporation, unto the said Sir *Simeon Stuart*, the invested Lands agreed to be sold as before mentioned, freed and discharged of and from all Rates and Taxes which, at any Time heretofore, have been rated or charged thereupon by virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second, or of any other Act or Acts of Parliament now in being, relating to the said Great Level, pursuant to the said Agreement: And that it shall be lawful for the said Governor, Bailiffs and Conservators, or any seven or more of them, whereof the said Governor or Bailiffs, or any of them, to be two, to cause the invested Lands within the said first District to be publickly sold by Auction in Parcels, as they shall think proper, to the best Bidder, at the Shire House in *Ely* aforesaid, at any *April* Meeting or Session of Sewers in *October*, to be there held, of which Sale or Sales publick Notice shall be given in the *London Gazette*, and also in the *Cambridge* and *Ipswich Journals*, if such News Papers shall then continue to be published; and shall also be affixed in Writing, under the Seal of the said Corporation, at or upon the said Shire House, two Months at least intervening between the Time of any such Sale and the Day of the Date of any such Notice; and that after any of the said Lands shall be so sold, the said Governor, Bailiffs and Conservators, or any seven or more of them as aforesaid, shall grant or convey, under the Seal of the said Corporation, the Lands so sold, to the respective Purchasers thereof, freed and discharged of and from all Rates and Taxes which, at any Time before such Sale, shall have been rated or charged upon the said Lands by virtue of the said Acts of the fifteenth and twentieth Years of King CHARLES the Second, or any other Act or Acts of Parliament now in Force, relating to the said Great Level; and every such Grant or Conveyance shall be valid and effectual, to all Intents and Purposes,

and sell Invested Lands,

discharged of past,

Purpoſes, as if ſuch Lands had been ſold for Nonpayment of Taxes, purſuant to the ſaid Acts of the fifteenth and twentieth Years of King CHARLES the Second.

but ſubject to future Taxes.

XLI. Provided always, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impower the ſaid Corporation to diſcharge the ſaid inveſted Lands, or any Part thereof, from any Rates or Taxes which the ſame ſhall, after the Sale thereof as aforeſaid, be liable to be rated or aſſeſſed with, by virtue of the ſaid Acts of the fifteenth and twentieth of King CHARLES the Second, or by any other Act or Acts of Parliament whatſoever relating to the ſaid Great Level; but that the ſaid inveſted Lands, after they ſhall be ſo ſold, ſhall be liable to be rated and aſſeſſed in the ſame Manner as they were before the making of this Act; any thing herein contained to the contrary notwithſtanding.

Limitation of Actions.

XLII. And it is hereby further enacted, That if any Action, Suit or Information, ſhall be commenced or proſecuted againſt any Perſon or Perſons, for any Thing done or to be done in purſuance of this Act, every ſuch Action or Suit ſhall be commenced within ſix Months next after the Fact committed; and ſhall be laid or brought in the Court of Pleas of the ſaid Iſle of *Ely*, or in the Counties of *Cambridge*, *Suffolk* or *Norfolk*, and not elſewhere: And the Defendant or Defendnts in ſuch Action or Suit ſhall and may plead the General Iſſue, and, if in Replevin, may juſtify and avow, by virtue of this Act, as Perſons acting by Authority of Commiſſioners of Sewers are enabled to do; and may give this Act, and the Special Matter in Evidence, without ſpecially pleading the ſame, otherwiſe than as aforeſaid, at any Trial to be had thereupon; and that the Fact alledged in ſuch Action or Suit to have been done, was done in purſuance, and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid; then the Jury ſhall find for the Defendant or Defendants, Avowant or Avowants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or forbear Proſecution, or diſcontinue his, her or their Suit or Suits; or if any Verdict ſhall paſs againſt him, her or them; or Judgment be given upon a Demurrer or otherwiſe; then, in any of the ſaid Caſes, the Defendant or Defendants, Avowant or Avowants, ſhall recover Treble Coſts, for which he, ſhe or they ſhall have like Remedy as where Coſts by Law are awarded.

General Iſſue.

Treble Coſts.

Publick Act.

XLIII. And be it further enacted and declared, That this Act ſhall be deemed and allowed a Publick Act; and all Judges, Juſtices and other Perſons, are hereby required to take Notice thereof as ſuch, without ſpecially pleading the ſame.

The SCHEDULE to which the annexed Act refers;

Being a Liſt of ſuch Bordering and other High Lands as are to be exempted from the Taxes to be aſſeſſed, rated or charged in purſuance of the ſaid Act.

In the firſt Diſtrict.

In Hold Fen in Mindenhall.

ONE Ground of Thomas Thompſon, a Minor, North of the Willows.
One Ground of John Drage Eſquire adjoining.
Twenty-five Acres, Part of thirty Acres of Simon Godfrey, in two Lots.
Sixteen Acres, Part of forty-eight Acres of John Drage Eſquire, in three Lots.
Five Acres, Part of eighteen Acres of William Brown.
Eight Acres, Part of ſixteen Acres of Sir William Bunbury, Baronet.
Eleven Acres, Part of fifteen Acres of John Drage Eſquire.
One Ground of Thomas Swale, by Peaver's Load.
The Skirts of Coplow Delves, called Coplow Hills, and the Milking Hill.

In the Adventure Land, taken out of Coplow and Undley Fens, belonging to Robert Hanslip.

Fifteen Acres, Part of fifty Acres, near Baldwin's Load.
Six Acres, Part of fourteen Acres, nearer Undley.
Ten Acres, called Thistle Hill.

The Skirts of Undley Common.
The Skirts of Undley Field, and the Skirt and Border Land on the North-east Side of Undley Pastures, as far as Winter Load.
Fifty Acres in Undley Fen, next the Field Skirts.

In the Second District.

Between Holiwell Droveway and the Outring Ditch which divides the two Districts, beginning at the Outring Ditch of the Adventure Land taken out of Coplow Fen.

A Ground or Lot of Robert Hanslip.
Two Grounds of Thomas Evans Esquire, late May's.
One Ground of Robert Hanslip, near the Head of Baldwin's Load.
Four Lots of Sir William Bunbury, Baronet, and all the other Grounds from thence Eastwards to the Hard Lands.

Eighteen Acres, Part of thirty-six Acres of Isaac Cook, at Burchin Hills.
Sixteen Acres, Part of twenty-four Acres of Edmund Balls there.
Four Acres, Part of a Ground of Isaac Cook there.

Between Holiwell Droveway and Skelton's Droveway, on the South-west Side of Holiwell Droveway, beginning next three Lots of Sir William Bunbury.

Two Grounds or Lots of Isaac Cook Gentleman.
One Ground of Garard Ward's Heirs.
One Ground late of the Reverend Master John Hunt, deceased.
One Ground of the Widow Clark.
One Ground of Sir William Bunbury.
One Ground of Thomas Evans Esquire, and all the other Grounds from thence to the Hard Lands.

On the North-east Side of Skelton's Droveway, beginning next a Ground of Isaac Cook, Gentleman.

One Ground of Isaac Cook, Gentlenteman
One Ground of Richard Husk, Gentleman.
One Ground of Sir William Bunbury.
One Ground of Susan Peachey, Widow.
Four Acres, Part of a Ground of Thomas Thompson, a Minor, in the Pan, and all the other Grounds from thence to the Hard Lands, except two Acres, Part of a Ground of Sir William Bunbury, late Johnson's.

Between Skelton's Droveway and Stock Droveway, on the South Side of Skelton's Droveway.

Eight Acres, Part of forty-seven Acres of Thomas Evan's, Esquire.
One Ground of Henry Coats.
Two Grounds of Francis Fuller.
One Ground of Benjamin Powel.
One Ground of Sir William Bunbury, at the Hard Lands.

On the North Side of Stock Droveway.

Eight Acres, Part of ſixteen Acres of Thomas Evans Eſquire.
Eight Grounds or Lots of Francis Fuller, except eight Acres below, neareſt Kenny Hills.
One Ground of Sir William Bunbury, Baronet, at the Hard Lands.

Between Stock Droveway and Snare Droveway, on the South Side of the Stock Droveway.

Two Lots of Richard Huſk, called the Horſe Dolvers.
Three Lots of Iſaac Cook.
One Ground of Robert Shave, and all the other Grounds from thence to the Hard Lands.

On the North Side of Snare Droveway.

Two Grounds or Lots of Richard Huſk, called Ropers.
Two Grounds of Elizabeth Bugg and Hannah Bugg, or one of them.
Two Grounds of John Abbot.
One Ground of Elizabeth Bugg.
Two Grounds of Henry Morley, called the Hurdle Dolvers, and all other Grounds from thence to the Hard Lands.

Between Snare Droveway and Cook's Droveway, on the South Side of Snare Droveway.

Two Grounds of Henry Morley, called High Poſts.
One other Ground of the ſaid Henry Morley.
Two Grounds of Sir William Bunbury, Baronet.
One Ground of John Thompſon, a Minor, and all the other Grounds from thence to the Hard Lands.

On the North Side of Cook's Droveway.

Four Acres, Part of twelve Acres of John Williamſon.
Six Acres, Part of twenty-four Acres of Abraham Bird, ſenior.
Four Acres, Part of twelve Acres of Joſeph Ellington, late Macro's.
One Ground of John Poulter, late Ellington's.
One Ground of Richard Peachey, Gentleman, and all the other Grounds from thence to the Hard Lands.

Between Cook's Droveway and the North Bank of Mildenhall River.

The Grounds of Sir William Bunbury, Barham Ruſhbooke Eſquire, and Adam Aves, on the South-eaſt Side of Hayland Droveway, and all the other Grounds from thence to the Hard Lands.

Anno

Anno Regni GEORGII III. Regis Magnæ Britanniæ, Franciæ, & Hiberniæ, primo.

'AT the Parliament begun and holden at *Weſtminſter* the thirty-firſt Day of *May*, *Anno Domini* one thouſand ſeven hundred and fifty-four, in the twenty-ſeventh Year of the Reign of our late Sovereign Lord *GEORGE* the Second, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, &c. and from thence continued by ſeveral Prorogations to the eighteenth Day of *November* 1760, being the eighth Seſſion of this preſent Parliament.'

CAP. I.

An Act for the Support of his Majeſty's Houſhold, and of the Honour and Dignity of the Crown of *Great Britain*.

May it pleaſe your moſt Excellent Majeſty,

'WHEREAS by an Act of Parliament made in the firſt Year of the Reign of our late Sovereign Lord King *George* the Second, of bleſſed Memory, intituled, *An Act for the better Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown of* Great Britain, it was, amongſt other Things, enacted, That the Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, which had been granted to his Majeſty King *Charles* the Second, by an Act made in the twelfth Year of his Reign, intituled, *A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Increaſe of his Majeſty's Revenue, during his Life*; and which were granted to their late Majeſties King *William* and Queen *Mary*, by an Act made in the ſecond Year of their Reign, for their Lives, and the Life of the Survivor of them; and which were continued to their late Majeſties Queen *Anne* and King *George* the Firſt, for their Lives reſpectively (a certain Duty of ſix Pence for every Barrel of Vinegar Beer excepted) and alſo a Duty of ſix Pence, Part of a Duty of eight Shillings, which was granted to his ſaid late Majeſty King *William*, for and upon every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, which ſhould be brewed or made of any *Engliſh* or Foreign Materials, by any Perſon or Perſons whatſoever, for Sale; and ſo in proportion for a greater or leſſer Quantity, by an Act made in the tenth Year of his Reign; and likewiſe the further Subſidy of Tunnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes, which had been granted to his ſaid late Majeſty King *William*, for his Life, by an Act made in the ninth Year of his Reign, intituled, *An Act for granting to his Majeſty a further Subſidy of Tunnage and Poundage, towards raiſing the yearly Sum of ſeven hundred thouſand Pounds, for the Service of his Majeſty's Houſehold, and other Uſes therein mentioned, during his Majeſty's Life*, and continued to their ſaid late Majeſties Queen *Anne* and King *George* the Firſt, for their Lives reſpectively, ſhould be levied, collected, and paid, to his ſaid late Majeſty King *George* the Second, for and during the Term of his natural Life; and alſo that the yearly Sum of one hundred and twenty thouſand Pounds, granted out of the aggregate Fund to his late Majeſty King *George* the Firſt, during his Life, by an Act made in the firſt Year of his Reign, (intituled, *An Act for enlarging the Fund of the Governor and Company of the Bank of* England, *relating to Exchequer Bills; and for ſettling an additional Revenue of one hundred and twenty thouſand Pounds* per Annum *upon his Majeſty, during his Life, for the Service of the Civil Government; and for eſtabliſhing a certain Fund of fifty-four thouſand ſix hundred Pounds* per Annum, *in order to raiſe a Sum not exceeding nine hundred and ten thouſand Pounds for the Service of the Publick, by Sale of Annuities, after the Rate of ſix Pounds* per Centum per Annum, *redeemable by Parliament; and for ſatisfying an Arrear for Work and Materials at* Blenheim, *incurred whilſt that Building was carried on at the Expence of her late Majeſty Queen* Anne, *of bleſſed Memory; and for other Purpoſes therein mentioned*;) ſhould be continued to his late Majeſty King *George* the Second, for and during the Term of his natural Life, in the Manner in the ſaid Act mentioned: And in and by the ſaid firſt-mentioned Act made in the firſt Year of the Reign of his ſaid late Majeſty King *George* the Second, it was enacted and declared, That the hereditary Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, which were granted to the Crown in the twelfth Year of the Reign of King *Charles* the Second; and the ſaid Duties of Exciſe upon Beer, Ale, and other Liquors, which had been granted to the late Queen *Anne*, by an Act of the firſt Year of her Reign, for her Life (ſubject nevertheleſs to the Incumbrances in that Act mentioned) and the ſaid further Subſidy of Tunnage and Poundage, and other Duties thereby granted; and the ſaid yearly Sum of one hundred and twenty thouſand Pounds out of the aggregate Fund; and the Revenue ariſing in the General Letter Office, or Poſt Office, or Office of Poſtmaſter General; and the ſmall Branches of his Majeſty's Revenues therein particularly deſcribed or mentioned (except as is therein excepted) ſhould be for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown, as by the ſaid Act of the firſt Year of his ſaid late Majeſty's Reign (relation being thereunto had) may more fully appear: And by virtue of one other Act made in the fourth Year of the Reign of his ſaid late Majeſty King *George* the Second, intituled, *An Act for further*

Preamble, reciting Acts.
1 Geo. 2. c. 1.
12 Car. 2. c. 23.
2 W. & M. Seſſ. 1. c. 3.
2 & 3 Ann. c. 3.
1 Geo. 1. ſt. 2. c. 12.
10 Will. 3. c. 11.
9 W. 3. c. 23.
1 Geo. 1. ſt. 1. c. 12.
4 Geo. 2. c. 27.

'*further encouraging the Manufacture of* Britiſh *Sail Cloth, by taking off the Duties and Drawbacks therein* 'mentioned; *and allowing an additional Bounty on* Britiſh *made Sail Cloth exported*; *and for ſtamping* Britiſh *made Sail Cloth with the Name and Place of Abode of the Maker*; a certain yearly Sum was paid 'out of the aggregate Fund to his ſaid late Majeſty, during his Life, in lieu of ſuch Part of the Duties 'on the Importation of rough and undreſſed Flax, thereby diſcontinued, as was applicable to the 'Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown: And by one
9 Geo. 2. *c.* 23. 'other Act made in the ninth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for laying* 'a Duty upon the Retailers of Spirituous Liquors, *and for licenſing the Retailers thereof*, the yearly Sum 'of ſeventy thouſand Pounds was granted to his ſaid Majeſty, during his Life, towards the Support 'of his Majeſty's Houſehold and Family, and other his Expences and Occaſions, in lieu of certain 'Duties on Low Wines and Spirits, thereby made Part of the ſaid Fund: And in purſuance of one
12 Geo. 2. *c.* 21. 'other Act made in the twelfth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for* 'taking off the Duties upon Woollen and Bay Yarn imported from Ireland to England; *and for the more* 'effectual preventing the Exportation of Wool from Great Britain, *and of Wool, and Wool manufactured,* 'from Ireland to Foreign Parts; a certain yearly Sum was paid to his ſaid late Majeſty during his Life, 'in lieu of ſuch Part of the Duties thereby diſcontinued, on the Importation of Woollen and Bay 'Yarn from *Ireland*, as was applicable towards the Support of his Majeſty's Houſehold, and of the
30 Geo. 2. *c.* 19. 'Honour and Dignity of the Crown: And by one other Act made in the thirtieth Year of the Reign 'of his ſaid late Majeſty, (intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon* 'Indentures, Leaſes, Bonds, *and other Deeds, and upon News Papers, Advertiſements, and Almanacks, and* 'upon Licences for retailing Wine; *and upon Coals exported to foreign Parts*; *and for applying, from a* 'certain Time, *the Sums of Money ariſing from the Surplus of the Duties on Licences for retailing Spirituous* 'Liquors; *and for raiſing the Sum of three Millions by Annuities, to be charged on the ſaid Rates, Duties,* 'and Sums of Money; *and for making perpetual an Act made in the ſecond Year of the Reign of his preſent* 'Majeſty, intituled, An Act for the better Regulation of Attornies and Sollicitors; *and for enlarging* 'the Time for filing Affidavits of the Execution of Contracts of Clerks to Attornies and Sollicitors; *and alſo* 'the Time for Payment of the Duties omitted to be paid for the Indentures and Contracts of Clerks and Apprentices) the yearly Sum of ſeven thouſand and two Pounds fourteen Shillings and three Pence, 'was directed to be paid to his ſaid Majeſty, his Heirs, and Succeſſors, out of the Monies which 'ſhould ariſe from the new Duties thereby granted on Licences to retail Wine, in lieu of the former 'Duties: And whereas your Majeſty has been graciouſly pleaſed to ſignify your Conſent to your 'faithful Commons in Parliament aſſembled, That whenever they ſhould enter upon the Conſideration of making Proviſion for your Houſehold, and the Honour and Dignity of your Crown, ſuch 'Diſpoſition might be made of your Majeſty's Intereſt in the hereditary Revenues of the Crown, as 'might beſt conduce to the Utility and Satisfaction of the Publick; thereby giving the moſt ſubſtantial Proof of your tender Concern for the Welfare of your People; and that the ſame is ſuperior, 'in your Royal Breaſt, to all other Conſiderations: We your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain*, in Parliament aſſembled, with Hearts full of the warmeſt 'Duty and Gratitude, are deſirous, That a certain and competent Revenue for defraying the Expences of your Majeſty's Civil Government, and ſupporting the Dignity of the Crown of *Great* 'Britain during your Life (which God long preſerve) may be ſettled on your Majeſty; and that 'your Majeſty may be enabled to make an honourable Proviſion for the Royal Family, as a Teſtimony of our unfeigned Affection to your ſacred Perſon, by whoſe happy Acceſſion to the Throne, 'your Majeſty's Subjects have the ſtrongeſt Aſſurance that the Religion, Laws, and Liberties of this 'Realm will be continued; and that they, your ſaid Subjects, and their Poſterity, may, through the 'Divine Goodneſs, enjoy every Bleſſing under your Majeſty's auſpicious Reign; have therefore 'freely and unanimouſly reſolved to grant unto you, our moſt gracious Sovereign Lord King *George* 'the Third, a certain Revenue payable out of the aggregate Fund; and that the ſaid temporary 'Rates, Duties, and Impoſitions be continued, and the Produce thereof, together with the Produce 'of the hereditary Revenues aforeſaid, be made Part of the ſaid Fund during your Majeſty's Life; 'and do moſt humbly beſeech your Majeſty, that it may be enacted;' and Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and immediately after the Demiſe of his ſaid late Majeſty King *George* the Second, of bleſſed Memory, for and during the Term of the natural Life of his Majeſty King *George* the Third (whom God long preſerve) the ſaid Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, granted to his ſaid Majeſty King *Charles* the Second, by the ſaid Act made in the twelfth Year of his Reign, intituled, *A Grant of certain Impoſitions upon Beer, Ale, and other Liquors, for the Increaſe of his Majeſty's Revenue during his Life*; and which were granted to their late Majeſties King *William* and Queen *Mary*, by the ſaid Act made in the ſecond Year of their Reign, for their Lives, and the Life of the Survivor of them; and which were continued to her ſaid late Majeſty Queen *Anne*, by the ſaid Act of the firſt Year of her Reign, for her Life; and which were continued to his ſaid Majeſty King *George* the Firſt, by an Act of the firſt Year of his Reign, for his Life; and to his ſaid late Majeſty King *George* the Second, by the ſaid Act made in the firſt Year of his Reign, for his Life (other than and except the ſaid Duty of ſix Pence for every Barrel of Vinegar Beer, before mentioned to have been formerly excepted) and alſo the ſaid Duty of ſix Pence, Part of the ſaid Duty of eight Shillings, for every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, which ſhall be brewed or made of any *Engliſh* or Foreign Materials, by any Perſon or Perſons whatſoever, for Sale, and ſo in proportion

The hereditary Rates and Duties of Exciſe originally granted by Act 12 Car. 2. to be levied and paid as heretofore, from the Demiſe of the late King, for and during the Life of his preſent Majeſty Geo. 3.

Duty on Vinegar.

portion for a greater or leſſer Quantity, impoſed by the ſaid Act of the tenth Year of the Reign of his ſaid late Majeſty King *William* the Third, ſhall be raiſed, levied, collected, and paid, in the ſame Manner and Form, and by ſuch Rules, Ways, Means, and Methods, and under ſuch Penalties, Forfeitures, and Diſabilities, and with ſuch Allowances and Exemptions as are mentioned and expreſſed in the before mentioned Acts, or any of them, or by any other Law now in force relating to the Revenue of Exciſe; and that all and every the ſaid Laws relating to the Revenue of Exciſe ſhall be of full Force and Effect, to all Intents and Purpoſes, for the levying, receiving, aſcertaining, and recovering the ſaid Duties of Exciſe upon Beer, Ale, and other Liquors; and the ſaid Duty of ſix Pence, Part of the ſaid Duty of eight Shillings, for every Barrel of Vinegar, Vinegar Beer, or Liquor preparing for Vinegar, hereby granted or continued, in the like manner as if the ſame were repeated and enacted in the Body of this preſent Act.

and all Laws relating to the Revenues of Exciſe, to be in force with reſpect to the ſaid Duties, &c.

II. And be it alſo enacted by the Authority aforeſaid, That the ſaid further Subſidy of Tonnage and Poundage, and other Duties upon Wines, Goods, and Merchandizes granted by the ſaid Act made in the ninth Year of the Reign of his ſaid late Majeſty King *William*, for his Life; and continued to her ſaid late Majeſty Queen *Anne*, by the ſaid Act of the firſt Year of her Reign, for her Life; and afterwards continued to his ſaid Majeſty King *George* the Firſt, by the ſaid Act of the firſt Year of his Reign, for his Life; and to his ſaid late Majeſty King *George* the Second, by the ſaid Act of the firſt Year of his Reign, for his Life; and alſo all ſuch other Subſidies and Duties as were payable by virtue of any Act or Acts of Parliament on the twenty-fourth Day of *October* one thouſand ſeven hundred and ſixty, and were ſettled or appointed to be towards the Support of the Houſehold of his ſaid late Majeſty King *George* the Second, and of the Honour and Dignity of the Crown; ſhall, from and immediately after the Demiſe of his ſaid late Majeſty King *George* the Second, be, during the Life of our ſaid Sovereign Lord King *George* the Third, raiſed, levied, collected, paid, and ſatisfied, by the ſame Ways, Means, and Methods, and under the ſame Penalties, Forfeitures, and Diſabilities, and by the ſame Rules and Directions, and with the ſame Allowances, Exemptions, and Drawbacks, as are preſcribed in or by the ſaid Act of the ninth Year of the Reign of his ſaid late Majeſty King *William*, or in any other Act or Acts of Parliament now in force in that Behalf; and that the ſaid Act of the ninth Year of the Reign of his ſaid late Majeſty King *William*, and other Acts touching the ſaid Subſidies and Duties, and all and every the Articles, Rules, and Clauſes therein contained, or thereby referred unto, ſo far as the ſame relate to the raiſing, levying, collecting, or making Allowances or Drawbacks out of the ſame Subſidies and Duties, and any Exemptions in reſpect thereof, ſhall be of full Force and Effect to all Intents and Purpoſes, during the Life of our ſaid Sovereign Lord King *George* the Third, as if the ſame were particularly and at large repeated and ſet down in the Body of this Act.

The Subſidy of Tonnage and Poundage granted by Act 9 Will. 3. and continued by ſeveral ſubſequent Acts,

and all other Subſidies and Duties payable on 24 Oct. 1760, towards the Support of the Crown, to be levied and paid as heretofore, during the Life of his preſent Majeſty;

and all Laws relating thereto, to be in force with reſpect to the due levying, &c. the ſame.

III. And it is hereby enacted and declared, That the Produce of the ſaid hereditary Rates and Duties of Exciſe upon Beer, Ale, and other Liquors, and the Produce of the ſaid Duties of Exciſe upon Beer, Ale, and other Liquors, hereby continued for the Term of his Majeſty's Life; and the Produce of the ſaid further Subſidy of Tunnage and Poundage, and of other Duties upon Wines, Goods and Merchandizes, and other Subſidies and Duties herein before-mentioned; and the Produce of ſuch other Subſidies and Duties as were payable on the twenty-fourth Day of *October* one thouſand ſeven hundred and ſixty, and ſettled or appointed to be towards the Support of the Houſehold of his ſaid late Majeſty King *George* the Second, and of the Honour and Dignity of the Crown; and the ſaid Revenue of the General Letter Office, or Poſt Office, or Office of Poſt Maſter General; and the ſmall Branches of his Majeſty's Revenues herein after expreſſed; that is to ſay, the Monies ariſing by Fines for Writs of Covenant and Writs of Entry, payable in the Alienation Office; the Monies ariſing by the Poſt Fines; the ſaid yearly Sum of ſeven thouſand and two Pounds fourteen Shillings and three Pence, payable out of the Monies ariſing by the new Duties on Licences to retail Wine; the Monies ariſing by Sheriffs Proffers, and Compoſitions in the Exchequer, and Seizures of prohibited and uncuſtomed Goods; the Revenue ariſing to his Majeſty by Rents of Lands, or for Fines of Leaſes of the ſame, or any of them (except the Revenue of the Duchy of *Cornwall*) and all other Branches and Revenues which on the twenty-fourth Day of *October* one thouſand ſeven hundred and ſixty, ſtood ſettled or appointed to be towards the Support of the Houſehold of his ſaid late Majeſty King *George* the Second, and the Honour and Dignity of the Crown, during his ſaid late Majeſty's Life as aforeſaid (except the Monies which ſhall be neceſſary to defray ſuch Expences as ſhall have been incurred in the Collection and Management of all the ſaid Subſidies, Duties, Branches, and Revenues, and except ſuch Sums as were iſſuing and payable out of the aggregate Fund as aforeſaid; and alſo except ſuch Revenues, Rents, and Hereditaments, as have been granted or paſſed to any Perſon or Perſons, Bodies Politick or Corporate, by or in purſuance of any Act or Acts of Parliament in that Behalf; and except all Charges of particular Annuities or Sums of Money on the ſaid Revenues, or any of them, made or allowed of by any Act or Acts of Parliament whatſoever) ſhall, from and immediately after the Demiſe of his ſaid late Majeſty King *George* the Second, be, during his preſent Majeſty's Life, carried to, and made Part of, the general or aggregate Fund eſtabliſhed by the Act of the firſt Year of the Reign of his late Majeſty King *George* the Firſt; and be, during the ſaid Term, iſſued and applied, in manner herein after-mentioned, to the Uſes to which the ſaid Fund is or ſhall be made applicable: Nevertheleſs, the ſaid hereditary Duties of Exciſe; and the ſaid Duties of Exciſe continued for his Majeſty's Life, as aforeſaid; and the ſaid Revenues of the General Letter Office, or Poſt Office, or Office of Poſt Maſter General; ſhall reſpectively be liable to, and charged with, the ſeveral particular annual, weekly, or

Produce of the hereditary Rates, and Duties of Exciſe;

Subſidies of Tunnage and Poundage;

Revenues of the Poſt Office;

Alienation Office;

Poſt Fines;

Annuity on Wine Licences;

Sheriffs Proffers, Compoſitions in the Exchequer; Seizures; Rents; (Duchy of Cornwall excepted) and other Branches; and Revenues; appropriated for Support of the Crown, (Charges of levying and managing the ſame, excepted)

are to be carried into, and made Part of the aggregate Fund;

ſubject however to the ſeveral Annuities and

Incumbrances charged thereon by any former Act or Acts.

other Payments or Incumbrances charged on or directed to be ſet apart out of the ſaid hereditary Duties of Exciſe, and the ſaid Duties of Exciſe granted for the Life of his ſaid late Majeſty King *George* the Second, and the ſaid Revenues of the General Letter Office, or Poſt Office, or Office of Poſt Maſter General, or any of them, by any former or other Act or Acts of Parliament, in the ſame Manner, and for the ſame Uſes, Intents, and Purpoſes, and under and ſubject to the like Penalties, Forfeitures, and Diſabilities, for any Offences in or about the ſame, as the ſaid laſt-mentioned Duties or Revenues, or any of them, were ſubject or liable unto at the Time of the Demiſe of his ſaid late Majeſty King *George* the Second, as fully and effectually, to all Intents and Purpoſes, as if the ſame had been by this Act particularly charged on or directed to be ſet apart out of the Duties or Revenues hereby continued, during his preſent Majeſty's Life; any Thing herein contained to the contrary notwithſtanding.

The clear yearly Sum of 723,000 l. to be paid out of the aggregate Fund, for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown, during the Continuance of the ſeveral Annuities of 50,000 l. to the Princeſs Dowager of Wales; 15,000 l. to the Duke of Cumberland; and 12,000 l. to the Princeſs Amalie; with the Addition of the ſaid Annuities, as they ſhall ſeverally determine; and, upon their Determination, the clear yearly Sum of 800,000 l. to be then paid him.

IV. And be it further enacted by the Authority aforeſaid, That for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown, there ſhall be granted and continued, and iſſuing and payable, out of the ſaid Fund called *The aggregate Fund*, from and immediately after the Demiſe of his ſaid late Majeſty King *George* the Second, to his preſent Majeſty during his Life (which God long preſerve) the Revenue, or yearly Rent or Rents, or Sum or Sums of Money herein aftermentioned; that is to ſay, the clear yearly Rent or Sum of ſeven hundred and twenty-three thouſand Pounds, during the Continuance of an Annuity of fifty thouſand Pounds payable, by virtue of an Act made in the tenth Year of the Reign of his ſaid late Majeſty King *George* the Second, to her Royal Highneſs the Princeſs Dowager of *Wales*; and of the Annuities payable by virtue of an Act made in the twelfth Year of the Reign of his ſaid late Majeſty, of fifteen thouſand Pounds to his Royal Highneſs *William* Duke of *Cumberland*, and the Heirs Male of his Body; and twelve thouſand Pounds to her Royal Highneſs the Princeſs *Amalie*; and in caſe of the Determination of one or more of the ſaid Annuities, then, and immediately from thenceforth, ſuch clear yearly Rent or Sum over and above, and in Addition to, the ſaid yearly Rent or Sum of ſeven hundred and twenty-three thouſand Pounds, as the Annuity or Annuities ſo determined ſhall have amounted to; and in caſe of the Determination of all the ſaid Annuities, then, and immediately from thenceforth, the clear yearly Rent or Sum of eight hundred thouſand Pounds; and the ſaid yearly Rents or Sums for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown, ſhall be and are hereby charged upon, and ſhall be paid and payable from Time to Time out of the Duties and Revenues which do or ſhall compoſe the ſaid Fund, commonly called *The aggregate Fund*, or any of them (after paying, or reſerving ſufficient to pay, all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, but with Preference to all other Payments which ſhall or may hereafter be charged upon, or payable out of, the ſaid Fund) and that the Sum of one hundred forty-nine thouſand five hundred eighty-ſix Pounds four Shillings and one Penny Half-penny, ſhall be iſſued and paid out of the ſaid Fund for the Support of his Majeſty's Houſehold, and of the Honour and Dignity of the Crown, from the twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, to the ſixth Day of *January* one thouſand ſeven hundred and ſixty-one, being the Proportion of the ſaid annual Rent for the ſaid Term; and that from and after the fifth Day of *January* one thouſand ſeven hundred and ſixty-one, the ſaid yearly Rents or Sums of Money ſhall grow due and be payable to his Majeſty quarterly at the four moſt uſual Days of Payment in the Year; that is to ſay, the fifth Day of *April*, the fifth Day of *July*, the tenth Day of *October*, and the fifth Day of *January*, by even and equal Portions, out of the Monies of the ſaid aggregate Fund; the firſt quarterly Payment thereof to be made on the fifth Day of *April* one thouſand ſeven hundred and ſixty-one: And the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, and the High Treaſurer, and Under Treaſurer of the Exchequer, for the Time being, ſhall and may, and they are hereby authorized and required to cauſe the ſaid yearly Rent or Sums of Money reſpectively, or any Arrears thereof, to be iſſued and applied, from Time to Time, daily, weekly, or otherwiſe, as ſoon as the ſame can be ſatisfied, in the Order and Courſe aforeſaid, for the Uſes and Purpoſes by this Act appointed, out of the Monies ariſen or to ariſe as aforeſaid, ſo as by the ſaid daily, weekly, or other Payments, one fourth Part of ſuch yearly Rents or Sums of Money be not exceeded in, for, or in reſpect of each Quarter, and ſo that upon every of the ſaid quarterly Days the Whole then due thereupon be completed, made up, or ſatisfied, according to the true Intent and Meaning of this Act.

149,586 l. 4 s. 1 d. 2 q. directed to be paid, as the Proportion thereof, from 24 Oct. 1760, to 5 Jan. 1761.

and from 5 Jan. 1761, the ſaid yearly Revenue to be paid by equal Portions, quarterly; viz. on 5 April, 5 July, 10 Oct. and 5 January. The firſt Payment to be made on 5 April 1761.

Treaſury authorized and required to iſſue Payment of the ſame accordingly, daily, weekly, or otherwiſe, as ſoon as the ſame can be ſatisfied, &c.

'V. And whereas it may be proper for the Support of his Majeſty's Houſehold, and for defraying the Charge of his Civil Government, and other his neceſſary Expences and Occaſions, that Money ſhould be iſſued, from Time to Time, within each Quarter, before the Accounts of the ſaid aggregate Fund ſhall be made up and ſettled;' Be it therefore enacted by the Authority aforeſaid, That the Commiſſioners of his Majeſty's Treaſury, or any three or more of them, and the High Treaſurer and Under Treaſurer of the Exchequer for the Time being, ſhall and may, and they are hereby fully authorized and impowered, from Time to Time, between the reſpective Days or Periods of Time appointed or to be appointed for making up and ſettling the Accounts of the ſaid aggregate Fund, to cauſe any Payment or Payments to be made in Advance to or for his Majeſty's Uſe, or on his Behalf, out of all or any Monies which have ariſen, or ſhall ariſe, in the Receipt of the Exchequer, by the Produce of all or any of the ſaid hereditary and temporary Revenues herein before directed to be carried to, and made Part of, the ſaid Fund (except only ſuch Part of the Produce of the Duties on Low Wines, Strong Waters, Brandy, Rum, Arrack, and other Spirits, as by the ſaid Act made in the ninth Year of his ſaid late Majeſty's Reign were united to, and made Part of, the

and to make Payments in Advance, for his Majeſty's Uſe, from Time to Time;

aggregate

aggregate Fund, and farther continued by this Act) ſo that the Whole of ſuch Payments, together with all other Payments out of the Monies compoſing the ſaid Fund, do not exceed, for the Purpoſes aforeſaid, between the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty and the ſixth Day of *January* following, the ſaid Sum of one hundred forty-nine thouſand five hundred eighty-ſix Pounds four Shillings and one Penny Halfpenny, herein before limited; nor exceed in, or in reſpect of, any one Quarter, the fourth Part of the annual Rent or Sum which ſhall be then charged upon the ſaid Fund by virtue of this Act; any thing herein, or in any other Act or Acts of Parliament, to the contrary notwithſtanding. ſo as not to exceed the quarterly Allowance.

VI. And be it further enacted by the Authority aforeſaid, That his Majeſty ſhall be impowered, from Time to Time, to grant a Sum not exceeding five thouſand Pounds *per Annum*, to the Lord Chancellor, Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal of *Great Britain*, in the uſual and accuſtomed Manner, to be from Time to Time paid by the Paymaſter or Receiver of the Revenues of the General Letter Office, or Poſt Office, or Office of Poſt Maſter General for the Time being, out of the ſaid Revenues, according to the Tenor of ſuch Grant; and ſuch Payment ſhall be conſidered as Part of, and ſhall be deducted from the annual Rent or Sum by this Act granted to his Majeſty, for the Support of his civil Government; any thing in this Act to the contrary thereof notwithſtanding. His Majeſty impowered, to grant out of the Revenue of the Poſt Office 5,000l. per Ann. to the Lord Chancellor, Lord Keeper, or Commiſſioners for the Cuſtody of the Great Seal; the ſame to be conſidered as Part of the annual Sum granted for the Support of his Civil Government.

VII. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury, and the High Treaſurer, Chancellor, and Under Treaſurer, Chamberlains, and Barons of the *Exchequer*, and all other the Officers and Miniſters of the Court of *Exchequer*, and of the Receipt thereof, ſhall, and they are hereby authorized and required, to do all ſuch Acts, Matters, and Things, as are herein before directed, or ſhall be neceſſary to be done and performed by them, or any or either of them, in order to render this Act, and the ſeveral Payments hereby directed, effectual. Commiſſioners of the Treaſury, and Officers and Miniſters of the Exchequer, authorized and required to do all Things neceſſary towards the due Execution of this Act.

VIII. Provided nevertheleſs, and be it enacted by the Authority aforeſaid, That the ſeveral and reſpective Duties and Revenues, which were payable to his late Majeſty King *George* the Second, in that Part of *Great Britain* called *Scotland*, for and during his Life, ſhall be continued, raiſed, levied, and paid, from the Demiſe of his ſaid late Majeſty, during the Life of his preſent Majeſty, in the ſame Manner only, and ſubject to the ſame, or the like Charges thereon, as the ſame were liable or ſubject to, during his ſaid late Majeſty's Life: Saving always, to all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators, and Aſſigns (other than to our ſaid Sovereign Lord the King, his Heirs and Succeſſors, and other than to ſuch Perſon or Perſons, who do or may ſtand ſeized or poſſeſſed in Truſt for his Majeſty, his Heirs, and Succeſſors) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Claims, and Demands whatſoever, of, in or to, or out of, the Revenues, Hereditaments, and other the Premiſſes aforeſaid, or any of them, as they, or any of them, had or ought to have had, at the making of this Act, as fully and effectually to all Intents and Purpoſes as if this Act had never been made; any thing herein contained to the contrary notwithſtanding. The Duties and Revenues payable in Scotland to the late King, to be levied and paid in like Manner, from his Demiſe, during the Life of his preſent Majeſty. Reſervation of Rights of particular Perſons, Bodies Politick and Corporate.

IX. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to impeach or diminiſh any Rights, Privileges, Powers, and Prerogatives, over the ſaid ſmall Branches of his Majeſty's hereditary Revenue, herein particularly mentioned, and uſed, exerciſed, and enjoyed, or which might have been uſed, exerciſed, and enjoyed, by any of his Majeſty's Royal Predeceſſors, ſince the paſſing of an Act in the firſt Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for the better Support of her Majeſty's Houſehold, and of the Honour and Dignity of the Crown*; other than the Power of granting, during his Majeſty's Life, or for any Term of Years determinable upon his Life, or otherwiſe, the Profits and Produce of any ſuch of the ſaid ſmall Branches, as are ſubject to the Reſtrictions of the ſaid laſt mentioned Act, with reſpect to the free and abſolute Diſpoſition thereof, in derogation of the ſpecial Purpoſe of this preſent Act, to carry the ſame to the aggregate Fund. Reſervation of the Rights and Prerogatives of the Crown, with reſpect to the ſmall Branches of the hereditary Revenues, granted by Act 1 Annæ, c. 7.

X. And be it further enacted by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, in any wiſe to impair or affect any Rights or Powers of Controul, Management, or Direction, which have been, or may be exerciſed by Authority of the Crown, or other lawful Warrant, relative to any Leaſes, Grants, or Aſſurances, of any of the ſaid ſmall Branches of his Majeſty's hereditary Revenues, or to any Suits or Proceedings for Recovery of the ſame, or to Compoſitions made, or to be made, on account of any of the ſaid ſmall Branches; or to any Remiſſion, Mitigation, or Pardon, of any Penalties or Forfeitures, incurred, or to be incurred, by the Importation of prohibited and uncuſtomed Goods; or to Fines taken, or to be taken, or to Rents, Boons, and Services reſerved, or to be reſerved, upon ſuch Grants, Leaſes, and Aſſurances, or to the Mitigation or Remiſſion of the ſame; or to any other lawful Act, Matter, or Thing, which has been or may be done, touching the ſaid Branches; but that the ſaid Rights and Powers ſhall continue to be uſed, exerciſed, and enjoyed, in as full, free, ample, and effectual Manner, to all Intents and Purpoſes, as if this Act had not been made, and as the ſame have been, or might have been enjoyed ſince the making of the ſaid Act of the firſt Year of the Reign of her late Majeſty Queen *Anne*; ſubject nevertheleſs, to all ſuch Reſtrictions and Regulations, as were enacted by the ſaid Act, to bind her Majeſty, her Heirs, and Succeſſors, and with the Benefit of all ſuch Clauſes, Savings, and Proviſoes, as are contained in the ſaid Act; it being the true Intent and Meaning of this Act, that the ſaid Rights and Powers ſhall not in any Degree be abridged or reſtrained, or affected in any manner whatſoever, but only that the Monies and to Leaſes, Grants, or Aſſurances thereof; or Suits, &c. for Recovery of the ſame; Mititigations, Pardons, Fines, Rents, Boons, and Services, &c. ſubject nevertheleſs to the Reſtrictions mentioned in the recited Act of 1 Annæ. Intention of this Act.

nies arising from the full and free Exercise and Enjoyment of them, so subject as aforesaid, shall, during his Majesty's Life, be carried to, and made Part of, the aggregate Fund.

CAP. II.

An Act for granting an Aid to his Majesty by a Land Tax to be raised in *Great Britain*, for the Service of the Year one thousand seven hundred and sixty-one. *EXP.*

CAP. III.

An Act for continuing and granting to his Majesty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thousand seven hundred and sixty-one. *EXP.*

CAP. IV.

An Act to continue for a limited Time the Importation of Salted Beef, Pork, and Butter from *Ireland*.

Preamble.

'WHEREAS the permitting the Importation of Salted Beef, Pork, and Butter, from *Ireland* into this Kingdom, hath been found useful and beneficial, and that the Time allowed for that Purpose is near expiring; and it is expedient that the same should be prolonged; May it therefore please your most Excellent Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the thirty-third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act to continue for a limited Time the Importation of Salted Beef, Pork, and Butter, from* Ireland; which was to continue in Force until the twenty-fourth Day of *December* one thousand seven hundred and sixty, shall be, and the same is hereby further continued from the Expiration thereof, until the twenty-fourth Day of *December* one thousand seven hundred and sixty-one.

Act 33 Geo. 2, c. 5. continued to 24 Dec. 1761.

CAP. V.

An Act to enable His Majesty to be Governor of the *South Sea Company*.

Preamble.

'WHEREAS the Governor and Company of Merchants of *Great Britain* trading to the *South Seas*, and other Parts of *America*, and for encouraging the Fishery, have made an humble Address to the King's most Excellent Majesty, in a General Court of the said Company, that his Majesty would be graciously pleased to honour the said Company with being their Governor, whereunto his Majesty being willing to condescend, some Doubts and Difficulties have arisen, or may arise, touching the Qualifications and Duties prescribed by Law, or by the Charter granted to the said Company, in relation to the Governors or Government thereof: For Remedy whereof,' Be it enacted and declared by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That his Majesty shall be capable of being and continuing Governor of the said Company, for such Time or Times as are prescribed by the said Charter for the Continuance of any Governor therein; and that such Address as aforesaid, or any other Address of the said Company to be hereafter made in their General Court for the same Purpose (in case his Majesty shall be pleased to accept of being their Governor) shall, from Time to Time, be deemed and adjudged to be an Election of his Majesty to be Governor of the said Company within the true Intent and Meaning of the said Charter, without the Forms of balloting, or other Methods prescribed by such Charter for electing the Governor of the said Company; any thing in the said Charter to the contrary notwithstanding.

His Majesty declared capable of being Governor, and the Address of the Company to be a due Election.

II. And it is hereby declared and enacted by the Authority aforesaid, That the Oaths prescribed by the said Charter, or any Law now in Force, and all other Acts, Matters, or Things, necessary or requisite to qualify a Subject of this Realm to be Governor of the said Company, shall not be deemed to be necessary or requisite for his Majesty's Qualification, in respect of the said Government, nor shall the said Oaths be administered to his Majesty; and that his Majesty in all Cases where any Vote is to be given, or Act to be done by him as Governor of the said Company, may, (if his Majesty think fit) by any Warrant or Warrants under his Royal Sign Manual, appoint the Sub Governor, or Deputy Governor of the said Company, to vote or Act for him, or on his Behalf; any former Law, Statute, Charter, or Provision, to the contrary notwithstanding.

His Majesty exempted from taking the Oaths of Office;

and impowered to vote or act by Proxy.

CAP. VI.

An Act for punishing Mutiny and Desertion; and for the better Payment of the Army and their Quarters. *EXP.*

CAP.

CAP. VII.

An Act for granting to his Majesty an additional Duty upon Strong Beer and Ale; and for raising the Sum of Twelve Millions, by way of Annuities and a Lottery, to be charged on the said Duty; and for further encouraging the Exportation of Strong Beer and Ale.

Most Gracious Sovereign,

Preamble.

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament assembled, towards raising, by the most easy Means, the necessary Supplies to defray 'your Majesty's publick Expences, have freely and voluntarily resolved to give and grant unto your 'Majesty, the Rates, Duties, and Impositions, herein after-mentioned; and do most humbly be-'seech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *January* one thousand seven hundred and sixty-one, there shall be, within and throughout the whole Realm of *Great Britain*, raised, levied, collected, and paid, unto his Majesty, his Heirs, and Successors, by way of Excise, over and above all other Duties, Charges, and Impositions, by any former Act or Acts of Parliament set or imposed, an additional Duty upon all Beer and Ale as herein after-mentioned; that is to say, For every Barrel of Beer or Ale above six Shillings the Barrel (exclusive of the Duties of Excise) brewed by the common Brewer, or any other Person or Persons who doth or shall sell or tap out Beer or Ale publickly or privately (to be paid by the common Brewer, or by such other Person or Persons respectively) the Sum of three Shillings, and so proportionably for a greater or lesser Quantity.

An additional Duty of 3s. per Barrel, granted on all Beer or Ale, above 6s. the Barrel, brewed for Sale in England; to commence on 24 Jan. 1761.

II. And be it further enacted by the Authority aforesaid, That for the Barrel of Two-penny Ale mentioned and described in the seventh Article of the Treaty of Union, there shall be only paid and charged by virtue of this Act, such a proportional Part of three Shillings, as two Shillings bear to four Shillings and nine Pence, over and above the other Duties wherewith the said Barrel of Ale is charged in the said Article, or by any subsequent Act of Parliament.

A proportional Duty to be paid for every Barrel of Two-penny Ale brewed for Sale in Scotland.

III. And be it further enacted by the Authority aforesaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Allowances, Penalties, and Forfeitures, Clauses, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of King *Charles* the Second, (intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service and Purveyance; and for settling a Revenue upon his Majesty in lieu thereof;*) or by any other Law now in force relating to his Majesty's Revenue of Excise upon Beer, Ale, or other Liquors, are provided, settled, or established, for securing, enforcing, managing, raising, levying, collecting, paying, mitigating, or recovering, adjudging, or ascertaining, the Duties or Penalties thereby granted, and for preventing, detecting, and punishing Frauds relating thereto (not otherwise altered by this Act) shall be exercised, practised, applied, used, imposed, levied, recovered, and put in execution, for the securing, enforcing, managing, raising, levying, collecting, paying, mitigating, and adjudging, ascertaining, and recovering, the Duties and Penalties hereby granted, and for preventing, detecting, and punishing Frauds relating thereto, as fully and effectually, to all Intents and Purposes, as if all and every the said Powers, Authorities, Rules, Directions, Methods, Allowances, Penalties, and Forfeitures, Clauses, Matters, and Things, were particularly repeated and again enacted in the Body of this present Act.

All the Powers, Rules, and Directions, &c. established by Act 12 Car. 2. c. 23,

or by any other Act now in force relating to the Duties of Excise,

are extended to the Duties granted by this Act.

IV. And for the preventing of Disputes which may arise touching the breaking in, or mixing into, Guiles or Brewings of Beer or Ale brewed after the Commencement of this Act, such Beer or Ale as hath been brewed before the Commencement thereof, and which hath remained in the Custody of the Brewer thereof, ever since the same was brewed; Be it enacted and declared by the Authority aforesaid, That all Beer and Ale brewed before the Commencement of this Act, which, at any Time after the Commencement thereof, shall be broke into, or mixed with, any fresh Guile or Brewing of Beer or Ale, shall be, and is hereby made liable to the said additional Duty imposed by this Act.

Beer brewed before the said 24 Jan. if any Time thereafter mixed with any fresh Guile or Brewing, is to pay the additional Duty.

V. And be it further enacted by the Authority aforesaid, That for the further Encouragement of the Exportation of Ale and Strong Beer, and thereby for the Advancement of Trade and Encouragement of Tillage and Manufacture of this Realm, it shall and may be lawful, from and after the twenty-fourth Day of *January* one thousand seven hundred and sixty-one, for any Person in any Sea Port, or upon any navigable River, to export and Ship off as Merchandize, within any of the usual and allowed Ports by Law, and at the Common Quays for Exportation and lading on Board of Merchandize, or Quays to be appointed for that Purpose, and within the usual Hours of Excise, for account of himself or any other (to be exported into foreign Parts) in the Presence of a sworn Gauger, or other sworn Officer to be nominated by the Farmers, Commissioners, or Sub-Commissioners of his Majesty's Excise, upon Notice thereof to them given at the Office of Excise within the Limits whereof the said Strong Beer and Ale was brewed or made, of the respective Port or Place where the same shall be shipped, any Sort of Strong Beer or Ale to be spent beyond the Seas; which said Gauger or Officer aforesaid shall certify the Quantity of the said Strong Beer and Ale shipped off to the Commissioners and Officers of Excise, where the Entry thereof shall be made, who are hereby required,

A Drawback of 8s. per Barrel is to be allowed by the Commissioners of Excise on all Beer and Ale brewed after the said 24 Jan. and exported to Foreign Parts;

the proper Officer delivering a Certificate of the Quantity exported, and

after.

of the Duties having been duly paid;

after Proof being made, that the Duties have been charged or paid, and that the Strong Beer or Ale was brewed after the twenty-fourth Day of *January* one thouſand ſeven hundred and ſixty-one, to make an Allowance or Drawback of eight Shillings for every Barrel on all Strong Beer or Ale, brewed or made after the twenty-fourth Day of *January* one thouſand ſeven hundred and ſixty-one, and ſo exported, unto the Brewer or Maker thereof, within one Month after ſuch Exportation, de-

deducting 3 d. per Ton for Charges of the Officers.

ducting three Pence per Ton for the Charges of their Officers, and no more; which ſaid Allowance or Drawback, is hereby declared to be in full for all Drawbacks or Allowances which can or may be claimed for the ſame.

Act 1 W. & M. c. 12.

VI. 'And whereas by an Act made in the firſt Year of the Reign of the late King *William* and Queen 'Mary, intituled, *An Act for encouraging the Exportation of Corn*, an Allowance of two Shillings and 'ſix Pence *per* Quarter, is to be paid to the Exporter of Barley or Malt, when the ſame is ſold at 'twenty-four Shillings *per* Quarter, or under: And whereas the Exportation of Beer which is made 'from malted Corn only, and whereon the Malt Duties have been already paid, will tend to the fur-'ther Encouragement of Tillage and Manufacture, and be of publick Utility;' Be it enacted by the

Bounty of 1s. per Barrel to be paid by the Commiſſioners of Exciſe on all Strong Beer and Ale exported, for which Duties have been paid, brewed after the ſaid 24 Jan. from malted Corn, when Barley is at 24 s. per Quarter, or under.

Authority aforeſaid, That for every Barrel of Strong Beer or Ale, proved to have been brewed after the twenty-fourth Day of *January* one thouſand ſeven hundred and ſixty-one, from malted Corn, and whereupon the Duties for Strong Beer or Ale ſhall be proved to have been charged or paid, there ſhall be paid to the Exporter of the ſame as Merchandize, by the Commiſſioners of his Majeſty's Exciſe, or other proper Officer belonging to them, when Barley is at twenty-four Shillings *per* Quarter, or under, upon producing from the Gauger, or Officer of Exciſe, who ſaw the Strong Beer or Ale ſhipped on Board, a Certificate of the Quantity ſo ſhipped, out of the Duties granted by this preſent Act, the Sum of one Shilling for every Barrel of Strong Beer or Ale ſo exported.

Duty to be paid for Strong Beer or Ale ſpent on Shipboard.

VII. And, to the Intent his Majeſty's Duty of Exciſe may not be prejudiced, for ſuch Strong Beer or Ale as ſhall be ſpent on Ship-board; Be it enacted by the Authority aforeſaid, That his Majeſty's Commiſſioners and Officers of the Cuſtoms ſhall, and they are hereby required and enjoined, to charge every Maſter of any Ship or Veſſel, in his victualling Bill, with ſo much Strong Beer or Ale, and no more, as ſuch Number of Men uſed to ſpend in ſuch Voyages; the Exciſe whereof to be recovered according to the Laws and Rules already eſtabliſhed.

All Powers, Rules, Methods, and Directions, in Act 33 Geo. 2. with reſpect to the Drawback and Bounty thereby allowed on Exportation of Britiſh made Spirits, and the preventing of Frauds therein, to be in force, and with reſpect to the Drawback and Bounty, &c. payable under this Act.

VIII. Provided always, And be it further enacted by the Authority aforeſaid, That all the Rules, Regulations, Directions, Powers, Penalties, Forfeitures, Clauſes, Matters, and Things, which by an Act made in the laſt Seſſion of Parliament (intituled, *An Act for preventing the exceſſive Uſe of Spirituous Liquors, by laying additional Duties thereon; for ſhortening the Prohibition of making Low Wines and Spirits from Wheat, Barley, Malt, or other Grain, and from Meal, Flour and Bran; for encouraging the Exportation of* Britiſh *made Spirits; and for more effectually ſecuring the Duties payable upon Spirits, and preventing the fraudulent Relanding or Importation thereof*) were provided, ſettled, eſtabliſhed, and inflicted, for and in reſpect to the paying and allowing the Drawback and Bounty thereby granted upon Spirits exported as Merchandize, and for preventing, detecting, and puniſhing Frauds and Abuſes, in the relanding the ſame, and all other Frauds and Abuſes previous to the Shipping, or relating to the Exportation of ſuch Spirits, and the obtaining ſuch Drawback and Bounty, not otherwiſe altered by this Act, ſhall, except ſuch Parts as relate to the Size of the Caſks and Burden of the Ships or Veſſels, be exerciſed, practiſed, applied, levied, recovered, and put in Execution, for paying and allowing the Drawback and Bounty hereby granted upon Beer and Ale; and for preventing detecting, and puniſhing Frauds and Abuſes in the relanding ſuch Beer or Ale, and all other Frauds and Abuſes previous to the Shipping, or relating to the Exportation thereof, and the obtaining the ſaid Drawback and Bounty; as fully and effectually, to all Intents and Purpoſes, as if all and every the ſaid Rules, Regulations, Directions, Powers, Penalties, Forfeitures, Clauſes, Matters, and Things, were particularly repeated and again re-enacted in the Body of this preſent Act.

Exception.

Fines, Penalties, and Forfeitures, how to be levied and applied.

IX. And be it further enacted and declared by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures herein before impoſed, ſhall be ſued for, levied, recovered, or mitigated by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture, is or may be recovered or mitigated by any Law or Laws of Exciſe (not otherwiſe directed by this Act) or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland* reſpectively; and that one Moiety of every ſuch Fine, Penalty, or Forfeiture, ſhall be to his Majeſty, his Heirs, and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

The Amount of the new Duties to be diſtinguiſhed in the Officers Accounts,

and to be paid into the Exchequer ſeparately from all other Duties, &c.

X. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Officers who ſhall be employed in the aſſeſſing, raiſing, collecting, levying, and recovering, the Duties by this Act granted, ſhall, from Time to Time, diſtinguiſh in their Accounts, the Amount of the Monies ariſing by ſuch Duties, and ſhall pay the ſame into the Receipt of the Exchequer, diſtinctly and ſeparately from all Monies to ariſe by any other Duties upon Beer and Ale; and that in the Office of the Auditor of the Receipt of the Exchequer, a Book or Books ſhall be provided and kept, in which all the Monies ariſing by virtue of this Act, and paid into the ſaid Receipt, ſhall be entered, ſeparate and apart from all other Monies paid or payable to his Majeſty, his Heirs, and Succeſſors, upon any Account whatſoever.

These Duties appropriated for the Payment of the Annuities chargeable on the Monies borrowed on the Credit of this Act.

XI. And be it further enacted and declared by the Authority aforeſaid, That the ſeveral and reſpective Annuities which by this Act are herein after directed to attend the principal Sum of twelve Millions, ſhall be charged and chargeable upon, and payable out of, the ſaid Duties by this Act granted upon Beer and Ale, and the ſaid Duties are hereby appropriated for that Purpoſe accordingly.

'XII. And

'XII. And whereas the Commons of *Great Britain* in Parliament aſſembled have reſolved, That towards 'raiſing the Supply granted to his Majeſty in this preſent Seſſion of Parliament, the Sum of twelve 'millions be raiſed in Manner following; that is to ſay, The Sum of eleven millions four hundred 'thouſand Pounds be raiſed by Annuities, after the Rate of three Pounds *per Centum per Annum*, tranſ- 'ferrable at the Bank of *England*, and redeemable by Parliament; and that every Contributor to the 'ſaid eleven millions four hundred thouſand Pounds, ſhall alſo be intitled to an Annuity of one 'Pound two Shillings and ſix pence, for every one hundred Pounds contributed, to continue for a 'certain Term of ninety-nine Years irredeemable, and to be transferrable at the Bank of *England*: 'and that the Sum of ſix hundred thouſand Pounds be alſo raiſed by a Lottery, attendant on the ſaid 'Annuities, the Blanks and Prizes whereof to be converted into like three Pounds *per Centum* tranſ- 'ferrable Annuities with the above mentioned three Pounds *per Centum* Annuities, to be payable in 'reſpect of the ſaid eleven millions four hundred thouſand Pounds; and that all the ſaid three Pounds 'per Centum Annuities be added to, and made Part of, the Joint Stock of three Pounds *per Centum* 'Annuities conſolidated at the Bank of *England*: And whereas purſuant to and upon the ſeveral Terms 'and Conditions expreſſed in the ſaid Reſolution, ſeveral Perſons have, in Books opened at the Bank of '*England* for that Purpoſe, ſubſcribed together the Whole of the ſaid Sum of twelve millions, and 'made Depoſits of fifteen Pounds *per Centum* on the reſpective Sums by them ſo ſubſcribed with the 'Caſhiers of the Bank of *England*: And whereas ſeveral of the ſaid Subſcribers may have already 'paid, or may hereafter pay, unto the ſaid Caſhiers, the Whole, or ſome further Part or Parts, of 'the Sums by them reſpectively ſubſcribed, previous to the Days limited and appointed for the ſaid 'reſpective Payments;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all ſuch Subſcribers who have made Depoſits with the ſaid Caſhiers as aforeſaid, to advance and pay, and they are hereby required to advance and pay, unto the Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*; which Caſhier or Caſhiers is and are hereby appointed the Receiver and Receivers of ſuch Contributions, without any other Warrant to be had on that Behalf; the ſeveral Remainders of the Sums by them reſpectively ſubſcribed towards the ſaid Sum of twelve millions, at or before the reſpective Times or Days, and in the Proportions herein after limited and appointed on that Behalf; that is to ſay, In reſpect of their proportionable Share of the ſaid Sum of eleven millions four hundred thouſand Pounds, the further Sum of fifteen Pounds *per Centum*, being Part of the Sum ſo remaining, on or before the twenty-eighth Day of *February* one thouſand ſeven hundred and ſixty-one; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the fourteenth Day of *April* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-ſeventh Day of *May* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on before the twenty-third Day of *June* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the thirty-firſt Day of *July* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-eighth Day of *Auguſt* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-fifth Day of *September* then next following; and the remaining Sum of ten Pounds *per Centum*, on or before the twentieth Day of *October* then next following: And in reſpect of their proportionable Share of the ſaid Sum of ſix hundred thouſand Pounds, the further Sum of twenty-five Pounds *per Centum*, being Part of the Sum ſo remaining, on or before the twenty-firſt Day of *March* one thouſand ſeven hundred and ſixty-one; the further Sum of thirty Pounds *per Centum*, other Part thereof, on or before the twenty-ninth Day of *April* then next following; and the remaining Sum of thirty Pounds *per Centum*, on or before the fifteenth Day of *July* then next following.

Subſcribers who have already made Depoſits of 15 l. per Cent. of the Sums ſubſcribed by them, towards the Purchaſe of Annuities on the Sum of 12,000,000 l. to be raiſed on the Credit of this Act, are to make their further Payments, viz. in reſpect of their proportional Share of 11,400,000 l.
15 l. per Cent. by 28 Feb.
10 l. per Cent. by 14 April,
10 l. per Cent. by 27 May,
10 l. per Cent. by 23 June,
10 l. per Cent. by 31 July,
10 l. per Cent. by 28 Aug.
10 l. per Cent. by 25 Sept.
and the remaining 10 l. per Cent. by 20 October, 1761.
and in reſpect of their proportional Share of 600,000 l. 25 per Cent. by 21 March; 30 l. per Cent. by 29 April; and 30 l. per Cent. by 15 July next.

XIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, in reſpect of the ſaid Sum of eleven millions four hundred thouſand Pounds, ſhall be intitled to an Annuity after the Rate of three Pounds *per Centum per Annum*, for and upon every one hundred Pounds by them reſpectively ſubſcribed, advanced, and paid towards the ſaid Sum, redeemable by Parliament; and ſhall alſo be intitled, for and upon every one hundred Pounds ſo ſubſcribed, to an Annuity after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum*, for a certain Term of ninety-nine Years; all which ſaid Annuities ſhall commence and be computed from the fifth Day of *January* one thouſand ſeven hundred and ſixty-one, and ſhall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *July*, and the fifth Day of *January*, in every Year: And that the ſeveral Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, in reſpect of the ſaid Sum of ſix hundred thouſand Pounds, ſhall be intitled to as many Tickets in the Lottery herein after mentioned, as the Sum or Sums by them reſpectively ſubſcribed, advanced, and paid, ſhall purchaſe, after the Rate of ten Pounds for each Ticket; and that the ſaid Sum of ſix hundred thouſand Pounds ſhall carry an Annuity after the Rate of three Pounds *per Centum per Annum*, redeemable by Parliament; and ſuch Annuity ſhall commence and be computed from the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, and ſhall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *July*, and the fifth Day of *January*, in every Year.

Annuitants intitled to 3 l. per Cent. Intereſt on the ſaid Sum of 11,400,000 l. and to the further Sum of 1 l. 2 s. 6. per Cent. for 99 Years.
Annuities to take Place 5 Jan. 1761.
and to be paid Half-yearly, viz. on 5 July, and 5 Jan.
Subſcribers to the 600,000 l. intitled to a proportionable Share of Lottery Tickets, at 10 l. each;
The ſaid Sum to carry 3 l. per Cent. Intereſt; to take place on 5 Jan. 1762,
and to be paid half-yearly, viz. on 5 July, and 5 Jan.

XIV. And be it further enacted by the Authority aforeſaid, That all ſuch Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, paying in the whole of the Sums by them reſpectively

Contributors paying in the Whole of their Sub-

scriptions towards the said Sum of 11,400,000l. on or before 18 Sept. to be allowed Interest for the same, at the Rate of 3l. per Cent. per Ann. from the Time of such Payment, to 20 Oct.

spectively subscribed towards the said Sum of eleven millions four hundred thousand Pounds, on or before the eighteenth Day of *September*, one thousand seven hundred and sixty-one, shall be intitled to an Allowance of so much Money as the Interest of the several Sums so paid on or before the said eighteenth Day of *September*, after the Rate of three Pounds *per Centum per Annum*, shall amount to, from the Day on which such Payments shall have been actually made, to the twentieth Day of *October* then next following, such Allowance to be paid by the said Cashier or Cashiers out of the Monies contributed towards the said Sum of eleven millions four hundred thousand Pounds, as soon as such respective Subscribers or Contributors, their Executors, Administrators, Successors, and Assigns, shall have compleated such Payment; and that all the Subscribers or Contributors, their Executors, Administrators, Successors, or Assigns, paying in the whole of the Sum or Sums by them respectively subscribed towards the said Sum of six hundred thousand Pounds, shall have Lottery Tickets delivered to them, to the Amount of the principal Sum or Sums by them subscribed and paid for the Purchase thereof, at the Rate of ten Pounds for each Ticket, as soon as such Tickets can conveniently be made out.

And those paying in the whole of their Subscription towards the said Sum of 600,000l. to have Lottery Tickets delivered them to the Amount of their Subscriptions.

Annuities transferrable at the Bank.

XV. And be it further enacted, That all the Annuities aforesaid shall be transferrable at the Bank of *England*; the said Annuities of three Pounds *per Centum per Annum* being subject nevertheless to such Redemption as is hereafter mentioned.

Cashier of the Bank to give Receipts for the Monies paid in;

which are assignable at any Time before 5 Dec. 1761.

XVI. And be it further enacted by the Authority aforesaid, That the Cashier or Cashiers of the Governor and Company of the Bank of *England*, who shall have received, or shall receive, any Part of the said Contributions towards the said Sum of eleven millions four hundred thousand Pounds, shall give a Receipt or Receipts in Writing to every such Contributor for all such Sums; and that the Receipts to be given shall be assignable, by Indorsement thereupon made, at any Time before the fifth Day of *December* one thousand seven hundred and sixty-one, and no longer.

Cashier to give Security;

and to pay the Monies into the Exhequer.

XVII. Provided always, That such Cashier or Cashiers shall give Security to the good Liking of any three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, for duly answering and paying into the Receipt of his Majesty's Exchequer, for the publick Use, all the Monies which they have already received, and shall hereafter receive, from Time to Time, of and for the said Sum of twelve millions, and for accounting duly for the same, and for Performance of the Trust hereby in them reposed; and shall from Time to Time, pay all such Monies, as soon as he or shall receive the same, or any Part thereof, or within five Days afterwards at the farthest; and shall account for the same in the Exchequer according to the due Course thereof, deducting thereout such Sums as shall have been paid by him or them in pursuance of this Act; for which Sums so paid Allowance shall be made in his or their Accounts.

Treasury to apply the Monies to the Services voted by the Commons.

XVIII. And be it further enacted by the Authority aforesaid, That it shall and may be lawful for three or more of the Commissioners of the Treasury, or the High Treasurer for the Time being, to issue and apply, from Time to Time, all such Sums of Money as shall be so paid into the Receipt of his Majesty's Exchequer, by the said Cashier or Cashiers, to such Services as shall then have been voted by the Commons of *Great Britain*, in this present Session of Parliament.

Contributors Names, &c. to be entered in the Office of the Accomptant General of the Bank.

Duplicate thereof to be transmitted into the Auditor's Office by 5 July 1763.

XIX. And be it further enacted by the Authority aforesaid, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books shall be provided and kept, in which the Names of the Contributors shall be fairly entered; which Book or Books the said respective Contributors, their respective Executors, Administrators, Successors and Assigns, shall and may, from Time to Time, and at all seasonable Times, resort to and inspect, without any Fee or Charge: And that the said Accomptant General shall, on or before the fifth Day of *July* one thousand seven hundred and sixty-three, transmit an attested Duplicate fairly written on Paper of the said Book or Books, into the Office of the Auditor of the Receipt of his Majesty's Exchequer, there to remain for ever.

The Monies arising by the Duties of this Act, appropriated to Payment of the Annuities.

XX. And be it further enacted by the Authority aforesaid, That such Contributors duly paying the whole Sum or Sums subscribed, at or before the respective Times in this Act limited in that Behalf, and their respective Executors, Administrators, Successors, and Assigns, shall have, receive, and enjoy, and be intitled by virtue of this Act, to have, receive, and enjoy, their proportionable Share of the said Annuities of three Pounds *per Centum per Annum*, by this Act granted, in respect of the Sum so subscribed, out of the Monies appropriated by this Act for Payment thereof, and shall have good and sure Interests and Estates therein; subject nevertheless to Redemption as is herein after-mentioned concerning the said Annuities, according to the several Provisions in this Act contained; and that all the Annuities by this Act granted, shall be free from all Taxes, Charges, and Impositions, whatsoever.

Contributors not making good their Payments within the Times limited, to forfeit their Deposits.

XXI. Provided always, That in case any such Contributors who have already deposited with, or shall hereafter pay to, the said Cashier or Cashiers, any Sum or Sums of Money, at the Times, and in the Manner before-mentioned, in Part of the Sum or Sums so by them respectively subscribed, or their respective Executors, Administrators, Successors, or Assigns, shall not advance and pay to the said Cashier or Cashiers, the Residue of the Sum or Sums so subscribed, at the Times, and in the Manner before-mentioned; then, and in every such Case, so much of the respective Sum or Sums so subscribed as shall have been actually paid in Part thereof, to the said Cashier or Cashiers, shall be forfeited for the Benefit of the Publick; and all Right and Title to the said Annuity after the Rate of three Pounds *per Centum per Annum*, in respect thereof, shall be extinguished; any thing in this Act contained to the contrary thereof in any wise notwithstanding.

XXII. And

XXII. And be it further enacted by the Authority aforeſaid, That as ſoon as any Contributors, their Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall have compleated their Payments of the whole Sum payable by them reſpectively towards the ſaid Sum of eleven millions four hundred thouſand Pounds, the principal Sum or Sums ſo by them ſubſcribed and paid reſpectively, ſhall forthwith be, in the Books of the Bank of *England*, placed to the Credit of ſuch reſpective Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, compleating ſuch Payments reſpectively; and the Perſons to whoſe Credit ſuch principal Sums ſhall be ſo placed, their reſpective Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall and may have Power to aſſign and transfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Body or Bodies Politick or Corporate whatſoever, in the Books of the Bank of *England*; and ſuch Sums ſhall carry an Annuity after the Rate of three Pounds *per Centum per Annum*, redeemable by Parliament, and ſhall be taken and deemed to be Stock transferrable, according to the true Intent and Meaning of this Act, until Redemption thereof, in ſuch Manner as is herein after-mentioned.

Principal Sums to be placed to the Credit of the reſpective Contributors:

The ſame may be aſſigned,

and carry Annuities of 3l. per Cent.

XXIII. And be it further enacted by the Authority aforeſaid, That the Accomptant General of the Bank of *England* ſhall, and he is hereby authoriſed and required, upon the Payment of thirty Pounds on or before the ſaid twenty-eighth Day of *February* one thouſand ſeven hundred and ſixty-one, for every one hundred Pounds ſo ſubſcribed as aforeſaid, towards the ſaid Sum of eleven millions four hundred thouſand Pounds, to give Credit, in Books to be provided for that Purpoſe, to ſuch reſpective Contributors ſo making ſuch Payments, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, for the ſaid Annuity, after the Rate of one Pound two Shillings and ſix Pence, for every one hundred Pounds ſubſcribed, and whereof thirty Pounds ſhall have been paid as aforeſaid; and all ſuch Annuities ſhall and may from thenceforth be from Time to Time aſſigned and transferred in Books to be provided and kept for that Purpoſe by the ſaid Accomptant General, ſeparately and diſtinctly from the other Annuities eſtabliſhed by this Act; and the ſaid Annuities, after the Rate of one Pound two Shillings and ſix Pence, ſhall continue to be paid out of the Fund hereby eſtabliſhed for that Purpoſe for the certain Term of ninety-nine Years, to be computed from the ſaid fifth Day of *January* one thouſand ſeven hundred and ſixty-one; and at the Expiration of ſuch Term ſhall ceaſe, and be extinguiſhed.

Accomptant General to give Credit for the Sums named in the Certificates;

which may be tranſferred.

Annuities to continue to be paid for 99 Years.

XXIV. And it is hereby enacted by the Authority aforeſaid, That if at any Time or Times it ſhall happen, that the Produce of the ſaid Duties hereby granted for Payment of the ſaid ſeveral Annuities, ſhall not be ſufficient to pay and diſcharge the ſeveral and reſpective Annuities, and other Charges directed to be paid at the End of any or either of the reſpective half-yearly Days of Payment, at which the ſame are hereby directed to be paid; then, and ſo often, and in every ſuch Caſe, ſuch Deficiency or Deficiencies ſhall and may be ſupplied out of any of the Monies which at any Time or Times ſhall be or remain in the Receipt of the Exchequer of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any former Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be, from Time to Time, iſſued and applied accordingly; and if at any Time or Times before any Monies of the ſaid Duties hereby granted ſhall be brought into the Exchequer as aforeſaid, there ſhall happen to be a Want of Money for paying the ſeveral Annuities as aforeſaid which ſhall be actually incurred and grown due at any of the half-yearly Days of Payment before-mentioned, that then, and in every ſuch caſe, the Money ſo wanted ſhall and may be ſupplied out of the Monies of the Sinking Fund (except as before excepted) and be iſſued accordingly.

Deficiencies to be made good out of the Sinking Fund:

XXV. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be iſſued out of the Sinking Fund, ſhall, from Time to Time, be replaced by and out of the firſt Supplies to be then after granted in Parliament.

To be replaced out of the firſt Supplies.

XXVI. Provided always, and be it enacted by the Authority aforeſaid, That in caſe there ſhall be any Surplus or Remainder of the Monies ariſing by the ſaid Duties hereby granted, after the ſaid ſeveral and reſpective Annuities and Charges, and all Arrears thereof, are ſatisfied, or Money ſufficient ſhall be reſerved for that Purpoſe, ſuch Overplus or Remainder ſhall, from Time to Time, be reſerved for the Diſpoſition of Parliament, and ſhall not be iſſued but by the Authority of Parliament, and as ſhall be directed by future Act or Acts of Parliament; any Thing in any former or other Act or Acts of Parliament to the contrary notwithſtanding.

Surplus Monies reſerved for the Diſpoſition of Parliament.

XXVII. And, for eſtabliſhing a proper Method for drawing the ſaid Lottery, be it further enacted by the Authority aforeſaid, That ſuch Perſons as the Commiſſioners of his Majeſty's Treaſury, or any Three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall nominate or appoint, ſhall be Managers and Directors for preparing and delivering out Tickets, and to overſee the Drawing of Lots, and to order, do, and perform, ſuch other Matters and Things as are hereafter in and by this Act directed and appointed by ſuch Managers and Directors to be done and performed; and that ſuch Managers or Directors ſhall meet together, from Time to Time, at ſome publick Office or Place for the Execution of the Powers and Truſts in them repoſed by this Act; and that the ſaid Managers and Directors, or ſo many of them as ſhall be preſent at any ſuch Meeting, or the major Part of them, ſhall cauſe Books to be prepared, in which every Leaf ſhall be divided or diſtinguiſhed into three Columns; and upon the innermoſt of the ſaid three Columns there ſhall be printed ſixty thouſand Tickets, to be numbered I, II, III, and ſo onwards in an arithmetical Progreſſion, where the common Exceſs is to be one, until they riſe to and for the Number of ſixty thouſand; and upon the middle Column in every of

Managers and Directors of the Lottery to be appointed by the Treaſury.

Method of the Lottery Books.

the ſaid Books ſhall be printed ſixty thouſand Tickets of the ſame Breadth and Form, and numbered in like Manner; and in the extreme Column of the ſaid Books there ſhall be printed a third Rank or Series of Tickets, of the ſame Number with thoſe of the other two Columns; which Tickets ſhall ſeverally be of an oblong Figure, and in the ſaid Books ſhall be joined with oblique Lines, Flouriſhes, or Devices, in ſuch Manner as the ſaid Managers and Directors, or the major Part of them, ſhall think moſt ſafe and convenient; and that every Ticket in the third or extreme Column of the ſaid Books ſhall have written or printed thereupon (beſides the Number of ſuch Ticket, and the preſent Year of our Lord Chriſt) Words to this Effect;

'THIS Ticket will intitle the Bearer thereof to Six Pounds, or to a better Chance, in a Joint Stock of Annuities, after the Rate of three Pounds *per Centum per Annum*, transferrable at the Bank of *England*.'

Duplicates alſo of the ſaid Tickets to be prepared in Books with two Columns, on each of which 60,000 Tickets to be printed.

XXVIII. And it is hereby enacted, That the ſaid Managers and Directors, or ſo many of them as ſhall be preſent at ſuch Meeting, or the major Part of them then preſent, ſhall carefully examine all the ſaid Books, with the Tickets therein, and take care that the ſame be contrived, numbered, and made, according to the true Intent and Meaning of this Act; and ſhall deliver, or cauſe to be delivered, the ſame Books, and every or any of them, as they ſhall be examined, to the ſaid Caſhier or Caſhiers, taking from ſuch Caſhier or Caſhiers an Acknowledgment in Writing, under his or their Hand or Hands, importing his or their Receipt of ſuch Book or Books, and ſo many Tickets therein as ſhall be delivered to him or them reſpectively; and all and every ſuch Caſhier or Caſhiers reſpectively is and are hereby directed and required, upon his or their receiving every or any entire Sum of ten Pounds, in full Payment of a Ticket, from any Perſon or Perſons contributing or adventuring as aforeſaid, to cut out of the ſaid Book or Books ſo to be put into his or their Cuſtody, through the ſaid oblique Lines, Flouriſhes, or Devices, indentwiſe, one of the Tickets in the ſaid extreme Columns, which the ſaid Caſhier or Caſhiers ſhall ſign with his or their own Name or Names; and he or they ſhall permit the Contributor, if it be deſired, to write his or her Name or Mark on the correſponding Ticket in the ſame Book; and at the ſame Time the ſaid Caſhier or Caſhiers ſhall deliver to the ſaid Contributor the Ticket ſo cut off, which he, ſhe, or they, are to keep and uſe for the better aſcertaining and ſecuring the Intereſt which he, ſhe, or they, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, ſhall or may have in the ſaid Fund.

Caſhiers to return the Books with the Remainder of the Tickets.

XXIX. And be it further enacted by the Authority aforeſaid, That the ſaid Caſhier or Caſhiers, on or before the ſecond Day of *November* one thouſand ſeven hundred and ſixty-one, ſhall re-deliver to the ſaid Managers and Directors, at their ſaid Office or Place of Meeting, all the ſaid Books, and therein all the Tickets which the ſaid Caſhier or Caſhiers ſhall not have cut out and delivered to the Contributors as aforeſaid; and ſhall then and there alſo deliver to the ſaid Managers and Directors a true and juſt Account in Writing, under his or their Hand or Hands, of all Sums of Money accrued or come to the Hands of ſuch Caſhier or Caſhiers, by or for the Tickets delivered or to be delivered out purſuant to this Act, and how the ſame, or how much thereof, ſhall have been actually paid by ſuch Caſhier or Caſhiers into the Receipt of the Exchequer for the Purpoſes herein mentioned: And that the ſaid Managers and Directors, or the major Part of them which ſhall be preſent at a Meeting as aforeſaid, ſhall forthwith cauſe all the Tickets of the ſaid outermoſt Columns which ſhall not have been delivered to the Contributors as aforeſaid, if any ſuch be, to be delivered into the Receipt of his Majeſty's Exchequer, there to be retained and kept as Caſh, to be iſſued, ſold, and diſpoſed of, for raiſing Money for the Purpoſes in this Act mentioned, as the Commiſſioners of his Majeſty's Treaſury, or the High Treaſurer for the Time being, ſhall judge reaſonable and fitting.

Tickets of the middle Columns to be rolled up, and faſtened with Silk; and cut off indentwiſe into a Box marked with the Letter (A)

XXX. And be it further enacted, That the ſaid Managers and Directors, or the major Part of them, which ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe all the Tickets of the middle Columns in the Books made out with three Columns, as aforeſaid, which ſhall be delivered back to them, by or from the ſaid Caſhier or Caſhiers as aforeſaid, to be carefully rolled up and made faſt with Thread or Silk; and the ſaid Managers or Directors, or the major Part of them as aforeſaid, ſhall, in their Preſence, and in the Preſence of ſuch Contributors or Adventurers as will be there, cauſe all the ſaid Tickets, which are to be ſo rolled up and made faſt as aforeſaid, to be cut off indentwiſe through the ſaid oblique Lines, Flouriſhes, or Devices, into a Box to be prepared for that Purpoſe, and to be marked with the Letter (A) which is preſently to be put up into another ſtrong Box, and to be locked with ſeven different Locks and Keys, to be kept by as many of the ſaid Managers, and ſealed with their Seals, or the Seals of ſome of them, until the ſaid Tickets are to be drawn, as is herein after mentioned; and that the Tickets in the firſt or innermoſt Columns of the ſaid Books, ſhall remain ſtill in the Books for diſcovering any Miſtake or Fraud (if any ſuch ſhould happen to be committed) contrary to the true Meaning of this Act.

Box to be locked up and ſealed.

Books to be prepared with 2 Columns, on each of which 60,000 Tickets to be printed.

XXXI. And be it further enacted by the Authority aforeſaid, That the ſaid Managers and Directors, or the major Part of them, which ſhall be preſent at any Meeting as aforeſaid, ſhall alſo prepare, or cauſe to be prepared, other Books in which every Leaf ſhall be divided or diſtinguiſhed into two Columns; and upon the innermoſt of thoſe two Columns there ſhall be printed ſixty thouſand Tickets, and upon the outermoſt of the ſaid two Columns there ſhall be printed ſixty thouſand Tickets, all which ſhall be of equal Length and Breadth, as near as may be; which two Columns in the ſaid Books ſhall be joined with ſome Flouriſh or Device, through which the outermoſt Tickets may be cut off indentwiſe; and that eleven thouſand nine hundred and forty-five Tickets, Part of thoſe to

be

be contained in the outermoſt Columns of the Books laſt mentioned, ſhall be, and be called the Fortunate Tickets, to which extraordinary Benefits ſhall belong, as is herein after mentioned; and the ſaid Managers and Directors, or the major Part of them, or ſuch of them, as ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe the ſaid Fortunate Tickets to be written upon, or otherwiſe expreſſed, as well in Figures as in Words at Length, in Manner following; that is to ſay, upon two of them ſeverally ten thouſand Pounds principal Money; upon two of them ſeverally five thouſand Pounds principal Money; upon every one of four of them ſeverally, two thouſand Pounds principal Money; upon every one of ten of them ſeverally, one thouſand Pounds principal Money; upon every one of twenty of them ſeverally, five hundred Pounds principal Money; upon every one of one hundred of them ſeverally, one hundred Pounds principal Money; upon every one of two hundred and one of them ſeverally, fifty Pounds principal Money; upon every one of eleven thouſand ſix hundred and ſix of them ſeverally twenty Pounds principal Money: Which principal Sums, ſo to be written, or otherwiſe expreſſed upon the ſaid Fortunate Tickets, together with five hundred Pounds principal Money, to be allowed to the Owner of the firſt drawn Ticket, and one thouſand Pounds principal Money to the Owner of the laſt drawn Ticket, over and above the Benefits which may happen to belong to the two laſt mentioned Tickets, and, together with the Sum of ſix Pounds to be paid or allowed for and upon each Blank or Unfortunate Ticket of the ſaid Lottery, will amount in the Whole to the principal Sum of ſix hundred thouſand Pounds, to be converted into Annuities by virtue of this Act in reſpect of the ſaid Lottery; and the ſaid Managers and Directors, or the major Part of them, who ſhall be preſent at a Meeting as aforeſaid, ſhall cauſe all the ſaid Tickets, contained in the outermoſt Columns of the ſaid laſt-mentioned Books, to be, in the Preſence of the ſaid Managers and Directors, or the majot Part of them, which ſhall be preſent at a Meeting as aforeſaid, and in the Preſence of ſuch Contributors or Adventurers as will then be there, to be carefully rolled up and faſtened with Thread or Silk, and carefully cut out indentwiſe through the ſaid Flouriſh or Device, into another Box, to be prepared for this Purpoſe, and to be marked with the Letter (B), which Box ſhall be put into another ſtrong Box, and locked up with ſeven different Locks and Keys, to be kept by as many of the ſaid Managers, and ſealed up with their Seals, or the Seals of ſome of them, until theſe Tickets ſhall alſo be drawn in the Manner and Form herein after mentioned; and that the whole Buſineſs of rolling up, and cutting off, and putting into the ſaid Boxes the ſaid Tickets, and locking up and ſealing the ſaid Boxes, ſhall be performed by the ſaid Managers and Directors, or ſuch of them as aforeſaid, before the laſt ſix Days immediately preceding the Day by this Act appointed for the Drawing ſaid Lottery: And to the End every Perſon concerned may be well aſſured that the Counterpart of the ſame Number with his or her Ticket is put into the Box marked with the Letter (A) from whence the ſame may be drawn, and that other Matters are done as hereby directed, ſome publick Notification in Print ſhall be given of the preciſe Time or Times of putting the ſaid Tickets into the ſaid Boxes, to the end that ſuch Adventurers, as ſhall be minded to ſee the ſame done, may be preſent at the doing thereof.

The Number and Value of the Fortunate Tickets.

500l. to the firſt drawn Ticket, and 1000l. to the laſt drawn.

Tickets of the outermoſt Columns of the laſt mentioned Book to be rolled up and tied.

and cut out indentwiſe, into a Box marked with the Letter (B)

Box to be locked up and ſealed.

Publick Notice to be given of Times of putting the Tickets into the Boxes.

XXXII. And be it further enacted by the Authority aforeſaid, That on or before the ſixteenth Day of *November* one thouſand ſeven hundred and ſixty-one, the ſaid Managers and Directors ſhall cauſe the ſaid ſeveral Boxes, with all the Tickets therein, to be brought into the Guildhall of the City of *London*, ſo that the ſame may be there, and placed on a Table provided for that Purpoſe, by nine of the Clock in the Forenoon of the ſame Day, and ſhall then and there ſeverally attend this Service, and cauſe the two Boxes containing the ſaid Tickets, to be ſeverally taken out of the other two Boxes, in which they ſhall have been locked up; and the Tickets or Lots in the reſpective innermoſt Boxes being, in the Preſence of the ſaid Managers and Directors, or ſuch of them as ſhall be then preſent, and of ſuch Adventurers as will be there for the Satisfaction of themſelves, well ſhaken and mingled in each Box diſtinctly; ſome one indifferent and fit Perſon, to be appointed and directed by the ſaid Managers, or the major Part of them, or ſuch of them as ſhall be then preſent, ſhall take out and draw one Ticket from the Box where the ſaid numbered Tickets ſhall be as aforeſaid put; and one other indifferent and fit Perſon, to be appointed and directed in like Manner, ſhall take out a Ticket or Lot from the Box where the ſaid eleven thouſand nine hundred and forty-five fortunate, and forty-eight thouſand and fifty-five Blank Tickets ſhall be promiſcuouſly put as aforeſaid; and immediately both the Tickets ſo drawn ſhall be opened, and the Number, as well of the Fortunate as the Blank Ticket, ſhall be named aloud; and if the Ticket taken or drawn from the Box containing the Fortunate and Blank Lots ſhall appear to be a Blank, then the numbered Ticket ſo drawn with the ſaid Blank at the ſame Time drawn, ſhall both be put upon one File; and if the Ticket ſo drawn or taken from the Box containing the Fortunate and Blank Lots ſhall appear to be one of the Fortunate Tickets, then the principal Sum written upon ſuch Fortunate Ticket, whatſoever it be, ſhall be entered by a Clerk, which the ſaid Managers, or the major Part of them as aforeſaid, ſhall employ and overſee for this Purpoſe, into a Book to be kept for entering the Numbers coming up with the ſaid Fortunate Tickets, and the principal Sums whereunto they ſhall be intitled reſpectively, and two of the ſaid Managers ſhall ſet their Names as Witneſſes to ſuch Entries; and the ſaid Fortunate and numbered Tickets ſo drawn together, ſhall be put upon another File; and ſo the ſaid Drawing of the Tickets ſhall continue, by taking one Ticket at a Time out of each Box, and with opening, naming aloud, and filing the ſame, and by entering the Fortunate Lots in ſuch Method as is before mentioned, until the whole Number of eleven thouſand nine hundred and forty-five Fortunate Tickets, and one more for the laſt drawn as aforeſaid, ſhall be completely drawn; and as the ſame cannot be performed in one Day's Time, the ſaid Managers or Directors ſhall cauſe the Boxes to be locked up

Lottery to begin drawing on 16 Nov. 1761.

Method to be obſerved in drawing, &c.

After each Day's Drawing, the Boxes to be locked up and ſealed.

up and ſealed in manner as aforeſaid, and adjourn till the next Day, and ſo from Day to Day, and every Day (except *Sundays*, *Chriſtmas-day*, Thankſgiving and Faſt Days) and then open the ſame, and proceed as above, till the ſaid whole Number of eleven thouſand nine hundred and forty-five fortunate Tickets, and one more, ſhall be completely drawn as aforeſaid; and afterwards the ſaid numbered Tickets ſo drawn, with the fortunate Tickets drawn againſt the ſame, ſhall be and remain in a ſtrong Box locked up as aforeſaid, and under the Cuſtody of the ſaid Managers, until they ſhall take them out to examine, adjuſt, and ſettle the Property thereof.

Numbers of the fortunate Tickets, and the Sums, to be printed.

Diſputes relating thereto, to be adjuſted by the Managers.

XXXIII. And to the end the Fortunate may know, whether abſent or preſent, to what Degree they have been ſo; Be it enacted, That the ſaid Managers ſhall, as ſoon as conveniently may be, after the ſaid Drawing is over, cauſe to be printed and publiſhed the Number of the Tickets drawn againſt each fortunate Ticket, and the principal Sum written on the ſame; and if any Contention or Diſpute ſhall ariſe in the adjuſting the Property of the ſaid fortunate Tickets, the major Part of the ſaid Managers agreeing therein, ſhall determine to whom it doth or ought to belong: And if any Perſon or Perſons ſhall forge or counterfeit any Ticket or Tickets, Certificate or Certificates, to be made forth by this Act, or alter any the Numbers thereof, or utter, vend, barter, or diſpoſe of, or offer to diſpoſe of, any falſe, altered, forged, or counterfeit Ticket or Tickets, Certificate or Certificates, or ſhall bring any forged or counterfeit Ticket or Certificate, or any Ticket or Certificate the Number whereof is altered (knowing the ſame to be ſuch) to the ſaid Managers, or any of them, or to the Caſhier or Accomptant General of the Bank of *England* for the Time being, or to any other Perſon or Perſons whatſoever, with a fraudulent Intention; then every ſuch Perſon or Perſons, being thereof convicted in due Form of Law, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy: And the ſaid Managers and Directors, or any two or more of them, are hereby authorized, required, and impowered to cauſe any Perſon or Perſons bringing or uttering ſuch forged or counterfeit Ticket or Tickets, Certificate or Certificates, as aforeſaid, to be apprehended, and to commit him, her, or them to his Majeſty's Gaol of *Newgate*, or to the Common Gaol of the County or Place where ſuch Perſon or Perſons ſhall be ſo apprehended, to be proceeded againſt for the ſaid Felony according to Law.

Penalty of forging Tickets or Certificates,

Felony.

Managers to be ſworn.

XXXIV. Provided always, and it is hereby enacted by the Authority aforeſaid, That every Perſon that ſhall be appointed as aforeſaid to be a Manager and Director for putting this Act in Execution, before his acting in ſuch Commiſſion, ſhall take the Oath following; that is to ſay,

The Oath.

'I *A. B.* do ſwear, That I will faithfully execute the Truſt repoſed in me; and that I will not uſe any indirect Art or Means, or permit or direct any Perſon to uſe any indirect Art or Means, to obtain a Prize or Fortunate Lot, for myſelf, or any other Perſon whatſoever; and that I will do the utmoſt of my Endeavour to prevent any undue or ſiniſter Practice to be done by any Perſon whatſoever; and that I will, to the beſt of my Judgment, declare to whom any Prize, Lot, or Ticket of Right does belong, according to the true Intent and Meaning of the Act of Parliament made in the firſt Year of his Majeſty's Reign in that Behalf.'

Which ſaid Oath ſhall and may be adminiſtered by any two or more of the other Managers and Directors.

Caſhier, on receiving the Reſidue of the Sums ſubſcribed,

to give Receipts for the ſame;

the Bearers intitled to 1 Lottery Ticket for every 10 l. ſubſcribed.

XXXV. Provided always, That it ſhall and may be lawful to and for the ſaid Caſhier or Caſhiers, having given Security as aforeſaid, at any Time or Times, before ſuch Caſhier or Caſhiers ſhall have received any Book or Books from the ſaid Managers, comprehending the ſaid ſixty thouſand Tickets as aforeſaid, in three Columns as aforeſaid, to receive from any Perſon or Perſons who will voluntarily offer, contribute, and advance the Reſidue of any Sum of ten Pounds, or ſeveral Sums of ten Pounds upon this Act as aforeſaid, the Sums ſo offered to be contributed or advanced at one intire Payment, or in ſuch Proportions and Manner as aforeſaid, before ſuch Caſhier or Caſhiers ſhall have received ſuch Book or Books; and the ſaid Caſhier or Caſhiers ſhall give a Note or Receipt under his or their Hand or Hands for the Sum or Sums ſo contributed; and ſhall be obliged thereby, and by this Act, to give the Bearer of every ſuch Note or Receipt, a Ticket or Tickets of the extream Column of the three Columns Book or Books aforeſaid, for every ten Pounds ſo contributed, paid, or anſwered, as ſoon as he or they ſhall be enabled thereunto, by Delivery of any ſuch Book or Books to him or them from the ſaid Managers as aforeſaid; any Thing herein contained to the contrary notwithſtanding.

Contributors not making good their Payments within the Times limited, to forfeit their Depoſits.

XXXVI. Provided alſo, That in caſe any ſuch Contributor or Adventurer, as aforeſaid, who ſhall have advanced and paid down to ſuch Caſhier or Caſhiers a Proportion of his, her, or their Conſideration-money, his, her, or their Executors, Adminiſtrators, Succeſſors, or Aſſigns, do not advance and pay unto ſuch Caſhier or Caſhiers the remaining Part of his, her, or their Conſideration-money ſo to be paid, in full, for ſuch Tickets as aforeſaid, on or before the Times for paying thereof as aforeſaid; that then, and in every ſuch Caſe, every ſuch Contributor or Adventurer ſhall forfeit and loſe to his Majeſty, for the Uſe of the Publick, the Proportion of his, her, or their Purchaſe-money, which he, ſhe, or they ſhall have ſo paid down as aforeſaid; and in ſuch Caſe no Ticket or Tickets ſhall be delivered out by the ſaid Caſhier or Caſhiers, to ſuch Contributor or Contributors making ſuch Default; but the Ticket and Tickets which ſhould have been delivered to ſuch Contributor and Contributors, had they paid the full Money for the ſame, ſhall be returned and delivered to the ſaid Managers and Directors by the ſaid Caſhier or Caſhiers, together with the other Tickets (if any) in the outermoſt Column of the Book and Books firſt herein-mentioned and directed to be prepared, which

which ſhall not have been diſpoſed of to Contributors as aforeſaid; and ſuch Ticket and Tickets upon and for which Defaults of Payments ſhall have been made as aforeſaid, ſhall be delivered into the Receipt of his Majeſty's Exchequer, with other the ſaid undiſpoſed Tickets (if any) there to be retained and kept as Caſh, and to be iſſued, ſold, and diſpoſed of, for the Purpoſes and in the Manner herein before directed and appointed with reſpect to the ſaid undiſpoſed Tickets; and the ſaid Contributor and Contributors making ſuch Default, ſhall not have or receive, or be intitled to have or receive, any Benefit or Advantage for or in reſpect of the Money which he, ſhe, or they ſhall have paid, for or towards the Purchaſe of ſuch Ticket or Tickets; any Thing herein contained to the contrary notwithſtanding.

Managers, &c. to be paid by the Commiſſioners of the Treaſury out of the Lottery Money.

XXXVII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That out of the Monies to ariſe by and out of any of the Supplies granted in this Seſſion of Parliament, it ſhall and may be lawful to and for any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, to reward the ſaid Managers and Directors, and the Clerks and Officers to be employed by and under them, and any other Officers and Perſons that ſhall and may be any ways employed in this Affair, for their Labour and Pains, and to diſcharge ſuch incident Expences as ſhall neceſſarily attend the Execution of this Act, in ſuch manner as any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall, from Time to Time, think fit and reaſonable in that Behalf; any Thing in this Act contained to the contrary notwithſtanding.

Limitation of Sale of Chances, &c.

Penalty.

XXXVIII. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall ſell the Chance or Chances of any Ticket or Tickets in the ſaid Lottery, or any Share or Shares of any Ticket or Tickets in the ſaid Lottery, for a Day, or Part of a Day, or for a longer Time leſs than the whole Time of drawing the Lottery then to come; or ſhall receive any Money whatſoever in conſideration of the Repayment of any Sum or Sums of Money, in caſe any Ticket or Tickets in the ſaid Lottery ſhall prove fortunate; or ſhall lay any Wager relating to the drawing of any Ticket or Tickets in the ſaid Lottery, either as to the Time of ſuch Ticket or Tickets being drawn, or whether ſuch Ticket or Tickets be drawn fortunate or unfortunate; and all and every Perſon and Perſons who ſhall offend in any of the aforeſaid Matters, ſhall forfeit and pay treble the Sum and Sums of Money which ſhall have been received by ſuch Perſon and Perſons, contrary to the true Intent and Meaning of this Act; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; in which no Eſſoin, Protection, Privilege, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety whereof to be for the Uſe of his Majeſty, his Heirs, or Succeſſors, and the other Moiety to be paid to the Perſon or Perſons who ſhall ſue for the ſame; and every ſuch Sale, Wager, or Contract, and every Agreement relating thereto, ſhall be, and is hereby declared null and void.

Perſons ſelling Shares in Tickets of which they are not poſſeſſed,

XXXIX. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall keep any Office or Offices, or ſhall print or publiſh any Scheme or Propoſal, for receiving any Sum or Sums of Money in conſideration of any Intereſt to be granted for the ſame, in any Ticket or Tickets in the ſaid Lottery, whereof ſuch Perſon or Perſons ſhall not then be actually poſſeſſed, or in conſideration of any Sum or Sums of Money to be repaid in caſe any Ticket, or Number of Tickets, in the ſaid Lottery, which ſhall not be in the actual Poſſeſſion of ſuch Perſon or Perſons, ſhall prove fortunate or unfortunate; all and every ſuch Perſon and Perſons ſhall forfeit and pay the Sum of five hundred Pounds; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; in which no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety whereof to be for the Uſe of his Majeſty, his Heirs, or Succeſſors, and the other Moiety to be paid to the Perſon or Perſons who ſhall ſue for the ſame; and alſo ſhall ſuffer three Months Impriſonment without Bail or Mainprize.

Offences committed in Ireland againſt Acts for preventing unlawful Lotteries, declared to be puniſhable, and may be ſued for in Dublin.

XL. And be it further enacted by the Authority aforeſaid, That if any Offence againſt this Act, or any of the Acts of Parliament made in this Kingdom, for preventing private and unlawful Lotteries, ſhall be committed in *Ireland*, the Offender ſhall incur the like Penalty and Puniſhment, to be inflicted in like manner as if the Offence was committed in this Kingdom; and that ſuch Penalties as, by this Act, or any of the ſaid Acts, are directed to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, ſhall, in caſe of Offences committed againſt this Act or any of the ſaid Acts in *Ireland*, be recovered in any of his Majeſty's Courts of Record in *Dublin*.

After the drawing of Lottery, the Tickets to be exchanged for Certificates.

XLI. And to the end that all and every the Payments, as well upon the fortunate as upon the unfortunate Tickets, may be more eaſily aſcertained, ſettled, and adjuſted, for the Perſons who ſhall be and become intitled thereunto; Be it further enacted by the Authority aforeſaid, That as ſoon as conveniently may be, after the Drawing of the ſaid Lottery ſhall be completed and ended, all and every the ſaid Tickets to be given out as aforeſaid, ſhall be exchanged for Certificates to be ſigned by ſuch of the ſaid Managers as ſhall be appointed for that Purpoſe.

Managers to give Notice of the Time for taking in the Tickets, and delivering out the Certificates, &c.

Books to be kept for entering Perſons Names,

XLII. And be it further enacted, That ſuch of the ſaid Managers as any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall appoint to take in the ſaid Tickets, and deliver out the ſaid Certificates for and in lieu thereof, ſhall give timely Notice, by Advertiſement to be printed and publiſhed in manner as they ſhall think fit, of the Days and Times for taking in the ſaid Tickets, and delivering out the ſaid Certificates, for and in lieu of the ſame; and every Perſon's Certificate ſhall be numbered in courſe, according to their bringing their Tickets to the Managers ſo to be appointed for exchanging the ſame; to which Purpoſe, ſuch Managers ſhall enter, or cauſe to be entered, into a Book or Books to be by them kept for that Purpoſe, the Name

and the Number of their Tickets, &c.

of every Perſon who ſhall bring any Ticket or Tickets to be exchanged for ſuch Certificate or Certificates, and the Number or Numbers of the Ticket or Tickets which ſhall be ſo brought by ſuch Perſon or Perſons, the Value in Principal Money payable thereupon, and the Day of the Month, and the Year of our Lord, when the ſame was ſo brought, which Book and Books ſhall lie open in the Office to be appointed for taking in the ſaid Tickets to be exchanged for ſuch Certificates, for all Perſons concerned to peruſe; all which Certificates ſhall be ſigned by the Managers ſo to be appointed, or the major Part of them, and be directed to the Accomptant General of the Bank of *England* for the Time being.

Certificates to be ſigned, &c.

Accomptant General to give Credit for the principal Sums in the Certificates.

XLIII. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General of the Bank of *England* for the Time being, to whom the ſaid Certificates are to be directed as aforeſaid, ſhall, upon receiving and taking in the ſaid Certificates, or any of them, give Credit to the Perſons named therein, in a Book or Books to be by him provided and kept, for the Principal Sums contained in every ſuch Certificate; and the Perſons to whoſe Credit ſuch Principal Sums ſhall be entered in the ſaid Book or Books, his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall and may have Power to aſſign or transfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Bodies Politick or Corporate whatſoever, in Books to be prepared and kept by the ſaid Accomptant General; and the ſaid Principal Sums ſo aſſigned or transferred ſhall carry the ſaid Annuity of three Pounds *per Centum per Annum*, and ſhall be taken and deemed to be Stock transferrable by virtue of this Act, until the Redemption thereof in manner herein after-mentioned; and the ſaid Accomptant General of the Bank of *England* for the Time being, is hereby authorized and directed to cancel and file the Certificates, as they ſhall from Time to Time be received and taken in by him; and to give the Perſons bringing in the ſame a Note under his Hand, teſtifying the Principal Money for which they ſhall have Credit in the ſaid Book or Books, by reaſon or means of the Certificates ſo received, taken in, and cancelled as aforeſaid, and of the Annuities attending the ſame.

Aſſignments may be made of the ſaid Sums, &c.

Certificates to be filed and cancelled, and Notes to be given in lieu thereof.

A Chief Caſhier, and Accomptant General, to be appointed by the Bank for paying the Annuities.

XLIV. And for the more eaſy and ſure Payment of all the Annuities eſtabliſhed by this Act, Be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, ſhall from Time to Time, until all the ſaid Annuities after the Rate of three Pounds *per Centum per Annum* ſhall be redeemed, and until the ſaid Annuities after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum* for the Term of ninety-nine Years ſhall be determined, appoint and employ one or more ſufficient Perſon or Perſons within their Office in the City of *London*, to be their Chief or Firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office to be their Accomptant General; and that ſo much of the Monies by this Act appropriated for this Purpoſe, as ſhall be ſufficient from Time to Time to anſwer the ſaid ſeveral and reſpective Annuities, and other Payments herein directed to be made out of the ſaid Monies, ſhall, by Order of the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, without any further or other Warrant, to be ſued for, had, and obtained, in that Behalf, from Time to Time, at the reſpective Days of Payment in this Act appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid Firſt or Chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, for the Time being, by way of Impreſt, and upon Account, for the Payment of the ſaid ſeveral and reſpective Annuities, payable by virtue of this Act; and that ſuch Caſhier or Caſhiers to whom the ſaid Money ſhall, from Time to Time, be iſſued, ſhall, from Time to Time, without Delay, pay the ſame accordingly, and render his or their Accounts thereof, according to the due Courſe of the Exchequer.

Treaſury to iſſue Money for that Purpoſe to the ſaid Caſhier;

who is to account for the ſame.

Accomptant General to examine the Receipts and Payments of the Caſhier.

XLV. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General for the Time being ſhall, from Time to Time, inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay; and that all Perſons who ſhall be intitled to any of the Annuities hereby granted, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, which ſhall not be deſcendible to Heirs, nor liable to any Foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute, or Cuſtom to the contrary notwithſtanding.

Annuities deemed a Perſonal Eſtate, &c.

The Monies which ſhall become due to any Perſon by virtue of this Act,

to be made Part of the Joint Stock of 3 l. per Cent Annuities conſolidated by Acts 25, 28, 29, 32, & 33 Geo. 2.

XLVI. And be it further enacted by the Authority aforeſaid, That all the Monies to which any Perſon or Perſons ſhall become intitled by virtue of this Act, in reſpect of any Sum advanced or contributed towards the ſaid Sum of eleven millions four hundred thouſand Pounds, on which the ſaid Annuities after the Rate of three Pounds *per Centum per Annum* ſhall be attending, and the Principal Sums to be determined by the drawing of the ſaid Lottery, to be attended with Annuities after the like Rate, ſhall be added to the Joint Stock of Annuities transferrable at the Bank of *England*, into which the ſeveral Sums carrying an Intereſt at the Rate of three Pounds *per Centum per Annum*, were, by ſeveral Acts made in the twenty-fifth, twenty-eighth, twenty-ninth, thirty-ſecond, and thirty-third Years of the Reign of his late Majeſty King *George* the Second, converted, and ſhall be deemed Part of the ſaid Joint Stock of Annuities; ſubject nevertheleſs to a Redemption by Parliament, in ſuch Manner, and upon ſuch Notice, as in the ſaid Act made in the twenty-fifth Year of his ſaid late Majeſty's Reign is directed, in reſpect of the ſeveral and reſpective Annuities redeemable by virtue of the ſaid Act; and that all and every Perſon and Perſons, and Corporations whatſoever, in proportion to the Money to which he, ſhe, or they ſhall become intitled as aforeſaid, by virtue of this Act, ſhall have, and be deemed to have, a proportional Intereſt and Share in the ſaid Joint Stock of Annuities at the Rate aforeſaid.

XLVII. And be it further enacted by the Authority aforeſaid, That Books ſhall be conſtantly kept by the ſaid Accomptant General for the Time being, wherein all Aſſignments or Transfers of all Sums advanced or contributed towards the ſaid Sum of eleven millions four hundred thouſand Pounds, and alſo all Aſſignments or Transfers of all Sums advanced or contributed towards the ſaid Sum of ſix hundred thouſand Pounds, ſhall, at all ſeaſonable Times, be entered and regiſtered; which Entry ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers; or if ſuch Parties be abſent, by their reſpective Attorney or Attornies thereunto lawfully authorized, in Writing under his or their Hand and Seal, or Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the ſeveral Perſons to whom ſuch Transfers ſhall be made, ſhall reſpectively underwrite their Acceptance thereof; and that no other Method of aſſigning and transferring the ſaid Annuities, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law.

Transfer Books to be kept by the Accomptant General.

Method of transferring Stock.

XLVIII. Provided always, and be it further enacted by the Authority aforeſaid, That from the Time of giving Credit, as aforeſaid, for the ſaid Annuities, after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum*, the ſaid Annuities ſhall be a ſeparate and diſtinct Stock from the ſaid conſolidated Joint Stock of Annuities, after the Rate of three Pounds *per Centum per Annum*; and ſeparate and diſtinct Books ſhall be kept for aſſigning and transferring the ſaid Annuities, after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum*; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding.

XLIX. Provided alſo, That all Perſons poſſeſſed of any Share or Intereſt in either of the ſaid Stocks of Annuities, or any Eſtate or Intereſt therein, may deviſe the ſame by Will, in Writing, atteſted by two or more credible Witneſſes; but that no Payment ſhall be made upon any ſuch Deviſe, till ſo much of the ſaid Will as relates to ſuch Share, Eſtate, or Intereſt in the ſaid Stocks of Annuities be entered in the ſaid Office; and that in default of ſuch Transfer or Deviſe, ſuch Share, Eſtate, or Intereſt in the ſaid Stocks of Annuities, ſhall go to the Executors, Adminiſtrators, Succeſſors, and Aſſigns; and that no Stamp-duties whatſoever ſhall be charged on any of the ſaid Transfers; any Law or Statute to the contrary notwithſtanding.

Annuities deviſeable by Will.

Entry to be made of ſuch Clauſe in the Will.

Transfer not liable to Stamp Duties.

L. Provided always, and be it enacted by the Authority aforeſaid, That out of the Monies ariſing from the Contributions towards raiſing the ſaid Sum of twelve millions, any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall have Power to diſcharge all ſuch incident Charges as ſhall neceſſarily attend the Execution of this Act, in ſuch manner as to them ſhall ſeem juſt and reaſonable; and alſo to ſettle and appoint ſuch Allowances as ſhall be thought proper, for the Service, Pains, and Labour of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for the ſaid Contributions; and alſo ſhall have Power to make out of the Fund hereby eſtabliſhed, or out of the Sinking Fund, ſuch further Allowances as ſhall be judged reaſonable, for the Service, Pains, and Labour of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for the ſaid Annuities payable by virtue of this Act; and alſo for the Service, Pains, and Labour of the ſaid Accomptant General, for performing the Truſt repoſed in him by this Act; all which Allowances to be made as aforeſaid, in reſpect to the Service, Pains, and Labour of any Officer or Officers of the ſaid Governor and Company, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only.

Treaſury to pay all incident Charges attending the Execution of this Act;

and to make an Allowance to the Caſhier, and Accomptant General;

to be at the Diſpoſal of the Governor and Company of the Bank.

LI. Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, notwithſtanding the Redemption of all or any of their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them, ſhall continue a Corporation for the Purpoſes of this Act, till all the Annuities, after the Rate of three Pounds *per Centum per Annum* by this Act granted, ſhall be redeemable by Parliament as aforeſaid, and until the ſaid Annuities, after the Rate of one Pound two Shillings and ſix Pence *per Centum per Annum*, for the ſaid Term of ninety-nine Years, ſhall be determined; and that the ſaid Governor and Company of the Bank of *England*, or any Member thereof, ſhall not incur any Diſability for or by reaſon of their doing any Matter or Thing in purſuance of this Act.

Bank to continue a Corporation till theſe Annuities be redeemed, &c.

LII. And be it further enacted, That no Fee, Reward, or Gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's Subjects, for receiving or paying the ſaid Contribution-monies, or any of them, or for any Tallies or Receipts concerning the ſame, or for iſſuing the Monies for paying the ſaid ſeveral Annuities, or any of them, or for any Transfer of any Sum great or ſmall, to be made in purſuance of this Act; upon pain that any Offender, or Perſon offending, by taking or demanding any ſuch Fee, Reward, or Gratuity, ſhall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Coſts of Suit, to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Reſtraint, or any more than one Imparlance, ſhall be granted or allowed.

No Fee for Payment of Contribution-money.

LIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted for any Thing done by virtue or in purſuance of this Act, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, and the Special Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her, or them, upon Demurrer or otherwiſe, then ſuch Defendant or Defendants ſhall have treble Coſts awarded to him, her, or them, againſt any ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

CAP. VIII.

An Act for the Regulation of his Majesty's Marine Forces while on Shore. *Refer to* 33 *Geo.* 2. *c.* 8. *And see* 4 *Geo.* 3. *c.* 8.

CAP. IX.

An Act to continue an Act made in the sixth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in* America.

Preamble.

'WHEREAS the Law herein after-mentioned hath been found useful and beneficial to the 'Publick, and is near expiring, and fit to be continued;' May it therefore please your Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That an Act made in the sixth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for the better securing and encouraging the Trade of his Majesty's Sugar Colonies in* America, which was to continue in force for five Years, to be computed from the twenty-fourth Day of *June* one thousand seven hundred and thirty-three, and to the End of the then next Session of Parliament; and which, by several subsequent Acts made in the eleventh, nineteenth, twenty-sixth, twenty-ninth, and thirty-first Years of the Reign of his said late Majesty, was further continued until the twenty-ninth Day of *September* one thousand seven hundred and sixty-one, shall be, and the same is hereby, further continued, from the Expiration thereof, until the twenty-ninth Day of *September* one thousand seven hundred and sixty-three, and from thence to the End of the then next Session of Parliament.

Act 6 Geo. 2. c. 13.

which was continued by several subsequent Acts, 11 *Geo.* 2. *c.* 18. 19 *Geo.* 2. *c.* 23. 26 *Geo.* 2. *c.* 32. 29 *Geo.* 2. *c.* 26.

further continued to 29 Sept. 1763.

CAP. X.

An Act for extending an Act, intituled, *An Act to discontinue, for a limited Time, the Duties payable on Tallow imported from* Ireland, to Hogs-Lard and Grease.

Preamble, reciting Act 32 Geo. 2. c. 12.

'WHEREAS an Act made in the thirty-second Year of the Reign of his late Majesty King 'George the Second, intituled, *An Act to discontinue, for a limited Time, the Duties payable upon 'Tallow imported from* Ireland, hath been found of great Utility and Benefit to the Publick, and if 'the same was extended to Hogs-Lard and Grease, would be of further Utility;' May it therefore please your most Excellent Majesty, that it may be enacted; and be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the said recited Act shall extend, and be deemed, construed, and taken to extend, to Hogs-Lard and Grease, during the Continuance of the said Act.

The recited Act extended to Hogs-Lard and Grease.

Continued by 4 *Geo.* 3. *c.* 6.

CAP. XI.

An Act to enable his Majesty to make Leases, and Copies of Offices, Lands, and Hereditaments, Parcel of his Dutchy of *Cornwall*, or annexed to the same; and for other Purposes therein mentioned.

Preamble.

'WHEREAS his most Excellent Majesty now stands seised of the Dutchy of *Cornwall*, and 'the Possessions thereof: And whereas some Doubts may arise in relation to his Majesty's 'granting Leases, and making Copies of Offices, Lands, and Hereditaments, Parcel of his said 'Dutchy, or thereunto annexed or belonging: For obviating whereof, and for the Ease and Quiet 'of the Minds of such Persons as have taken, or shall hereafter take Leases from his said most Ex-'cellent Majesty: And to the end that such Persons may be sure to have good and indefeazable 'Estates, and be encouraged to lay out Monies in building and repairing, or otherwise improving 'the several Lands and Tenements to them demised, or to be demised;' Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That all Leases and Grants, made or to be made, by Copy of Court Roll, according to the Custom of the respective Manor or Manors of the said Dutchy, or thereunto annexed or belonging; and all Leases and Grants, made or to be made within seven Years next ensuing, by Letters Patents, or Indentures, under the Great Seal of *Great Britain*, or Seal of the Court of *Exchequer*, or by Copy of Court Roll, according to the Custom of the respective Manors, of any Offices, Messuages, Parks, Lands, Tenements, or Hereditaments (other than Honours, Lordships, or Manors) Parcel of the Possessions of the said Dutchy of *Cornwall*, or annexed to the same, shall be good and effectual in Law, according to the Purport and Contents of the same Copies, Leases, and Grants, against our Sovereign Lord the King, his Heirs and Successors, and against all and every other Person or Persons, that shall at any Time

Leases and Grants made by Copy of Court Roll,

or by Letters Patents or Indentures within 7 Years to come, of any Offices, Lands, or Hereditaments, Parcel of the Dutchy of Cornwall, or annexed thereto, declared to be good against the Crown;

Time hereafter have, inherit, or enjoy the ſaid Dutchy, by force of any Act of Parliament, or by other Limitation whatſoever.

II. Provided always, That every ſuch Leaſe or Grant ſo made or to be made be not for more than one, two, or three Lives, or for one and thirty Years, or under, or for ſome Term of Years determinable upon one, two, or three Lives, and not above; and if ſuch Leaſes or Grants be made in Reverſion or Expectancy, that then the ſame, together with the Eſtates in Poſſeſſion, do not exceed three Lives, or the Term of one and thirty Years, or ſome Term of Years determinable upon one, two, or three Lives, and be not in any wiſe made diſpuniſhable of Waſte, and ſo as upon every ſuch Leaſe or Grant be or ſhall be reſerved the ancient or moſt uſual Rent, or more, or ſuch Rent as hath been reſerved, yielded, or paid for the ſame Manors, Lands or Hereditaments, for the greater Part of twenty Years next before the making of the ſaid Leaſes; and where no ſuch Rent hath been reſerved or payable, that then, upon every ſuch Leaſe, there be or ſhall be reſerved a reaſonable Rent, not being under the twentieth Part of the clear yearly Value of the Manors, Meſſuages, Parks, Lands, Tythes, Tenements, or Hereditaments contained in ſuch Leaſe or Grant; and all Leaſes and Grants otherwiſe made, or to be made, ſhall be null and void.

ſo as ſuch Leaſes be not for more than 3 Lives, or 31 Years; or a Term determinable upon 3 Lives at the moſt; and if in Expectancy or Reverſion, not exceeding 3 Lives, or 31 Years, and ſo as the ſame be not diſpuniſhable of Waſte, and the uſual Rent; or, where there was none before, a reaſonable Rent be reſerved.

III. And be it further ordained and enacted by the Authority aforeſaid, That all Covenants, Conditions, Reſervations, and other Agreements, contained in every Leaſe, Grant, or Copy of Court Roll made or to be made as aforeſaid, ſhall be good and effectual in Law, according to the Words and Contents of the ſame, as well for and againſt them to whom the Reverſions of the ſame Lands, Tenements, and Hereditaments ſhall come, as for and againſt them to whom the Intereſt of the ſaid Leaſes, Grants, or Copies ſhall come reſpectively, as if our Sovereign Lord the King's Majeſty at the Time of making ſuch Covenants, Conditions, and Reſervations, and other Agreements, were ſeiſed of an abſolute Eſtate in Fee-ſimple in the ſame Lands, Tenements or Hereditaments: Saving always, to all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs and Succeſſors, Executors, Adminiſtrators, and Aſſigns (other than to our ſaid Sovereign Lord the King, and his Heirs and Succeſſors, and the Duke and Dukes of *Cornwall* for the Time being, and his and their Heirs, and all and every other Perſon and Perſons, that ſhall hereafter have, inherit, or enjoy the ſaid Dukedom of *Cornwall*, by force of any Act of Parliament, or other Limitation whatſoever) all ſuch Rights, Titles, Eſtates, Cuſtoms, Intereſts, Tenures, Claims, and Demands whatſoever, of what Nature, Kind, or Quality ſoever, of, in, to, or out of the ſaid Offices, Lands, Tenements or Hereditaments, or any of them, as they or any of them had, or ought to have had, before the making of this Act, to all Intents and Purpoſes, and in as large and ample Manner and Form, as if this Act had never been had or made; this Act, or any Thing herein contained to the contrary, notwithſtanding.

The Covenants, &c. in ſuch Leaſes or Grants deemed good in Law.

Reſervation of Rights.

CAP. XII.

An Act to indemnify Perſons who have omitted to qualify themſelves for Offices and Employments; and to indemnify Juſtices of the Peace, Deputy Lieutenants, Officers of the Militia, and others, who have omitted to regiſter or to deliver in their Qualifications within the Time limited by Law; and for giving further Time for thoſe Purpoſes. EXP. *Farther Time given to* 12 *Feb.* 1762.

See farther 2 *Geo.* 3. *c.* 23. 3 *Geo.* 3. *c.* 5.

CAP. XIII.

An Act to amend an Act paſſed in the eighteenth Year of the Reign of King *George* the Second, concerning the Qualification of Juſtices of the Peace; and for other Purpoſes therein mentioned.

'WHEREAS by an Act of Parliament made in the eighteenth Year of his late Majeſty King *George* the Second, of glorious Memory, intitled, *An Act to amend and render more effectual an Act paſſed in the fifth Year of his preſent Majeſty's Reign, intituled*, An Act for the further Qualification of Juſtices of the Peace; it was enacted, That from and after the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-ſix, no Perſon ſhould be capable of being a Juſtice of the Peace, or of acting as ſuch, for any County, Riding or Diviſion, within that Part of *Great Britain* called *England*, or the Principality of *Wales*, who ſhould not have either in Law or Equity, to and for his own Uſe and Benefit, in Poſſeſſion, a Freehold, Copyhold, or Cuſtomary Eſtate for Life, or for ſome greater Eſtate, or an Eſtate for ſome long Term of Years, determinable upon one or more Life or Lives, or for a certain Term, originally created for twenty-one Years, or more, in Lands, Tenements or Hereditaments, lying or being in that Part of *Great Britain* called *England*, or the Principality of *Wales*, of the clear yearly Value of one hundred Pounds, over and above what ſhould ſatisfy and diſcharge all Incumbrances that affect the ſame, and over and above all Rents and Charges, payable out of or in reſpect of the ſame, or who ſhould not be ſeiſed of or intitled unto, in Law or Equity, to and for his own Uſe and Benefit, the immediate Reverſion or Remainder of and in Lands, Tenements or Hereditaments, lying or being as aforeſaid, which were leaſed for one, two or three Lives, or for any Term of Years determinable upon the Death of one, two, or three Lives, upon reſerved Rents, and which were of the clear yearly Value of three hundred Pounds; and who ſhould not before he takes upon himſelf to act as a Juſtice of Peace, after the ſaid twenty-fifth Day of *March*, at ſome General or Quarter Seſſions for the County, Riding, or Diviſion, for

Preamble, reciting Act 18 *Geo.* 2. *c.* 20.

See 5 *Geo.* 2. *c.* 18.

'which he did or ſhould intend to act, firſt take and ſubſcribe the Oath in the ſaid Act mentioned; 'which Oath ſo taken and ſubſcribed as aforeſaid, ſhould be kept by the Clerk of the Peace for the 'ſaid County, Riding, or Diviſion, for the Time being, among the Records of the Seſſions, for the 'ſaid County, Riding, or Diviſion: And it was by the ſaid Act further enacted, That from and after 'the ſaid twenty-fifth Day of *March*, any Perſon who ſhould act as a Juſtice of the Peace for any 'County, Riding, or Diviſion, within that Part of *Great Britain* called *England*, or the Principality 'of *Wales*, without having taken and ſubſcribed the ſaid Oath as aforeſaid, or without being quali-'fied according to the true Intent and Meaning of the ſaid Act, ſhould, for every ſuch Offence, for-'feit the Sum of one hundred Pounds, to be recovered with full Coſts of Suit, and applied in the 'Manner in the ſaid Act mentioned: And whereas Doubts have ariſen, whether Perſons who were 'Juſtices of the Peace at the Time of the Demiſe of his ſaid late Majeſty King *George* the Second, 'and who have been or ſhall be conſtituted Juſtices of the Peace, by or under any Commiſſion of the 'Peace granted, or which ſhall be granted, by his preſent Majeſty, can act as Juſtices of the Peace, 'and open and hold any General or Quarter Seſſion of the Peace, before they ſhall have taken and 'ſubſcribed the ſaid Oath, in Manner and at the Place as by the ſaid in part recited Act is directed 'and required, for want of which there may be a Failure of the due Execution of the Laws of this 'Realm:' Now for clearing ſuch Doubts, and preventing any Inconveniencies that may ariſe; Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all Perſons who were Juſtices of the Peace at the Time of the Demiſe of his ſaid late Majeſty King *George* the Second, or who ſhall be Juſtices of the Peace at the Time of the Demiſe of his preſent Majeſty, or any of his Succeſſors, Kings or Queens of this Realm, and ſhall afterwards be appointed Juſtices of the Peace, by any Commiſſion granted, or which ſhall be granted, by his ſaid preſent Majeſty, or which, after his Demiſe, ſhall be granted by any of his Succeſſors, Kings or Queens of this Realm, and who ſhall take the Oaths of Office of a Juſtice of the Peace for any County, City and County, Town and County, Riding, or Diviſion, before the Clerk of the Peace of the reſpective County, City and County, Town and County, Riding, or Diviſion, for which any ſuch Juſtice or Juſtices of the Peace ſhall act, or intend to act, or the Deputy of ſuch reſpective Clerk of the Peace, and who ſhall have taken and ſubſcribed at ſome General or Quarter Seſſion of the Peace the ſaid Oath, by the ſaid herein before in part recited Act of the eighteenth Year of his ſaid late Majeſty's Reign, directed and required to be there taken and ſubſcribed, ſhall and may act as a Juſtice of the Peace for ſuch County, City and County, Town and County, Riding, or Diviſion, without being obliged to take and ſubſcribe again the ſaid Oath, without incurring any Penalty or Forfeiture for the not taking and ſubſcribing thereof; the ſaid herein before in part recited Act, or any other Statute, Law, or Uſage to the contrary thereof in any wiſe notwithſtanding: And that all Acts, Matters, and Things done or to be done by all and every ſuch Juſtice and Juſtices, or by Authority derived, or to be derived, from him or them, are and ſhall be deemed and taken to all Intents and Purpoſes to be of the ſame Force, Effect and Validity, to all Intents and Purpoſes, as the ſame reſpectively would have been, if ſuch Perſon or Perſons had taken and ſubſcribed ſuch Oath, by the ſaid herein before in part recited Act required to be taken and ſubſcribed, at ſome General or Quarter Seſſion for ſuch County, City and County, Town and County, Riding or Diviſion, for which he or they did or ſhould act, or intend to act.

All who were Juſtices at the Demiſe of the late King, or ſhall be ſuch at the Demiſe of his preſent Majeſty, &c. and being afterwards in the Commiſſion of the Peace, ſhall take the Oaths of Office, before the Clerk of the Peace;

and thoſe who ſhall have taken and ſubſcribed at the Quarter Seſſions, the Oath required by the recited Act of 18 Geo. 2. may act as Juſtice, without taking and ſubſcribing again the Oath aforeſaid;

and all Acts done by them are declared to be valid.

II. And be it further enacted by the Authority aforeſaid, That from and after the paſſing this Act, no Perſon who hath already taken, or ſhall hereafter take, the Oaths uſually taken by a Juſtice of the Peace, under a Writ or Commiſſion of *Dedimus Poteſtatem*, iſſued, or which ſhall be iſſued, from the Clerk of the Crown, ſhall be obliged or compellable to ſue out or have any other *Dedimus Poteſtatem* from the ſaid Clerk of the Crown, to authorize any Perſon or Perſons therein to be named to adminiſter again to any ſuch Juſtice, on any new Commiſſion of the Peace being iſſued under the Great Seal of *Great Britain*, for any County, City and County, Town and County, Riding, or Diviſion in *England* or *Wales*, the Oaths uſually annexed to ſuch *Dedimus*, and taken by a Juſtice of the Peace; but that the Clerk of the Peace, or his Deputy, of every County, City and County, Town and County, Riding, or Diviſion in *England* and *Wales*, for which any ſuch Juſtice of the Peace hath already acted and qualified, or hereafter, before the iſſuing any ſuch new Commiſſion of the Peace, ſhall act and qualify himſelf as before-mentioned, ſhall, on every ſuch new Commiſſion of the Peace being iſſued, prepare a Parchment Roll, with the Oaths annexd to, and uſually taken under, the ſaid Writ, or Commiſſion of *Dedimus Poteſtatem*, by Juſtices of the Peace, ingroſſed on ſuch Roll, and ſhall adminiſter, without Fee or Reward, the Oaths in ſuch Roll ſpecified to every ſuch Juſtice of the Peace within the reſpective Counties, Cities and Counties, Towns and Counties, Ridings or Diviſions, for which he ſhall reſpectively act, or intend to act, and who ſhall deſire to take ſuch Oaths; and that every ſuch Juſtice of the Peace, after the taking the Oaths contained in the ſaid Roll, ſhall ſubſcribe his Name on the ſaid Parchment Roll; and the ſaid Roll, with the Oaths ſo taken and ſubſcribed, ſhall be kept by the reſpective Clerks of the Peace of the reſpective Counties, Cities and Counties, Towns and Counties, Ridings and Diviſions, in *England* and *Wales*, for the Time being, amongſt the Records of the Seſſions for the ſaid reſpective Counties, Cities and Counties, Towns and Counties, Ridings and Diviſions.

Such as have once taken the uſual Oaths under a Writ of Dedimus Poteſtatem, are exempted from ſuing out another Writ for adminiſtring again the ſaid Oaths to them as Juſtices;

but upon every new Commiſſion a Roll, with the Oath annexed, is to be prepared, which all Juſtices, as they qualify themſelves, are to ſubſcribe;

and the ſaid Rolls are to be preſerved amongſt the Records of the Seſſions.

CAP.

CAP. XIV.

An Act to extend the Provisions relating to the holding of Courts-martial, and to the Punishment of Offences committed in the *East Indies*, contained in the Act made in the twenty-seventh Year of his late Majesty's Reign, intituled, *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of* England *trading to the* East Indies, *and for the Punishment of Offences committed in the* East Indies, *or at the Island of* Saint Helena, to the said Company's Settlement of *Fort Marlborough*, and to such other principal Settlements, wherein the said Company may be hereafter impowered to hold Courts of Judicature.

Preamble, reciting the Act 27 Geo. 2. c. 9.

'WHEREAS by an Act of Parliament passed in the twenty-seventh Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for punishing Mutiny and Desertion of Officers and Soldiers in the Service of the United Company of Merchants of* England *trading to the* East Indies, *and for the Punishment of Offences committed in the* East Indies, *or at the Island of* Saint Helena, it was, amongst other Things, enacted, That his Majesty might grant a Commission or Warrant, under his Royal Sign Manual, unto the Court of Directors of the said United Company, who, by virtue of such Commission or Warrant, should have Power, under the Seal of the said United Company, to authorize and impower their President and Council for the Time being, at their principal Settlements respectively, or the major Part of them, and their Governor and Council for the Time being, at the said Island of *Saint Helena*, or the major Part of them, from Time to Time, to appoint Courts-martial, and to authorize and impower the Commander in Chief of any Detachment of any of the Officers or Soldiers employed in the said Company's Service, to appoint Courts-martial for the Trial of any of the Officers or Soldiers under their respective Commands, in which Courts-martial the Offences in the said Act mentioned should be tried and proceeded against in such manner as by the said Act is directed; and it is by the said Act provided and enacted, That it should be lawful for his Majesty to form, make, and establish Articles of War for the better Government of the said United Company's Forces, and for bringing Offenders against the same to Justice, and for other Purposes in the said Act mentioned: And whereas, after the passing of the said Act, and pursuant to the Powers therein, his said late Majesty was graciously pleased to grant a Commission or Warrant, under his Royal Sign Manual, for the Purposes in the said Act expressed, and also to form, make, and establish certain Rules and Articles of War for the better Government of the Officers and Soldiers in the Service of the said United Company: And whereas his present Majesty hath been lately graciously pleased to grant to the said Company his Royal Charter for erecting and holding, at the said Company's Settlement of *Fort Marlborough*, near *Bencoolen*, on the West Coast of the Island of *Sumatra* in the *East Indies*, Courts of Judicature, as well for Civil as Criminal Causes, and for other Purposes in the said Charter mentioned and expressed: And whereas it will be greatly to the Advantage of the said United Company, that their Presidents and Council for the Time being, at their said Settlement of *Fort Marlborough*, and also at any other principal Settlement the said Company may hereafter be possessed of, and wherein the said Company shall be authorized to hold Courts of Judicature as herein after-mentioned, should be impowered to appoint and hold Courts-martial, under the like Powers and Authorities, and in like Manner, as the same may be appointed and held under the said Act at the said Company's other principal Settlements in the said Act mentioned;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That his Majesty, his Heirs, or Successors, may, at any Time or Times hereafter, grant a Commission or Warrant, Commissions or Warrants, under his or their Royal Sign Manual, unto the Court of Directors of the said United Company for the Time being, who, by virtue of any such Commission or Warrant, shall have Power, under the Seal of the said United Company, to authorize and impower their Governor and Council for the Time being, at their said principal Settlement of *Fort Marlborough*, or the major Part of them, and their Governor and Council for the Time being, at every or any other principal Settlement which the said United Company shall at any Time or Times hereafter have, or be possessed of, within the Limits of Trade granted to the said Company, and wherein the holding of Courts of Judicature shall be authorized by any Charter or Letters Patent to be hereafter granted by his Majesty, his Heirs, or Successors, from Time to Time, to appoint Courts-martial; and to authorize and impower the Commander in Chief of any Detachment of Officers or Soldiers employed in the said Company's Service, to appoint Courts-martial for the Trial of any of the Officers or Soldiers under their respective Commands; in which Courts-martial all the Crimes and Offences mentioned and specified in the said in part recited Act, or in the said Rules and Articles of War already made, or in any other Rules and Articles of War to be hereafter made, pursuant to the Powers given by the said recited Act, committed within the said principal Settlement of *Fort Marlborough*, or the Districts thereof, or within any such other principal Settlement as aforesaid, shall and may be tried and proceeded against; and the Sentences or Judgments passed upon such Offenders, executed in such and the like Manner, and with the like Powers and Authorities, under and subject to such and the like Restrictions,

His Majesty may authorize the Court of Directors to impower the Governor and Council of their principal Settlement at Fort Marlborough, or elsewhere, where Courts of Judicature shall be authorized, to appoint Courts-martial for Trial of Offences.

Reſtrictions and Regulations, and by the ſame Means, Methods and Proceedings, Manner and Form, as ſuch or the like Offences committed in any of the ſaid Company's principal Settlements in the ſaid Act mentioned, may or can be tried and proceeded againſt by virtue of the ſaid Act and Articles of War, or either of them.

Oppreſſions, and other illegal Acts committed by the Preſidents or Council, may be inquired into and puniſhed by the Court of King's Bench, or Court of Commiſſioners in England.

II. And be it further enacted by the Authority aforeſaid, That if any of the ſaid United Company's Preſidents, or Council, at their ſaid Settlement of *Fort Marlborough*, or at any other principal Settlement, wherein the ſaid Company may be hereafter impowered to hold Courts of Judicature, ſhall be guilty of oppreſſing any of his Majeſty's Subjects beyond the Seas, within their reſpective Juriſdictions or Commands, or ſhall be guilty of any other Crime or Offence contrary to the Laws of that Part of *Great Britain* called *England*, or in force within their reſpective Juriſdictions or Commands, ſuch Oppreſſion, Crimes, and Offences, may be inquired of, heard, and determined in his Majeſty's Court of *King's Bench*, within that Part of *Great Britain* called *England*, or before ſuch Commiſſioners, and in ſuch County of that Part of *Great Britain* called *England*, as ſhall be aſſigned by his Majeſty's Commiſſion, and by good and lawful Men of the ſame County; and ſuch Puniſhment ſhall be inflicted on ſuch Offenders as are uſually inflicted for Offences of the like Nature committed in that Part of *Great Britain* called *England*.

CAP. XV.

An Act to enable his Majeſty to grant unto *George Keith*, late Earl Mariſchall, a Sum therein limited, out of the Principal Money and Intereſt now remaining due to the Publick on account of the Purchaſe Money of certain Parts of the forfeited Eſtates of the ſaid late Earl.

Preamble, reciting Act 1 Geo. 1. *c.* 50.

'WHEREAS by an Act of Parliament paſſed in the firſt Year of the Reign of his late Majeſty King *George* the Firſt, intituled, *An Act for appointing Commiſſioners to inquire of the Eſtates of certain Traitors, and of Popiſh Recuſants, and of Eſtates given to ſuperſtitious Uſes, in order to raiſe Money out of them ſeverally for the Uſe of the Publick*; the Eſtates of all Perſons who, ſince the twenty-fourth Day of *June* one thouſand ſeven hundred and fifteen, had been, or before the twenty-fourth Day of *June* one thouſand ſeven hundred and eighteen ſhould be, attainted of High Treaſon committed before the firſt Day of *June* one thouſand ſeven hundred and ſixteen, were veſted in his Majeſty for the Uſe of the Publick: And whereas by another Act of Parliament paſſed

1 Geo. 1. *c.* 42.

in the ſame Year, intituled, *An Act for the Attainder of* George *Earl of* Mariſchall, William *Earl of* Seaforth, James *Earl of* Southeſque, James *Earl of* Panmuir, *and others, of High Treaſon, unleſs they ſhall render themſelves to Juſtice by a Day certain therein mentioned*; *George Keith*, late Earl Mariſchall, was attainted of High Treaſon, whereby and by force of the ſaid firſt recited Act his Eſtate became veſted in the Crown for the Uſe of the Publick: And whereas by another Act of Parliament paſſed

and 4 Geo. 1. *c.* 8.

in the fourth Year of the Reign of his ſaid late Majeſty, intituled, *An Act for veſting the forfeited Eſtates in* Great Britain *and* Ireland *in Truſtees, to be ſold for the Uſe of the Publick*; *and for giving Relief to lawful Creditors by determining the Claims*; *and for the more effectual bringing into the reſpective Exchequers the Rents and Profits of the ſaid Eſtates till ſold*; the Eſtate of the ſaid *George Keith*, late Earl Mariſchall, in that Part of *Great Britain* called *Scotland*, was veſted in certain Truſtees therein named, to be ſold for the Uſe of the Publick: And whereas certain Parts or Portions of the ſaid Eſtate (the Rents whereof then amounted to the neat yearly Sum of two thouſand three hundred and eighty-four Pounds eighteen Shillings four Pence and two Thirds of a Penny Sterling) having been put up to publick Sale, in purſuance of the ſaid laſt mentioned Act, and ſold to *Robert Hacket*, of *London*, Eſquire, for the Sum of forty-one thouſand one hundred ſeventy-two Pounds ſix Shillings nine Pence and two Thirds of a Penny Sterling, Minutes or Articles of the ſaid Sale were, on or about the twenty-ſecond Day of *October* one thouſand ſeven hundred and twenty, executed between four of the Truſtees in the ſaid Act named and the ſaid *Robert Hacket*, whereby it was declared, that any Superiorities or Feu Duties which belonged to the ſaid *George Keith*, late Earl Mariſchall, and which were not expreſſed in the Particulars of the ſaid Eſtate, ſigned by one of the ſaid Commiſſioners and the ſaid *Robert Hacket*, were not to belong to the ſaid *Robert Hacket*, but were expreſsly excepted and reſerved to be afterwards expoſed to Sale by the ſaid Commiſſioners, as they ſhould think fit to direct; and it was alſo declared and agreed, that the ſaid Purchaſe Money, ſubject to certain contingent Deductions therein mentioned, ſhould be paid into the Exchequer on the firſt Day of *Auguſt* one thouſand ſeven hundred and twenty-one; and that, upon Payment thereof, an Indenture or Contract of Bargain and Sale of the Premiſſes, ſhould be executed to, and in Favour of, the ſaid *Robert Hacket*, or his Aſſigns: And whereas the ſaid *Robert Hacket*, by an Indenture executed by him, bearing Date the ſeventh Day of *March* one thouſand ſeven hundred and twenty-three, and recorded in the Books of Exchequer in *Scotland*, conveyed all his Right to the ſaid Premiſſes to, and in Favour of, the Governor and Company of Undertakers for raiſing the *Thames* Water in *York Buildings*: And whereas it appears by a Report of *David Moncrief*, his Majeſty's Deputy Remembrancer of his ſaid Court of *Exchequer* in *Scotland*, to the Barons of the ſaid Court, bearing Date the twenty-firſt Day of *December* one thouſand ſeven hundred and fifty-ſix, that there then was remaining due to the Publick a conſiderable Part of the ſaid Price or Purchaſe Money (after an Allowance of all Payments and Deductions) together with Intereſt for

'the

'the ſame, from the Feaſt or Term of *Whit-Sunday* one thouſand ſeven hundred and twenty-one: 'And whereas the ſaid *George Keith*, late Earl Mariſchall, did, upon his moſt humble and dutiful 'Submiſſion to his late Majeſty King *George* the Second, of bleſſed Memory, in the thirty-third 'Year of his ſaid late Majeſty's Reign, obtain an Act of Parliament for enabling him (amongſt 'other Things) to take, hold and enjoy, notwithſtanding his ſaid Attainder, all ſuch Lands, Tene-'ments, and Hereditaments, as he ſhould at any Time or Times thereafter purchaſe or acquire, 'and all ſuch Perſonal Eſtate and Effects as he then was, or at any Time or Times thereafter ſhould 'be, poſſeſſed of or intitled unto, in as full, ample, and beneficial Manner, as he might take, hold, 'purchaſe, acquire, or enjoy the ſame, in caſe no ſuch Attainder had ever been, as in and by the 'ſaid ſeveral Acts of Parliament, and Proceedings in the ſaid Court of *Exchequer*, Relation unto them 'reſpectively being had, may more fully appear: And whereas, upon the humble Repreſentation of 'the ſaid late Earl's Sufferings, and of the Diſtreſſes of his Family, and of his Intention to apply to 'Parliament for an Act of Parliament to grant to him ſuch Principal Money and Intereſt as remain 'due to the Publick, on account of the Price or Purchaſe Money ſo contracted to be paid for the 'ſaid Parts of his Eſtate, after Payment and Satisfaction of all lawful Debts and Claims which 'affected the ſame at the Time of his Attainder, your Majeſty has been graciouſly pleaſed to ſignify 'to your Parliament your Conſent that they might do therein as they ſhould think fit:' Wherefore your Majeſty's faithful Commons, in Parliament aſſembled, do humbly beſeech your Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, his Heirs, and Succeſſors, and his Majeſty, his Heirs and Succeſſors, are hereby authorized and impowered, by any Letters Patent or Indenture, or by ſeveral Letters Patent or Indentures, under the Great Seal of *Great Britain*, or under the Seal of his Majeſty's Court of *Exchequer* in *Scotland*, hereafter to be made, to give and grant unto the ſaid *George Keith*, late Earl Mariſchall, his Executors, Adminiſtrators, and Aſſigns, or any of them, or to ſuch other Perſon or Perſons as his Majeſty, his Heirs, and Succeſſors, ſhall think fit, and his or their Executors, Adminiſtrators, and Aſſigns, to the Uſe of, or in Truſt for, the ſaid *George Keith*, late Earl Mariſchall, his Executors, Adminiſtrators, and Aſſigns, or any of them, any Sum not exceeding three thouſand ſix hundred and eighteen Pounds nine Shillings and two Twelfths of a Penny Sterling, Principal Money, together with Intereſt for the ſame, from the Feaſt or Term of *Whit-Sunday* in the Year ſeventeen hundred and twenty-one, out of ſuch Principal Money and Intereſt as now remains due and owing to the Publick, for or upon account of the Price or Purchaſe Money ſo contracted to be paid for the ſaid Parts of the Eſtate of the ſaid *George Keith*, late Earl Mariſchall, after Payment and Satisfaction of all lawful Debts and Claims which affected the ſame at the Time of his Attainder, or do now affect the ſame, by force of any ſubſequent Act of Parliament, the Amount of ſuch Principal and Intereſt as now remains due and owing to the Publick; to be ſettled and aſcertained by the Authority of the ſaid Court of *Exchequer* in *Scotland*, according to the uſual Courſe of Proceeding practiſed in the ſaid Court in the like Caſes.

His Majeſty, &c. impowered to grant unto George Keith, late Earl Mariſchall, any Sum not exceeding 3,618 l. 9 s. and two Twelfths of a Penny, with Intereſt for the ſame, from Whit-Sunday 1721, out of the Purchaſe Money and Intereſt due to the Publick for certain Parts of his Eſtate:

The ſame to be ſettled by the Court of Exchequer in Scotland.

II. And be it further enacted by the Authority aforeſaid, That from and immediately after ſuch Grant, the Principal Money and Intereſt which ſhall be ſo granted as aforeſaid, and all the Right and Title which the Publick, or the Barons of the ſaid Court of *Exchequer* in *Scotland*, for their Uſe, or in Truſt for them, now reſpectively have in or to the ſame, ſhall be, and the ſame are hereby veſted in the Grantee or Grantees to be named in ſuch Letters Patent, Indenture or Indentures reſpectively, and his or their reſpective Executors, Adminiſtrators, or Aſſigns, according to the Tenor and Effect of ſuch Grant; the ſaid Attainder of the ſaid late Earl, and the ſeveral Acts of Parliament concerning the forfeited Eſtates, or any of them, to the contrary thereof in any wiſe notwithſtanding: And alſo that from and after Payment of the Principal Money and Intereſt ſo granted as aforeſaid to ſuch Grantee or Grantees, or his or their Executors, Adminiſtrators or Aſſigns, according to the Tenor and Effect of the ſaid Grant, the ſaid Parts of the ſaid late Earl's Eſtate, ſo ſold to the ſaid *Robert Hacket*, ſo far as concerns the Principal Money and Intereſt ſo granted as aforeſaid, ſhall not be liable to any Claim or Demand of or by the Public, or of the Barons of the ſaid Court of *Exchequer*, to their Uſe, or in Truſt for them.

The Money and Intereſt granted to veſt in the Grantees named in the Letters Patent;

and after Payment thereof, the ſaid Parts of the Eſtate are diſcharged from all Claim thereon.

III. And be it further enacted by the Authority aforeſaid, That this Act, and every Matter and Thing herein contained, ſhall in all Courts of Law and Equity, and all other Places, be conſtrued and adjudged as largely and beneficially as can be, for the Ends and Purpoſes herein expreſſed.

Beneficial Interpretation of this Act.

IV. Saving to the King's moſt Excellent Majeſty, his Heirs and Succeſſors, and to all and every other Perſon and Perſons, Bodies Politick and Corporate (other than and except the ſaid King's Majeſty, his Heirs and Succeſſors, and the Barons of the *Exchequer* in *Scotland*, in reſpect of the Principal Money and Intereſt which ſhall be ſo granted as aforeſaid) all ſuch Right, Title, Intereſt, Claim, and Demand of, in, to, or out of the ſaid Parts of the Eſtate of the ſaid *George Keith*, late Earl Mariſchall, as they ſeverally have or might have, claim, challenge or demand, in caſe this Act had never been made.

Reſervation of Rights.

CAP.

CAP. XVI.

An Act to continue the Duties for Encouragement of the Coinage of Money.

May it please your most Excellent Majesty,

Preamble, reciting the several Acts of 18 Car. 2. c. 5. 25 Car. 2. c. 8. 1 Jac. 2. c. 7. 4 W. & M. c. 24. 12 & 13 W. 3. c. 11. 7 Annæ, c. 24. 4 Annæ, c. 22. 1 Geo. 1. c. 43. 9 Geo. 1. c. 19. 4 Geo. 2. c. 12. 9 Geo. 2. c. 23. 12. Geo. 2. c. 5. 19 Geo. 2. c. 14. 27 Geo. 2. c. 11.

'WHEREAS by an Act made in the eighteenth Year of the Reign of King *Charles* the Second, and continued, with some Additions, by an Act made in the 25th Year of his Reign, both which Acts were revived, and further continued, by an Act made in the first Year of the Reign of King *James* the Second, and further continued by several subsequent Acts made in the fourth Year of the Reign of King *William* and Queen *Mary*, and in the twelfth and thirteenth Year of the Reign of King *William* the Third, certain Rates and Duties were imposed on all Wines, Vinegar, Cyder, and Beer, and also on all Brandy Wines and Strong Waters, imported or brought into the Port of *London*, or into any other Ports, Creeks, or Places, within the Kingdom of *England*, Dominion of *Wales*, or Town of *Berwick* upon *Tweed*, the said several Rates and Duties to be applied towards defraying the Charge of the Coinage of Gold and Silver Monies in the Mints of *England*: And whereas after the Union of the two Kingdoms of *England* and *Scotland*, an Act was made in the seventh Year of the Reign of Queen *Anne*, whereby the like Rates and Duties were granted and made payable for the like Purposes, and for the Term therein mentioned, on all Wines, Vinegar, Cyder, Beer, Brandy Wines and Strong Waters, imported into *Great Britain*; and the said Acts made in the eighteenth and twenty-fifth Years of the Reign of King *Charles* the Second, and also an Act made in the fourth Year of the Reign of Queen *Anne*, and every Clause, Article, and Sentence, in the said Acts, or any of them contained, were revived, and further continued, with some additional Provisions, for the Service of the Mints in *England* and *Scotland* respectively: And whereas by an Act made in the first Year of the Reign of King *George* the First, the said several Rates and Duties, and all the said former Acts, and all other Acts of Parliament concerning Coinage then being in Force, were revived and continued for the further Term therein mentioned; and a Provision was thereby made for supplying any Deficiency of the Revenue settled for the Encouragement of the Coinage: And whereas the said several Rates and Duties, and all the said Acts concerning Coinage, were, with a like Provision for supplying any Deficiency of the said Revenue, further continued by several subsequent Acts made in the ninth Year of the Reign of King *George* the First, and in the fourth Year of the Reign of his late Majesty King *George* the Second: And whereas by an Act made in the ninth Year of the Reign of his said late Majesty King *George* the Second, the said Duties on Brandy Wines and Strong Waters, were united to the Aggregate Fund, and still continue Part thereof: And whereas by an Act made in the twelfth Year of the Reign of his said late Majesty King *George* the Second, and also by one other Act made in the nineteenth Year of the Reign of his said late Majesty, such only of the said Rates and Duties so granted by the said Act made in the Eighteenth Year of the Reign of King *Charles* the Second, as were thereby charged on the Importation of Wines, Vinegar, Cyder, and Beer, and all the said former Acts, and all other Acts of Parliament concerning Coinage, then being in Force, and the same Provision for supplying any Deficiency of the said Revenue, were further continued, and, by an Act made in the twenty-seventh Year of the Reign of his said late Majesty King *George* the Second, have Continuance for the Space of seven Years from the first Day of *March* one thousand seven hundred and fifty-four, and until the End of the first Session of Parliament then next following, and no longer: And whereas great Benefit hath arisen from the Encouragement of Coinage given by the said Acts, and it is therefore expedient that an adequate Revenue be settled and continued for the like Purposes: We, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament assembled, do give and grant unto your Majesty the Rates, Duties and Impositions herein after-mentioned, for and during the Term herein after-expressed; and do humbly pray, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons in this present Parliament assembled, and by the Authority of the same, That

Coinage Duties granted by Act 18 Car. 2. continued for 7 Years, from 1 March 1761.

such and the like Rates, Duties, and Impositions, as by the said Act of the eighteenth Year of the Reign of King *Charles* the Second were granted, and, by the said subsequent Acts, were continued, for and upon the Importation of Wines, Vinegar, Cyder, and Beer, during the respective Terms therein mentioned, shall be further continued, and be paid and payable to his Majesty, his Heirs, and Successors, for and upon all Wines, Vinegar, Cyder, and Beer, which shall be imported or brought into *Great Britain*, within or during the Space of seven Years, to commence from the first Day of *March* one thousand seven hundred and sixty-one, and until the End of the first Session of Parliament then next following, and no longer; and that all the said former Acts, and all other Acts of Parliament concerning Coinage, and every of them, and every Clause, Article, and Sentence in them, or any of them, contained, now being in Force, shall be, and are, by virtue of this Act, continued, and shall be in Force, and be duly put in Execution, for and during all such Time and Term as are before-mentioned, as fully and effectually as if the same were particularly repeated and re-enacted in the Body of this present Act.

The recited, and other Acts concerning Coinage, to be in Force during the said Term.

II. And, to the end the Importers of Gold and Silver into the Mints of *England* and *Scotland* respectively, may not be discouraged by any Deficiency of the Revenue by this Act settled for defraying the Coinage thereof, Be it further enacted by the Authority aforesaid, That it shall and may be lawful

ful to and for the Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, and he or they is or are hereby impowered and directed, out of the Monies ariſing by this Act, or out of any other publick Supplies granted, or to be granted, by Parliament, to cauſe ſo much Money to be applied as ſhall be neceſſary for defraying the Expences of the ſaid Mints of *England* and *Scotland* reſpectively, by way of Impreſt and upon Account for that Service, ſo as the ſame, together with the Coinage Duties ariſing by this Act, do not exceed, in any one Year, the Sum of fifteen thouſand Pounds, and ſo as the ſaid Monies be iſſued out of the Exchequer of *Great Britain* to the Maſter of the Mint in *England*, and to the Maſter of the Mint in *Scotland* reſpectively, for the ſaid Purpoſes.

Treaſury impowered to iſſue what Monies ſhall be neceſſary for defraying the Expences of the Mints in England and Scotland,

ſo as, together with the Coinage Duties, not to exceed 15,000l. in any Year, &c.

CAP. XVII.

An Act for Relief of Inſolvent Debtors.

'WHEREAS many Perſons, by Loſſes and other Misfortunes, are rendered incapable of paying their whole Debts; and though they are willing to make the utmoſt Satisfaction they can, and many of them are able to ſerve his Majeſty by Sea or Land, yet are detained in Priſon by their Creditors, or have been forced to go into foreign Parts out of this Realm: And whereas ſuch unhappy Debtors have always been deemed the proper Objects of publick Compaſſion; and, by ſeveral Acts of Parliament, have been diſcharged on the Conditions in ſuch Acts mentioned: For the Relief therefore of Inſolvent Priſoners and Fugitives who ſhall comply with the Terms contained in this Act to be reſpectively obſerved by them, and faithfully diſcover, upon Oath, and deliver up and aſſign, all their Effects and Eſtates whatſoever for the Benefit of their Creditors; and to prevent, as far as poſſible, the many Frauds and Abuſes which, in a great meaſure, have obſtructed the good Ends of ſuch Acts;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, all and every Gaoler, or Keeper of any Priſon, in any County, Riding, Diviſion, City, Town, Place, or Liberty, within this Kingdom, ſhall, is, and are hereby required to make a true, exact, and perfect Liſt, alphabetically, of the Name or Names of all and every Perſon or Perſons who, upon the twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, was, or were, or at any Time ſince have been, and at the Time of making out every ſuch Liſt, ſhall be, really an actual Priſoner or Priſoners, in the Cuſtody of any Gaoler or Gaolers, or Keeper of any Priſon reſpectively, upon any Proceſs whatſoever, for or by reaſon of any Debt, Damage, Coſts, Sum or Sums of Money, Contempt, or otherwiſe, and an Account of the Time when ſuch Priſoner or Priſoners was or were reſpectively charged in Cuſtody, or received in Priſon, together with the Name or Names of the Perſon or Perſons at whoſe Suit or Proſecution ſuch Priſoner or Priſoners is or are detained; and ſhall deliver the ſame to the Juſtices of the Peace, at their firſt or ſecond General or General Quarter Seſſion of the Peace, to be held after the thirty-firſt Day of *March* one thouſand ſeven hundred and ſixty-one, or at ſome Adjournment thereof, for ſuch County, Riding, Diviſion, City, Town, Place, or Liberty reſpectively.

Preamble.

Alphabetical Liſts to be made out of Priſoners in Cuſtody for Debt on 25 October 1760, or ſince then;

with the Time when charged, and at whoſe Suit:

The ſame to be delivered into the Quarter Seſſions.

II. And be it further enacted, That the Warden of his Majeſty's Priſon of the *Fleet*, and Marſhal of the *King's Bench* Priſon, ſhall ſeverally, on the delivering in of any ſuch Liſt of Priſoners in their reſpective Cuſtody, take an Oath in the open Court of ſuch General or General Quarter Seſſion of the Peace, or at ſome Adjournment thereof, to the Effect following; (that is to ſay)

The Warden of the Fleet, and Marſhal of the King's Bench Priſon, to take the following Oath on delivering in their Liſts.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, profeſs, and declare, That all and every Perſon and Perſons, whoſe Name or Names is or inſerted and contained in the firſt Part of the Liſt by me now delivered in and ſubſcribed, was and were, to the beſt of my Knowledge and Belief, upon the twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, really and truly Priſoners, in actual Cuſtody, in the Priſon or Gaol of [*inſert the Name of the Priſon*] at the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively mentioned; and alſo that all and every Perſon or Perſons, whoſe Name or Names is or are inſerted or contained in the ſecond Part of the ſaid Liſt now by me delivered in and ſubſcribed as aforeſaid, have ſince the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, been committed or ſurrendered to the ſaid Gaol or Priſon of [*inſert the Name of the Gaol or Priſon*] at the Suit or Suits of the ſeveral Perſon or Perſons therein reſpectively mentioned; except ſuch Perſon or Perſons who is or are in ſuch Liſt particularly mentioned and deſcribed to have died, been diſcharged, or removed to ſome other Priſon, by Proceſs of Law, ſince the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty; and alſo except ſuch Perſon or Perſons who is or are in ſuch Liſt particularly mentioned and deſcribed to have been permitted to have gone out of the ſaid Priſon, by Day Rules of the Court of [Common Pleas, *or* King's Bench, *as the Caſe ſhall be*] ſince the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, to tranſact their Affairs; and alſo except ſuch Perſon or Perſons who is or are therein alſo particularly mentioned and deſcribed to have, upon the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, or ſince, been in the Rules of the ſaid Priſon [*of the* Fleet *or* King's Bench, *as the Caſe ſhall be*] by Leave of the [*Warden or Marſhal of the ſaid Priſon, as the Caſe ſhall be*] and have to the beſt of my Knowledge and Belief, really and truly, ever ſince continued and remained in actual Cuſtody

'in the said Prison [*of the* Fleet *or* King's Bench, *as the Case shall be*] or the Liberties thereof, at the 'Suit or Suits of the several Persons in the said Lists respectively mentioned [*and if any Prisoners have 'since the said twenty-fifth Day of* October *one thousand seven hundred and sixty, escaped out of either of 'the said Prisons, then insert*, except [*insert the Name or Names of the Prisoner or Prisoners who have 'escaped*] who without my Knowledge, Privity, or Consent, hath or have escaped out of the said 'Prison of and that the said List is a true, exact, perfect, and just List of all such Per-'sons who were really and truly Prisoners in actual Custody in the said Gaol or Prison of 'on the said twenty-fifth Day of *October* one thousand seven hundred and sixty, and who, since the 'said twenty-fifth Day of *October* one thousand seven hundred and sixty, have been committed to, 'and really have been, and now is or are Prisoner or Prisoners in actual Custody in the said Gaol or 'Prison of or the Liberties thereof; and that none of such Prisoners, to my Knowledge, 'or with my Privity, have voluntarily, or with Design, or in Expectation to take any Benefit from 'or under any Act of Parliament to be made for Relief of Insolvent Debtors, surrendered themselves, 'or been committed to the said Prison, or got their Names entered as Prisoners in the Books of the 'said Prison; or since the same twenty-fifth Day of *October* one thousand seven hundred and 'sixty, to my Knowledge, or with my Privity, have resided out of the said Prison of 'or the Rules thereof [*but if any have so done, add*, except *naming such by Name*].

Other Gaolers to take the following Oath on delivering in their Lists.

And that every other Gaoler and Keeper of any other Prison or Prisons in any County, City, Town, Riding, Division, Place, or Liberty, shall severally, on the delivering in of any such List respectively, take an Oath in the open Court of the General or General Quarter Session of the County, City, Town, Division, Liberty, or Place, for which he or she shall deliver in any such List, and swear to the Effect following; (that is to say)

'I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, profess, 'and declare, That all and every Person and Persons, whose Name or Names are inserted and 'contained in the first Part of the List by me now delivered in and subscribed, was and were, to the 'best of my Knowledge and Belief, upon the twenty-fifth Day of *October* one thousand seven hun-'dred and sixty, really and truly Prisoners in actual Custody, in the Prison or Gaol of at 'the Suit or Suits of the several Persons therein respectively mentioned; and also that all and every 'Person and Persons, whose Name or Names is or are inserted or contained in the second Part of the 'said List now by me delivered in and subscribed as aforesaid, have, since the said twenty-fifth Day 'of *October* one thousand seven hundred and sixty, been committed or surrendered to the said Gaol or 'Prison of *(if any such Prisoner or Prisoners hath or have, since the said twenty-fifth Day 'of* October *one thousand seven hundred and sixty, been committed or surrendered to such Gaol or Prison)* 'at the Suit or Suits of the several Person or Persons therein respectively mentioned (except [*if an 'Exception is necessary*] such Persons as are therein particularly mentioned and described to have died, 'been discharged, or removed to some other Prison by Process of Law, or to have escaped out of 'such Prison, without my Privity, Knowledge, or Consent, since the said twenty-fifth Day of *Oc-'tober* one thousand seven hundred and sixty) and that all and every of them, whose Name and 'Names is and are contained in the first Part of the said List (except as before excepted) to the best 'of my Knowledge and Belief, have really and truly continued and remained in actual Custody, in 'the said Gaol or Prison of ever since the said twenty-fifth Day of *October* one thou-'sand seven hundred and sixty; and that the said List is a true, exact, perfect, and just List, of all 'such Persons as were really and truly Prisoners in actual Custody, in the Gaol or Prison of 'on the said twenty-fifth Day of *October* one thousand seven hundred and sixty, and who, since the 'said twenty-fifth Day of *October* one thousand seven hundred and sixty, have been really and truly 'committed, or surrendered to the said Gaol or Prison of (except as before excepted) 'to the best of my Knowledge and Belief; and that none of such Prisoners, to my Knowledge or 'with my Privity, have voluntarily, or with Design, or in Expectation to take any Benefit from or 'under any Act of Parliament to be made for Relief of Insolvent Debtors, surrendered, or been 'committed to the said Prison of or got his, her, or their Name or Names entered as 'Prisoner or Prisoners in the Books of the said Prison, or since their Commitment, have to my 'Knowledge, or with my Privity, resided out of the said Prison of [*if any have so 'done, then add*, except *inserting their Names*].

The Oaths to be administered by the Justices in Court, and entered and subscribed at the Bottom of each List.

Which said respective Oaths the said Justices at the first or second General or Quarter Session aforesaid, or at some Adjournment thereof, within their respective Jurisdictions, are hereby impowered and required to administer in open Court; and the Words of the said Oath herein before directed to be taken by the said Warden and Marshal respectively, shall be entered or written at the End or Bottom of the List which shall be delivered in by them respectively, and shall be subscribed and sworn to by them respectively in open Court; and the Words of the Oath to be taken by every other Gaoler or Keeper respectively, shall be entered or written at the End or Bottom of the List which shall be delivered by them respectively, and shall be subscribed and sworn to by them respectively in open Court: And every such List which shall be so delivered in, subscribed, and sworn to, in pursuance of this Act, shall be kept by the Clerk of the Peace of every such County, Riding, Division, City, Town, Place, or Liberty respectively, in which any such List as aforesaid shall be sworn to, for the better Satisfaction of the said Justices, and Information of all or any Prisoner or Prisoners therein

List to be kept by the Clerk of the Peace.

therein named; and so as the same may, from Time to Time, be seen and examined by any Creditor or Creditors of such Prisoner or Prisoners, without Fee or Reward.

Copies of the Lists to be delivered in to be fixed up in the Prisons, and on the Gates thereof.

III. And be it further enacted by the Authority aforesaid, That all and every Gaoler and Gaolers, and Keeper of any Gaol or Prison, is and are hereby required, ten Days at least before the first or second General or Quarter Session of the Peace shall be held after the said thirty-first Day of *March* one thousand seven hundred and sixty-one, for the County, Riding, Division, City, Town, Place or Liberty, in which any such Gaol or Prison shall be, or to which the same shall belong, to fix up, in some conspicuous Place or Places in every such Prison, and at the most frequented and usual Gate, Door, or Entrance into every such Prison, three or more true Copies of the List or Lists proposed or intended to be delivered in by any such Gaoler or Keeper, at the said General or Quarter Session, or at some Adjournment thereof.

Persons inserted in the Lists being Prisoners, without a fraudulent Intention, on 25 October 1760,

conforming to the Regulations of this Act, shall be discharged.

IV. And be it further enacted, That all and every Person and Persons whose Name or Names shall be inserted in any such List to be delivered in as aforesaid, who, upon the twenty-fifth Day of *October* one thousand seven hundred and sixty, were really and truly Prisoners in the actual Custody of any Gaoler or Gaolers, or Keeper of any Prison respectively of this Kingdom, and did not come into, or get his, her, or their Names entered in the Book of any Gaol or Prison as a Prisoner or Prisoners there, with a View or Design to take the Benefit of some Act for Relief of Insolvent Debtors, and who shall take the Oath herein after-mentioned, and shall perform on his or her Part what is required to be done by him or her by this Act, shall be for ever released and discharged from his or her Imprisonment, in such Manner as hereafter is provided.

Prisoners in Custody at the Time of passing this Act, who were arrested for Debt on or before 25 October 1760, and held to Bail, and rendered themselves, &c. on or before 28 Nov. 1760, on conforming to the Regulations of this Act, shall be discharged.

V. Provided always, and be it enacted by the Authority aforesaid, That any Prisoner or Prisoners who shall be in actual Custody at the Time of passing this Act, and was or were, on or before the twenty-fifth Day of *October* one thousand seven hundred and sixty, arrested for any Sum or Sums of Money by virtue of any Writ or Process issuing out of any Court of Record, and held to Bail thereon, and did, on or before the twenty-eighth Day of *November* one thousand seven hundred and sixty, render him, her, or themselves, or was or were surrendered in discharge of his, her, or their Bail, and thereupon committed to Prison, and has or have continued therein until the passing of this Act, by virtue of such Commitment; every such Prisoner or Prisoners shall, upon due Proof of the Premisses upon Oath, be discharged from such Debt or Demand, in like manner as if such Prisoner or Prisoners had been actually in Prison upon the said twenty-fifth Day of *October* one thousand seven hundred and sixty, and continued therein as aforesaid; subject nevertheless to the same Restrictions and Provisions, and a Compliance with the like Terms, Conditions, and Qualifications, herein before imposed upon Prisoners actually in Custody upon the said twenty-fifth Day of *October* one thousand seven hundred and sixty; and also subject to the same Terms and Provisions relating to the Estate and Effects of every such Prisoner as aforesaid.

Justices upon the Petition of the Prisoner, and his delivering a Schedule of his Estate,

are to issue their Warrant for bringing the Prisoner to the Quarter Sessions, &c.

with the Warrant of Detainer and Copy of the Writ, &c.

Gaoler, &c. to obey such Warrant.

VI. And be it further enacted, That it shall be lawful for any Justice or Justices of any County, Riding, Division, City, Town, Place, or Liberty, within this Kingdom, upon the Petition of any such Prisoner or Prisoners to any Justice or Justices of the Peace within his or their respective Jurisdictions (upon every such Prisoner or Prisoners so petitioning, and at the Time of his or her so petitioning, leaving with the Justice or Justices of the Peace, who shall be so petitioned, a true Copy of the Schedule, containing his or her intended Discovery of his or her real and personal Estate; to be sworn to at the first or second General or Quarter Session next ensuing after every such Petition, or some Adjournment thereof) by Warrant under his Hand and Seal, or their Hands and Seals, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of any such Prison within the Jurisdiction of any such Justice or Justices, to bring before the Justices at the first or second next General or General Quarter Session of the Peace, or any Adjournment thereof, to be held, as the Case shall happen to be, next after the Expiration of ten Days from the Date of such Warrant, for such respective County, Riding, Division, City, Town, Place, or Liberty, the Body of any Person being in the said Prison as aforesaid, with the Warrant or Warrants of his or her Detainer, together with a Copy or Copies of the Cause or Causes which he, she, or they, is or are charged with in any such Gaol or Prison as aforesaid, at the Time aforesaid; which Warrant of every such Justice or Justices, every such Sheriff and Sheriffs, Gaoler or Keeper, is and are hereby commanded to obey.

Schedule of the Prisoner's Estate to be transmitted to the Clerk of the Peace,

for the Inspection of the Creditors.

VII. And be it also enacted, That the Copy of every Schedule which shall be left with any such Justice or Justices, shall, within ten Days after the same shall be so left, be transmitted by the Justice or Justices, with whom the same shall be so left, to the Clerk of the Peace for the County, Riding, Division, City, Town, Place, or Liberty, in which the same shall have been so left, there to remain and be inspected, from Time to Time, as Occasion shall require, by any Creditor of any such Prisoner who shall desire to inspect the same.

Prisoners intending to petition for their Discharge, are to give previous Notice thereof thrice in the Gazette, and other News Papers;

Contents of the Notice.

VIII. And be it further enacted, That all and every Prisoner and Prisoners, who shall intend to petition to be discharged under this Act, as aforesaid, shall first cause public Notice to be inserted in three several *London Gazettes* previous to such General or Quarter Session, or the Adjournment thereof, at which the said Prisoner or Prisoners shall apply to be discharged from any Gaol in *London*, or within the Weekly Bills of Mortality; and if such Prisoner shall be in Custody in any Gaol out of *London*, or the Weekly Bills of Mortality, then also in some News Paper which shall be published in or near the County, Riding, Division, City, Town, Liberty, or Place, in the Gaol whereof he or she shall be so in Custody; containing the Name, Trade, or Occupation, and two last Places of Abode, if so many, of every such Prisoner and Prisoners, and the Prison wherein he, she, or they, is or are confined, and of his, her, or their Intention to take the Benefit of this Act, and mentioning

2 d. each Time and no more, to be paid for inſerting ſuch Notices.

First Notice to be inſerted 20 Days, and the laſt 10 Days before the Quarter Seſſions, &c.

tioning ſuch Notice in each Gazette or News Paper, to be the firſt, ſecond, or third Notice, according to the Time of publiſhing each of ſuch Notices; and for the inſerting of each of which ſaid ſeveral Notices in the ſaid Gazette, or in any other News Paper, there ſhall be paid, each Time, by every ſuch Priſoner, two Pence, and no more: The firſt of which ſaid Notices ſhall be ſo inſerted in the ſaid Gazette, or in the ſaid other News Paper, as the Caſe may require, thirty Days at leaſt, and the laſt of the ſaid Notices ten Days at leaſt, before any ſuch firſt or ſecond General or Quarter Seſſion, or Adjournment thereof ſhall be held as aforeſaid; ſo that as well all the Creditors who have not charged the ſaid Priſoner or Priſoners in Cuſtody, as thoſe Creditors who have charged ſuch Priſoner or Priſoners in Execution, or on meſne Proceſs, or otherwiſe, may have ſufficient Notice thereof.

Priſoner being brought into Court, due Publication of the Notices required being proved, &c.

IX. And be it further enacted, That every ſuch Priſoner as aforeſaid, who, in purſuance of any ſuch Warrant as aforeſaid, ſhall be brought to any General or General Quarter Seſſion, or any Adjournment thereof, ſhall, in caſe it ſhall be proved upon Oath, or by producing the ſaid three Gazettes and News Papers before mentioned to the ſaid Juſtices at any ſuch Seſſion, or the Adjournment thereof, that ſuch Notices were ſo inſerted in the *London Gazette*, and other News Papers, where required, in manner as herein before is directed; and that the Perſon or Perſons ſo petitioning, was or were actually a Priſoner or Priſoners on the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, or ſince, in the Gaol or Priſon in which his, her, or their, Name or Names is or are ſpecified in the Liſt of Priſoners, there delivered in at any ſuch firſt or ſecond Seſſion, or any Adjournment thereof as aforeſaid, in purſuance of this Act, ſhall, in open Court at the ſaid General or Quarter Seſſion, or ſome Adjournment thereof, ſubſcribe and deliver in a true Schedule or Account of all his or her real Eſtate, either in Poſſeſſion, Reverſion, Remainder, or Expectancy; and alſo of the Whole of his or her perſonal Eſtate which he or ſhe, or any Perſon or Perſons in Truſt for him or her, or for his or her Uſe, Benefit, or Advantage, is or are ſeiſed of, intereſted in, or intitled to, with the Names of his or her ſeveral Debtors, and where they reſpectively live, or may be met with; and the ſeveral Sums of Money from them reſpectively owing, and how the ſame reſpectively became due, and are ſecured; and if by Mortgage, Specialty, Contract, Note, or other Writing, then the Name and Names and Places of Abode of the ſeveral Witneſſes who can prove ſuch Debts or Contracts (if there be any ſuch) and ſhall alſo make Oath and ſwear to the Effect following; (that is to ſay)

is to deliver in a Schedule of his Eſtate, Debts and Creditors.

Priſoner's Oath on delivering in the ſaid Schedule.

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, do ſolemnly ſwear, proteſt, and declare, That on the twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, I 'was a Priſoner, or elſe, *as the Caſe may be*, that, ſince the twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, I have ſurrendered, or have been committed to the Priſon of 'in diſcharge of my Bail, or for Want of Bail, *as the Caſe ſhall be*; and that I was actually arreſted 'before the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, in the Action or 'Suit, Actions or Suits, in which I ſurrendered, or was committed, as aforeſaid, to the ſaid Gaol or 'Priſon of and that I have, ever ſince my ſaid Surrender or Commitment, continued 'a Priſoner within the Priſon of in the actual Cuſtody of the Gaoler or Keeper 'of the ſaid Priſon of or within the Liberties thereof, at the Suit of 'and without any Fraud or Colluſion whatſoever; and that the Shedule now delivered by me and 'ſubſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, 'true, and perfect Account and Diſcovery of all the Goods, Effects, and Eſtates, real and perſonal, either in Poſſeſſion, Reverſion, Remainder, or Expectancy, which I, or any Perſon in 'Truſt for me, or for my Benefit or Advantage, am ſeiſed or poſſeſſed of, intereſted in, or intitled 'to; and of all Debts as are to me owing, or to any Perſon or Perſons in Truſt for me; and of 'all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or any Benefit or Advantage may accrue to me, or to my Uſe, or to any Perſon or Perſons 'in Truſt for me; and the Names and Places of Abode of the ſeveral Perſons from whom ſuch Debts 'are due and owing; and of the Witneſſes that can prove ſuch Debts or Contracts, *if any ſuch there be*; 'and that neither I, nor any other Perſon or Perſons in Truſt for me, or for my Uſe, have any Lands, 'Money, Stock, or any Eſtate, real or perſonal, in Poſſeſſion, Reverſion, or Remainder or Expectancy, other than what are in the ſaid Schedule contained; except Wearing Apparel, and Bedding for myſelf and Family, Working Tools, and neceſſary Implements for my Occupation and 'Calling, and theſe in the whole not exceeding the Value of ten Pounds; and that I have not, nor 'nor any Body for me hath, directly or indirectly, ſold, leſſened, or otherwiſe conveyed, diſpoſed 'of in Truſt, or concealed, all or any Part of my Lands, Money, Goods, Chattels, Stock, Debts, 'Securities, Contracts, or Eſtate, real or perſonal, whereby to ſecure the ſame, or to receive or 'expect any Profit or Advantage thereof, or with Intent to defraud or deceive any Creditor or Creditors, to whom I am or was indebted in any wiſe whatſoever.

So help me GOD.'

Schedule and Oath to be ſubſcribed in the Court; and lodged with the Clerk of the Peace, for the Examination of the Creditors.

And the ſaid Schedule and Oath ſhall be by every ſuch Priſoner ſubſcribed in the Preſence of the Juſtices in open Seſſion of the Peace as hereby is directed, and ſhall be kept by, and remain with, the Clerk of the Peace for the County, City, Liberty, Diviſion, Town, or Place, where the ſame ſhall be ſubſcribed and taken, for the better Information of all the Creditors of ſuch Priſoner who ſhall deſire, or may have Occaſion, to reſort thereto; and every ſuch Creditor ſhall be at Liberty, at ſeaſonable Times in the Day-time, to peruſe and examine over the ſame.

X. And

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X. And be it further enacted, That the Juſtices within their reſpective Juriſdictions, at any ſuch General or General Quarter Seſſion, or Adjournment thereof, at the Requeſt of any Creditor or Creditors of any ſuch Priſoner, are hereby authorized to cauſe the Deputy Warden and Marſhal of the *Fleet* and *King's Bench* Priſon, and any other under Officer, Tipſtaff, and Turnkey of any Gaol or Priſon, and any other Perſon, to come before them, and to examine them reſpectively there on Oath, touching any of the Matters contained in any of the Oaths preſcribed by this Act to be taken, and the Truth thereof; and if the Oath which ſhall have been taken in open Court by any ſuch Priſoner or Priſoners ſhall not be diſproved by good Teſtimony of any credible Perſon or Perſons on Oath, and ſuch Juſtices, or the major Part of them, preſent at any ſuch General or Quarter Seſſion, ſhall be ſatisfied with the Truth of the Oath taken by any ſuch reſpective Priſoner, then ſuch Juſtices ſhall, in ſuch Seſſion, or ſome Adjournment thereof, command the ſaid Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, forthwith to ſet at Liberty ſuch Priſoner or Priſoners without having or taking any Fee or Reward, other than one Shilling for his or their Attendance with ſuch Priſoner or Priſoners at ſuch General or Quarter Seſſion, or any Adjournments thereof, in order for his, her, or their Diſcharge, and which every ſuch Sheriff or Sheriffs, Gaoler or Gaolers, Keeper or Keepers of ſuch Priſon or Priſons, is and are hereby authorized to receive and take for every ſuch Order: And every ſuch Order ſhall be a ſufficient Diſcharge to the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of ſuch Priſon or Priſons, and ſhall indemnify him or them againſt any Eſcape or Eſcapes, or Action or Actions whatſoever for Eſcape, which ſhall or may be brought, commenced, or proſecuted againſt him or them.

Court, if required by the Creditor, may adminiſter an Oath to the Gaoler, or any other Perſon, touching any of the Matters preſcribed to be ſworn to.

The Priſoner's Oath not being diſproved, the Court is to diſcharge him;

upon paying a Fee of 1s. to the Gaoler.

Gaoler indemnified for the Eſcape.

XI. And be it further enacted by the Authority aforeſaid, That all the Eſtate, Right, Title, Interſt and Truſt, of ſuch Priſoner, of, in, and unto, all the real Eſtate, as well Freehold and Copy as Cuſtomaryhold, and to all the perſonal Eſtate, Debts, and Effects, of every ſuch Priſoner, ſhall, immediately after the Diſcharge of any ſuch Priſoner, be, and the ſame is hereby, veſted in the Clerk of the Peace of and for the County, Riding, City, Town Corporate, Diviſion, Liberty, or Place, where any ſuch Priſoner ſhall be reſpectively diſcharged; and every ſuch Clerk of the Peace is hereby directed and required to make an Aſſignment and Conveyance of every ſuch Priſoner's Eſtates and Effects veſted in ſuch Clerk of the Peace as aforeſaid, to ſuch Creditor or Creditors of the ſaid Priſoner as the Juſtices at any General or General Quarter Seſſion of the Peace, or at any Adjournment thereof, which ſhall be held by them within their reſpective Juriſdictions, ſhall order or direct (which Aſſignment and Conveyance ſhall be good and effectual in Law to all Intents and Purpoſes whatſoever, without being wrote on Parchment or Paper ſtamp'd) and to veſt the Eſtates thereby aſſigned and conveyed, in the Party or Parties to whom the ſame ſhall be ſo aſſigned and conveyed, his, her, and their Heirs, Executors, Adminiſtrators, and Aſſigns, according the Eſtate and Intereſt the Priſoner had therein; and for the preparing, ingroſſing and executing of which Aſſignment and Conveyance, no Clerk of the Peace ſhall take any greater Fee than two Shillings; and every ſuch Aſſignment and Conveyance ſhall be in truſt for the Benefit of the Creditor or Creditors of every ſuch Priſoner to whom the ſame ſhall be made, and the reſt of the Creditors of ſuch Priſoner, in reſpect or in proportion to their reſpective Debts: And every Perſon and Perſons to whom any ſuch Aſſignment and Conveyance as aforeſaid ſhall be made, is and are hereby fully impowered to ſue, from Time to Time, as there may be Occaſion, in his, her, or their own Name or Names, for the Recovery and attaining any Eſtate or Effects of any ſuch Priſoner, and alſo to execute any Truſt or Power veſted in, or created for, the Uſe or Benefit of any ſuch Priſoner; but in Truſt, for the Benefit of him or themſelves, and the reſt of the Creditors of every ſuch Priſoner; and to give Diſcharge and Diſcharges to any Debtor or Debtors to any ſuch Priſoner, as ſhall be requiſite: And every ſuch Aſſignee and Aſſignees ſhall, with all convenient Speed after his or their accepting any ſuch Aſſignment or Conveyance, uſe his and their beſt Endeavours to receive and get in the Eſtate and Effects of every ſuch Priſoner; and ſhall, with all convenient Speed, make Sale or Diſpoſition of Sale, of all the Eſtates of ſuch Priſoner veſted in ſuch Aſſignee or Aſſignees; and if any ſuch Priſoner ſhall be intereſted in, or intitled to, any real Eſtate, either in Poſſeſſion, Reverſion, or Expectancy, the ſame, within the Space of two Months after every ſuch Aſſignment and Conveyance, ſhall be ſold by public Auction in ſuch manner, and at ſuch Place, as the major Part of the Creditors of any ſuch Priſoner who ſhall aſſemble together on any Notice in Writing publiſhed in the *London Gazette*, or in ſome Daily Paper, if the Priſoner before his going to Gaol reſided in *London*, or in the Weekly Bills of Mortality, and if elſewhere, then in ſome News Paper which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place, in which ſuch Priſoner dwelt before he or ſhe was committed to Gaol, thirty Days before any ſuch Sale ſhall be made, ſhall, under his Hand, or their Hands, agree on: And every ſuch Aſſignee and Aſſignees, at the End of three Months at fartheſt from the Time of his accepting any ſuch Aſſignment or Conveyance as aforeſaid, ſhall make a juſt and fair Dividend of all ſuch Priſoner's Eſtates and Effects which ſhall have been then got amongſt his or her Creditors, in proportion and in regard to each Creditor's reſpective Debts; but before any ſuch Dividend ſhall be made, ſuch Aſſignee or Aſſignees ſhall make up an Account of ſuch Priſoner's Eſtate, and make Oath in Writing before one or more Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, Town, Liberty, or Place, in which any ſuch Priſoner ſhall have been diſcharged, that every ſuch Account contains a juſt and fair Account of the Eſtate and Effects of every ſuch Priſoner got in by or for ſuch Aſſignee or Aſſignees, and of all Payments made in reſpect thereof, and that all Payments in every ſuch Account charged, were truly and *bona fide* made and paid; and Notice of the making of every ſuch Dividend ſhall be publiſhed in like manner as a Meeting of Creditors is herein before directed to be publiſhed, thirty Days at leaſt before the ſame ſhall be made: And no Creditor ſhall be allowed to receive any Share of ſuch

Eſtate and Effects of the Priſoner, upon his Diſcharge, to veſt in the Clerk of the Peace,

who is to make over the ſame to the Aſſignees named by the Court,

for which he is to be paid 2s. and no more.

Aſſignees impowered to ſue,

and execute any Truſt or Power in the Priſoner's Behalf;

and give Diſcharges.

They are to get in, with all Speed, the Eſtate and Effects of the Priſoner,

and make Sale, within two Months, of Priſoner's real Eſtate, in manner agreed upon at a Meeting of the Creditors ſummoned for that Purpoſe;

and make a Dividend within three Months;

firſt making up their Accounts, and verifying the ſame upon Oath.

30 Days Notice to be given of making any Dividends,

and none to receive any

Share thereof but such as shall prove their Debts.

Debts entered, to be examined into and determined by the Court.

such Dividend, until he shall have made out the Justness and Identity of his respective Debt by Oath, or due Proof in Writing, before some such Justice or Justices; and if any Creditor of such Prisoner shall be dissatisfied with the Reality or Fairness of any Debt claimed by any other Creditor, then the same, at the Request of any such Creditor or Creditors so dissatisfied, shall be examined into by the Justices of the County, Riding, Division, City, Liberty, or Place, in which such Prisoner shall have been discharged, at their next General or General Quarter Session, and what they shall there determine in the Premisses, shall be conclusive to all Parties: And if after Payment of all such Prisoner's Creditors, there shall any of his Estate and Effects remain after Payment of all reasonable Charges, the same shall be paid to such Prisoner, his Executors or Administrators.

Surplus of the Prisoner's Estate, after satisfying all Claims thereon, to go to the Prisoner.

No Suit in Equity to be commenced, but by Consent of the Majority in Value of the Creditors.

XII. Provided further, and be it also enacted, That no Suit in Equity shall be commenced by any Assignee or Assignees of any such Prisoner's Estate and Effects, without the Consent of the major Part, in Value, of the Creditors of such Prisoner, who shall meet together pursuant to a Notice to be given in the *London Gazette* for that Purpose.

Clerk of the Peace to exhibit to the Creditor, or his Attorney, upon Payment of 1s. the Schedule of the Prisoner's Estate and Effects:

XIII. And be it further enacted by the Authority aforesaid, That the Clerk of the Peace of every respective County, City, and County Town, and County, Riding, Division, Cinque Port, Liberty, and Place, with whom any Schedule of the Estates of any insolvent Debtor or Debtors, Fugitive or Fugitives, shall be left, and his Successors, Clerks of the Peace as aforesaid, shall, on the reasonable Request of any Creditor or Creditors of such Insolvent Debtor or Debtors, Fugitive or Fugitives, or his or their Attorney, produce and shew to such Creditor or Creditors, or his or their Attorney, in the Day-time, the Schedule of the Estates of any such Insolvent Debtor or Debtors, Fugitive or Fugitives, which shall be left with any such Clerk of the Peace, or his Predecessor in that Office; the Person so requiring to see and peruse any such Schedule, paying or tendering to the Clerk of the Peace, in whose Custody any such Schedule shall be, or his Deputy, the Sum of one Shilling, for his Trouble in searching for, and looking out, such Schedule, and attending whilst the same shall be perused by the Party or Parties requiring to have the same looked out, and to peruse the same; and that a true Copy of every such Shedule, signed by the Clerk of the Peace in whose Custody the same shall be, or his Deputy, purporting the same to be a true Copy of such Schedule, without being wrote on Stamp Paper, and for which Copy no more shall be paid than six Pence by the Sheet, each Sheet to contain ninety Words, and so in proportion for a lesser Number of Words in any Sheet, shall, at all Times, be admitted in all Courts whatsoever as legal Evidence of the same: And if any Clerk of the Peace, or his Deputy, shall, on reasonable Request as aforesaid, neglect or refuse to produce to any such Creditor or Creditors as aforesaid, or his or their Attorney, any such Schedule as aforesaid, and to permit the same to be inspected as aforesaid, in the Day-time, on such Payment or Tender as aforesaid being made to him; or shall ask or take more than after the Rate of six Pence by the Sheet, each Sheet to contain ninety Words, and so in proportion for less than ninety Words in a Sheet; or shall refuse to make and deliver a Copy of any such Schedule, on being requested as aforesaid so to make the same, and having the Money tendered to him for Payment of such Copy, after the Rate aforesaid; shall, for every such Offence, forfeit and pay the Sum of ten Pounds, which shall and may be sued for and recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, together with treble Costs of Suit, in the Name of any Person who will prosecute for the same: And one Moiety of which Money forfeited, shall, when recovered, go to the Party who prosecutes for the same, and the other Moiety thereof to the Poor of the Parish in which the Offence shall be committed.

Attested Copy thereof to be granted;

which shall be Evidence in all Courts.

Clerk of the Peace refusing to produce such Schedule, or to deliver a Copy thereof, or taking exorbitant Fees for the same,

forfeits 10l. and treble Costs;

One Moiety to the Prosecutor, and the other to the Poor of the Parish.

Assignees of Copyhold and Customary Estates to compound with the Lord of the Manor,

and to be admitted Tenants thereupon.

XIV. Provided always, and be it enacted, That before such Time as any Assignee or Assignees, as aforesaid, shall enter on, or take any Profit from, any Copyhold or Customary Estate, as aforesaid, he or they shall agree and compound with the Lord or Lords of the Manor or Manors of whom the same shall be holden, for the Payment of such Fine or Income as, upon any Surrender and Admission thereto, hath theretofore been most usually accustomed to be paid; and that upon every such Agreement or Composition, the said Lord or Lords for the Time being, at the next Court, or some subsequent Court, which shall be holden for the said Manor or Manors, after such Agreement made, shall admit such Assignee or Assignees Tenant to such Copyhold or Customary Premisses, according to the Custom of the said Manor or Manors of which the same shall be holden, for and during such Estate and Interest as the Prisoner had therein at the Time of his or her being discharged as aforesaid, reserving the Rents, Duties, Heriots, Customs, and Services, payable and to be rendered in respect of the said Copyhold or Customary Premisses.

The Prisoner's, &c. Right and Interest only to be affected by this Act.

XV. Provided also, That nothing herein contained shall extend to prejudice or affect any Estate, or Interest, or Right whatsoever, of other any Person or Persons, other than the said Prisoner or Fugitive, which may be expectant upon, or subject unto, the Estate or Interest of the said Prisoner or Fugitive hereby vested in the said Clerk of the Peace; but that the Estate, Interest, and Right whatsoever, of every other Person and Persons, shall remain, continue, and be saved to them, in the same manner as if this Act had not been made.

Effects on the Premisses, where Rent is due, are to be transferred to the Landlord, and not made over to the Assignees;

XVI. Provided further, and be it enacted by the Authority aforesaid, That where any Rent, not exceeding two Years Rent, shall be due to any Person or Persons from such Prisoner or Prisoners, at the Time of his or their respective Discharges, in respect to any Messuages, Lands, or Tenements, then in Lease to such Prisoner or Prisoners respectively, for Life or Lives, for Years, at Will, or otherwise, no Goods or Chattels then lying or being in or upon the respective Tenements, liable to be distrained, shall be assigned by the Clerk of the Peace in manner aforesaid, but shall, by such Clerk of the Peace, be transferred to such Landlord or Landlords, or some Person or Persons intrusted for him

him or them respectively, towards Satisfaction of the Rent then due, not exceeding two Years Rent, as aforesaid, unless the Person or Persons to whom such Assignment and Conveyance shall be made by such Clerk of the Peace, shall, by Writing under his Hand, or their respective Hands, before such Assignment shall be made, agree to pay or satisfy to such Landlord or Landlords the Rent to him or them respectively due, not exceeding two Years Rent as aforesaid; to the Intent that such Landlord or Landlords may be satisfied the Rent or Rents to him or them respectively due, before any Division of the Estate or Effects of such Prisoner or Prisoners shall be made among his other Creditors, in like manner as he or they might be satisfied the Rent to him or them respectively due, before the Removal of such Goods and Chattels, by virtue of an Execution, by Force of the Statute made in the eighth Year of her late Majesty's Reign, intituled, *An Act for the better Security of Rents, and to prevent Frauds committed by Tenants*; any thing herein before contained to the contrary thereof in any wise notwithstanding.

unless they shall agree to satisfy the Landlord.

Act 8 Annæ.

XVII. Provided also, and be it enacted by the Authority aforesaid, That nothing in this Act shall extend, or be construed to hinder or prevent, any Mortgage or Mortgages upon the Estate of such Prisoner or Prisoners, or any Part thereof, to take place upon the Lands, Tenements or Hereditaments, comprised in such Mortgage or Mortgages respectively; nor to prevent any Statute Staple, Statute Merchant, Recognizance, or Judgment, acknowledged by, or obtained against, any such Prisoner or Prisoners, to take place upon the Lands, Tenements, or real Estate of such Prisoner or Prisoners; and also where any Inquisition shall have been taken upon any such Statute or Recognizance, or any Writ of Execution shall have been taken out and delivered to the Sheriff, or proper Officer, upon any such Judgment, before such Discharge shall be given in open Session to any such Person as aforesaid, the personal Estate of every such Prisoner respectively shall be subject thereto, in the first place, for so much as shall remain really due upon such Mortgage, Statute, Recognizance, or Judgment respectively, in like manner, as such Mortgagees and Creditors by Statute, Recognizance, or Judgment, would have been preferred to other Creditors of an inferior Nature, against the real or personal Estate of such Prisoner and Prisoners respectively, if this Act had not been made; any thing herein before contained to the contrary thereof in any wise notwithstanding.

All Mortgages, Statutes, Recognizances, and Judgments, are to take place, preferable to Claims of an inferior Nature.

'XVIII. And whereas many Persons who may be intitled to, and claim the Benefit of, this Act, 'are seised and possessed of Lands, Tenements, and Hereditaments, to hold to such Prisoners for the 'Term of their natural Lives, with Power of granting Leases and taking Fines, reserving small Rents 'on such Estates, for one, two, or three Lives, in Possession or Reversion, or for some Number of 'Years determinable upon Lives; which said Powers ought to be executed for the Benefit of the 'Creditors of such Prisoners;' Be it therefore enacted by the Authority aforesaid, That in every such Case, all and every the Powers of leasing such Lands, Tenements, and Hereditaments, which are or shall be vested in any such Prisoner or Prisoners as aforesaid, shall be, and are hereby vested in the Assignee or Assignees of the real and personal Estate of such Prisoner, by virtue of this Act, to be by such Assignee or Assignees executed for the Benefit of all and every the Creditors of such Prisoners, as aforesaid.

Power in the Prisoner of leasing Lands, &c. to vest in the Assignees.

'XIX. And whereas in some Gaols or Prisons in this Kingdom, the Office of Gaoler or Keeper 'is held in Fee for Life, or otherwise, by Persons who never act as Gaolers or Keepers themselves, or 'know any thing of the Prisoners therein, but depute or employ some Person or Persons under them 'as Gaolers, or Keepers of such Gaols or Prisons;' Be it therefore enacted, That in every such Case, the Person who shall have been actually employed and acted as deputed Gaoler or Keeper of any such Gaol or Prison, at the Time of the delivering in the Lists, hereby directed to be delivered in, of Prisoners in any such Gaol or Prison, at any General or Quarter Session of the Peace, or some Adjournment thereof, and not the principal Gaoler or Keeper (unless where such principal Gaoler or Keeper shall act as Gaoler or Keeper himself) shall take the Oath herein before appointed to be taken by the Gaoler or Keeper of every such Gaol or Prison.

The acting Gaoler at the Time of delivering the Lists, only liable to be sworn.

XX. And be it further enacted by the Authority aforesaid, That the Justices at any General or Quarter Session of the Peace, or Adjournment thereof, to which any Prisoner shall be brought in pursuance of this Act, shall, if required by any Creditor or Creditors of any such Prisoner or Prisoners, who shall oppose his or her Discharge, administer and give to the Gaoler, or the Person who acts as Gaoler or Keeper of any such Prison, at the Time of bringing up any such Prisoner in order to be discharged under this Act, an Oath to the following Effect (that is to say)

Court, if required by a Creditor, opposing the Prisoner's Discharge, is to administer the following Oath to the Gaoler.

'I *A. B.* do swear, That was really and truly a Prisoner in my Custody, in the 'Prison of to the best of my Knowledge and Belief, at or upon and that 'the Copy or Copies of the Cause or Causes of his or her Commitment or Detainer, now by me 'brought with the Body of the said and produced to this Court, is or are a true 'Copy or Copies of the Cause or Causes of such Detainer or Commitment, without any Fraud or 'Deceit by me, or any other Person whatsoever, to the best of my Knowledge and Belief.

So help me GOD.

The Oath.

And if any Person who was Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, on the said twenty-fifth Day of *October* one thousand seven hundred and sixty, or since, shall not happen to be the Gaoler or Keeper, or deputed Gaoler or Keeper, of any such Gaol or Prison, at the Time any such List as aforesaid is hereby required to be delivered in, then the Justices at any such Session, or at any Adjournment thereof, may and are hereby required to administer and give the respective Person or Persons who shall be Gaoler or Keeper, or deputed Gaoler or Keeper, of any such

If such Person shall not have been the Gaoler on 25 Oct. 1760, &c. then the following Oath is to be administered to him.

such Gaol or Priſon, and deliver in any ſuch Liſt as aforeſaid at any ſuch General or Quarter Seſſion, or any Adjournment thereof, an Oath, touching the Commitments or Books of Commitment of any ſuch Priſon, to the Effect following (that is to ſay)

The Oath.

'I *A. B.* do ſwear, That I have examined the Commitments, or Books kept of or concerning the Commitment, of Priſoners to the Priſon of in the [County, Riding, Diviſion, City, Town, Place, or Liberty of *as the Caſe ſhall be*] and that I do verily believe that the ſaid Commitments, or Books of Commitment, are really true, and not fictitious, nor calculated for this Purpoſe; and by them it doth appear, that was on the Day of really and truly a Priſoner in the actual Cuſtody of the then Gaoler or Keeper, or deputed Gaoler or Keeper, of the ſaid Priſon, without Fraud or Deceit, by me, or any other Perſon or Perſons to my Knowledge.

So help me GOD.'

Court, if required by a Creditor, may ſummon the Perſon who acted as Gaoler on 25 Oct. 1760, or ſince,

and examine him touching the Commitment and Continuance in Cuſtody of the Priſoner.

Gaoler diſobeying the Warrant, or Order of the Court, &c. forfeits 100 l. with treble Coſts.

XXI. And, in order to diſcover any fraudulent Entries or Commitments of Priſoners in any Gaol Books, Be it further enacted by the Authority aforeſaid, That the Juſtices at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, are hereby authorized, at the Requeſt of any Creditor or Creditors of any Priſoner, to convene before them, at ſome certain Time to be appointed by them, any Perſon or Perſons who was or were Gaoler or Keeper, or deputed Gaoler or Keeper, of any Gaol or Priſon within their reſpective Juriſdictions, on the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, or at any Time ſince, and to examine every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, on Oath, touching the Commitment and Continuance in Cuſtody of any ſuch Priſoner, as the Juſtices, at any ſuch General or Quarter Seſſion, or Adjournment thereof, ſhall think fit: And if any Sheriff, Gaoler, or Keeper, or deputed Gaoler or Keeper, ſhall neglect or refuſe to bring before ſuch Juſtices at any Seſſion of the Peace, or Adjournment thereof, any Priſoner as ſhall be directed and required by Warrant of any Juſtice or Juſtices as aforeſaid, or to attend, on being ſummoned for that Purpoſe; or if any Gaoler or Keeper attending, ſhall refuſe to make Anſwer and Diſcovery in the Premiſſes, as ſhall be reaſonably required at ſuch General or Quarter Seſſion, or any Adjournment thereof; he, ſhe, or they, ſo offending in the Premiſſes, ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds, to be recovered by and in the Name, and for the Uſe, of the Party injured, by Action of Debt to be brought in his or her Name, in any of his Majeſty's Courts of Record at *Weſtminſter*, together with treble Coſts of Suit.

'XXII. And whereas great Number of Workmen, ſkilful in the ſeveral Trades and Manufactures of this Kingdom, and alſo many able Seamen and Mariners, finding themſelves unable to ſatisfy the Whole of their reſpective Debts, and dreading the Miſeries of a Gaol, have choſe to leave their Employments and native Country, and have entered themſelves in foreign Service: And whereas their Continuance abroad muſt be of great Prejudice to the Trade of this Kingdom;' In order therefore to induce and enable ſuch Perſons to return, Be it enacted by the Authority aforeſaid, That all and every Debtor and Debtors, who was or were actually beyond the Seas in foreign Parts on the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, and did not go into ſuch foreign Parts with the View or Intent to gain or have the Benefit of an Inſolvent Debtors Act, who ſhall return and ſurrender himſelf or themſelves unto the Gaoler or Gaolers, Keeper or Keepers, of the Priſons of the *King's Bench*, *Marſhalſea*, or *Fleet*, or to the Gaoler or Keeper, or deputed Gaoler or Keeper, of the Priſon or Priſons of ſuch County, City, Town, Riding, Diviſion, Liberty, or Place, where ſuch Debtor or Debtors laſt dwelt for the Space of ſix Months (which ſaid Gaoler or Gaolers, Keeper or Keepers, is and are hereby required and impowered to receive and detain ſuch Debtor or Debtors ſurrendering as aforeſaid, in order to their Diſcharge as herein after-mentioned) ſhall, from and immediately after ſuch Surrender as aforeſaid, be deemed a Priſoner or Priſoners within, and be to all Intents and Purpoſes intitled to the Benefit of this Act; and ſhall, upon due Proof of the ſaid Premiſſes, by the Oath of ſuch Debtor or Debtors (not diſproved by any credible Witneſs) be diſcharged in the ſame manner as if he, ſhe, or they had been actually in Priſon on the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, and continued therein as aforeſaid; ſubject nevertheleſs to the ſame Reſtrictions and Proviſions, and a Compliance with the like Terms, Conditions, and Qualifications herein before impoſed upon the ſaid Priſoners actually in Cuſtody upon the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, and alſo ſubject to the Terms and Proviſions relating to the Eſtate and Effects of ſuch Priſoner as aforeſaid; excepting only ſuch Particulars thereof, as require the Name of a Priſoner to be inſerted in the Gaoler's or Keeper's Liſt as aforeſaid, or relate to the Oaths of ſuch Gaoler or Keeper herein before appointed to be taken; which Particulars cannot poſſibly be applied to the Caſe of Perſons ſurrendering themſelves as aforeſaid; and alſo except the ſaid Oath herein before appointed to be taken by Priſoners in Cuſtody upon the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, inſtead whereof the ſaid Perſon or Perſons ſo ſurrendering ſhall take an Oath in open Court, at ſome General or Quarter Seſſion of the Peace, or ſome Adjournment thereof, of the County, City, Town, Riding, Diviſion, Place or Liberty, in the Priſon of which any ſuch Fugitive or Debtor ſhall be held, after the Surrender of any ſuch Fugitive or Debtor, to the Effect following; which the ſaid Juſtices authorized to put this Act in execution, are hereby required and impowered to adminiſter, in ſuch manner as the Oaths herein before-mentioned are to be adminiſtered.

Debtors who were beyond the Seas on 25 Oct. 1760, ſurrendering themſelves, may take the Benefit of this Act,

upon the ſame Terms as other Priſoners;

excepting ſuch Particulars wherein the Caſes of both differ.

'I *A. B.*

'I *A. B.* upon my corporal Oath, in the Preſence of Almighty God, ſolemnly ſwear, proteſt, and declare, That I was actually on the twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, beyond the Seas in foreign Parts, *videlicet*, at and that the Schedule now delivered and by me ſubſcribed, doth contain, to the beſt of my Knowledge, Remembrance, and Belief, a full, juſt, true and perfect Account and Diſcovery of all the Real Eſtate, Goods, Effects, and other Perſonal Eſtate, in any wiſe belonging to me; and alſo of all ſuch Debts as are to me owing, or to any Perſon or Perſons in Truſt for me; and of all the Securities and Contracts whereby any Money now is, or will or may hereafter become payable, or whereby or wherefrom any Benefit or Advantage may accrue to me, or to my Uſe, or to any other Perſon or Perſons in Truſt for me; and the Names and Places of Abode of the ſeveral Perſons from whom ſuch Debts are due and owing; and of the Witneſſes that can prove ſuch Debts or Contracts, *if any ſuch there be*; and that neither I, nor any Perſon or Perſons in Truſt for me, is or are ſeiſed of any Real Eſtate in Poſſeſſion, Reverſion, or Remainder, or Expectancy, or of any Perſonal Eſtate of any Kind whatſoever, other than what are in the ſaid Schedule contained, except my Wearing Apparel, and Bedding for myſelf and Family, my Working Tools, and neceſſary Implements for my Occupation and Calling, not exceeding in the Whole the Value of ten Pounds; and that I have not, directly or indirectly, ſold, leſſened, or otherwiſe conveyed, diſpoſed of in Truſt, or concealed, all or any Part of my Real Eſtate, Money, Goods, Chattels, Stocks, Debts, Securities, Contracts, or other Perſonal Eſtate whatſoever, whereby to ſecure the ſame, ſo as to receive or expect any Profit or Advantage therefrom to myſelf or Family, or with any View, Intent, or Deſign to defraud or deceive any Creditor or Creditors, to whom I am indebted in any wiſe howſoever, or prevent their recovering or attaining their reſpective Debts.

So help me GOD.' Fugitive's Oath.

XXIII. And be it further enacted by the Authority aforeſaid, That if any Gaoler or Keeper of any Priſon, or his Deputy or Deputies, ſhall, without juſt Cauſe to be approved of by the Juſtices at ſome General or Quarter Seſſion of the Peace, or Adjournment thereof, within their reſpective Juriſdictions, refuſe or delay to bring any ſuch Priſoner or Priſoners as aforeſaid to any ſuch General or Quarter Seſſion, or ſome Adjournment thereof, in order to his or her Diſcharge, or ſhall neglect, refuſe, or deſignedly omit to inſert, in any ſuch Liſt, the Name or Names of any ſuch Priſoner or Priſoners who was or were actually in Cuſtody in his or their reſpective Gaol or Priſon on the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, or ſince; or ſhall neglect or refuſe to make out, fix up, or deliver ſuch Liſts as aforeſaid; or if any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall neglect or refuſe to take any of the ſaid Oaths before mentioned, and hereby required to be taken by him; or ſhall, upon any Account or Pretence whatſoever, take or receive more than the ſaid Sum of one Shilling herein before allowed for his or her Attendance in order to be diſcharged of ſuch Priſoner or Priſoners as aforeſaid; or ſhall detain any ſuch Priſoner after he or ſhe ſhall be diſcharged as aforeſaid; or if the Printer of the *London Gazette*, or other News Paper as aforeſaid, ſhall wilfully refuſe or neglect to inſert therein the Name, Trade, Occupation, and laſt Place of Abode of ſuch Priſoner, on reaſonable Requeſt to him made for that Purpoſe, and Tender of the Money hereby directed to be paid; or ſhall take or receive any Fee or Gratuity more than two Pence as aforeſaid for doing thereof; every ſuch Gaoler and Keeper of ſuch Priſon or Priſons, his Deputy or Deputies, and every ſuch Printer as aforeſaid, ſhall reſpectively forfeit and pay to each Priſoner, in any ſuch Caſe injured, the Sum of one hundred Pounds; which ſhall and may be recovered, with treble Coſts of Suit, by Action of Debt, Bill, Plaint, or Information in any of the Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed. Gaoler and Printer of the Gazette, or other News Paper, not complying with the Regulations in this Act, forfeit 100 l. to the Priſoners, with treble Coſts of Suit.

XXIV. And be it further enacted by the Authority aforeſaid, That if any ſuch Gaoler or Gaolers, or Keeper, or any deputed Gaoler or Keeper of any Priſon, ſhall, in taking any of the aforementioned Oaths, forſwear or perjure himſelf, and ſhall thereof be lawfully convicted, ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, of ſuch Priſon or Priſons (over and above ſuch Penalties as may be inflicted on Perſons convicted of Perjury) ſhall, upon every ſuch Conviction, forfeit and pay the Sum of five hundred Pounds; to be recovered, with full Coſts, by Bill, Plaint or Information, or Action of Debt, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law ſhall be allowed, by and in the Name of ſuch Perſon or Perſons, his or their Executors and Adminiſtrators, to whom any Aſſignment or Conveyance, in purſuance of this Act, ſhall be made of the Eſtate and Effects of ſuch Priſoner or Priſoners; and if no ſuch Aſſignee or Aſſignees ſhall be living, then in the Name or Names of any other Creditor or Creditors who ſhall ſue for the ſaid Penalties; to be applied, one Moiety to the Informer or Informers, and the other Moiety towards Satisfaction of the Debts of ſuch his Creditor or Creditors. Gaoler, convicted of Perjury, forfeits 500 l. with full Coſts of Suit, &c. One Moiety to go to the Informer, and the other towards ſatisfying the Debts of the Creditors.

XXV. And be it further enacted, That if any Clerk of the Peace, or his Deputy, ſhall delay or refuſe to give every or any ſuch Priſoner ſo diſcharged as aforeſaid, within ten Days after his or her Diſcharge, a Copy of the Order of his or her Diſcharge, on the Payment of two Shillings and ſix Pence, or ſhall take more than the ſaid Sum of two Shillings and ſix Pence for ſuch Copy, or ſhall take more than two Shillings for an Aſſignment or Conveyance of ſuch Priſoner's Eſtate or Effects, every Clerk of the Peace, or his Deputy, who ſhall ſo offend, and who ſhall be convicted at any ſuch General or Quarter Seſſion of the Peace, or any Adjournment thereof, of any ſuch Offence, ſhall, Clerk of the Peace refuſing the Priſoner a Copy of his Diſcharge, or taking exorbitant Fees for the ſame, or for aſſigning over the Priſoner's Eſtate and Effects,

forfeits 20l. to the Priſoner.

ſhall, for every ſuch Offence, forfeit and pay to every ſuch Priſoner the Sum of twenty Pounds, as the Juſtices of the Peace, at any ſuch General or Quarter Seſſion of the Peace, or Adjournment thereof, ſhall order; and who are hereby impowered to cauſe the ſame to be levied by Diſtreſs and Sale of the Goods of any ſuch Clerk of the Peace, or his Deputy, ſo offending.

Priſoner convicted of Perjury to ſuffer as a Felon.

XXVI. And be it further enacted by the Authority aforeſaid, That if any Priſoner as aforeſaid, or any other Perſon or Perſons, who ſhall take the Benefit of this Act, ſhall forſwear or perjure himſelf, herſelf, or themſelves, in any Oath to be taken under this Act, and ſhall be lawfully convicted thereof, he, ſhe, or they ſo offending ſhall be adjudged a Felon, and ſuffer as ſuch, without Benefit of Clergy.

Perſons diſcharged by this Act, not liable to Arreſt for Debts, &c. contracted before 25 Oct. 1760.

XXVII. And be it further enacted by the Authority aforeſaid, That no Perſon to be diſcharged by this Act ſhall, at any Time hereafter, be impriſoned by reaſon of any Judgment or Decree obtained for Payment of Money only, or for any Debt, Damages, Contempts, Coſts, Sum or Sums of Money contracted, incurred, occaſioned, owing, or growing due before the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty; but that upon every Arreſt upon every Judgment or ſuch Decree, or for ſuch Debts, Damages, Contempts, Coſts, Sum and Sums of Money, it ſhall and may be lawful for any Judge of the Court where the Proceſs iſſued, upon ſhewing the Copy of the Order of ſuch Priſoner's Diſcharge or Diſcharges, to releaſe and diſcharge out of Cuſtody ſuch Priſoner or Priſoners as aforeſaid; and every ſuch Judge is hereby impowered ſo to do on ſuch Priſoner's cauſing a Common Appearance to be entered for him in every ſuch Action and Suit.

Juſtices, Sheriffs, and Gaolers, may plead this Act to any Action of Eſcape, or Suit brought againſt them, and recover treble Coſts.

XXVIII. And be it further enacted by the Authority aforeſaid, That if any Action of Eſcape, or any Suit or Action, be brought againſt any Juſtice or Juſtices of the Peace, Sheriff, Gaoler, or Keeper of any Priſon, for performing their Office, in purſuance of this Act, they may plead the General Iſſue, and give this Act in Evidence; and if the Plaintiff be nonſuited, or diſcontinue his Action, or Verdict paſs againſt him, or Judgment upon Demurrer, the Defendant ſhall have treble Coſts.

Perſons diſcharged may plead generally, &c. to all Actions or Judgments brought againſt them before 25 Oct. 1760, &c.

XXIX. And be it further enacted by the Authority aforeſaid, That if any *Scire facias*, or Action of Debt, or upon Judgment, ſhall be brought againſt any Priſoner, his Heirs, Executors, or Adminiſtrators, upon any Judgment obtained againſt any ſuch Priſoner, or on any Statute or Recognizance acknowledged by him or her, before the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, with reſpect to Priſoners in actual Cuſtody, or with reſpect to Debtors beyond the Seas, as aforeſaid, upon the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, it ſhall be lawful for any ſuch Priſoner, his Heirs, Executors, or Adminiſtrators, to plead generally, that ſuch Priſoner was actually a Priſoner in ſuch Priſon at ſuch a Perſon's Suit, or was or were beyond the Seas in foreign Parts on the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, and was or were duly diſcharged according to this Act at the General or Quarter Seſſion, or Adjournment thereof, held at ſuch Time and Place for ſuch County, Riding, Diviſion, Liberty, City, Town or Place, (as his, her, or their Caſe is) without pleading any Matter ſpecially; and in caſe any other Suit or Action ſhall be commenced againſt him, her, or them for any other Debt, Sum or Sums of Money, due before the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, to plead in Diſcharge of his or her Perſon from Execution (over and above ſuch Matters as aforeſaid) that ſuch Debt or Sum of Money (as the Caſe ſhall happen) was contracted or due before the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, without pleading any other Matter ſpecially; whereto the Plaintiffs ſhall or may reply generally, and deny the Matters pleaded as aforeſaid, or reply any other Matter or Thing which may ſhew the ſaid Defendant not to be intitled to the Benefit of this Act, or not duly diſcharged according to it, in the ſame Manner as the Plaintiff might have replied, in caſe the Defendant had pleaded this Act, and his Diſcharge by virtue of this Act, ſpecially; and if the Plaintiff be nonſuited, diſcontinue his Action, or Verdict paſs againſt him, or Judgment on Demurrer, the Defendant to have treble Coſts.

and in other Suits, may plead in Diſcharge of their Perſons from Execution.

Plaintiff may reply generally, &c.

but if nonſuited, is to pay treble Coſts.

Bankrupts not obtaining their Certificates in due Time, excluded from the Benefit of this Act.

XXX. Provided always, and be it enacted by the Authority aforeſaid, That no Perſon againſt whom a Commiſſion of Bankrupt hath been awarded and iſſued out, and who hath not already obtained his Certificate and Diſcharge of his Debts, in purſuance of and in ſuch manner as is directed by ſome or one of the Acts of Parliament now in force relating to or concerning Bankrupts, or ſhall not obtain ſuch Certificate and Diſcharge before ſuch Time as he ſhall be brought before the Juſtices of the Peace at their General or Quarter Seſſion, or ſome Adjournment thereof, held as aforeſaid, in order to be diſcharged in purſuance of this Act, ſhall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Meaning thereof.

Attornies embezzling, &c. Clients Money or Effects, excluded the Benefit of this Act.

XXXI. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to releaſe or diſcharge any Attorney at Law, or Solicitor, or any other Perſon or Perſons acting, or pretending to act, as ſuch, with regard to any Debt with which he or they ſhall ſtand charged, for any Money, or other Effects, recovered and received by him or them, for the Uſe of any Perſon or Perſons, Bodies Corporate or Politick, and by any Attorney, Solicitor, or other Perſon or Perſons acting as ſuch, embezzled, concealed, or converted to his or their own Uſe; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

Gaoler to permit the ſpeaking in private to Priſoners, whoſe Names are inſerted in the Liſt, or Gazette, &c.

and the examining the original Books of Entry, &c.

XXXII. And be it further enacted by the Authority aforeſaid, That every Gaoler or Keeper of any Priſon ſhall and is hereby required to ſuffer, in the Day-time, any Perſon or Perſons deſiring the ſame, to ſee and ſpeak, in the Lodge, or ſome convenient Room of the ſaid Priſon, with any Priſoner or Priſoners, whoſe Names are inſerted in the afore-mentioned Liſt or Liſts, or *London Gazette*, or other News Paper, or any of them, or any Perſons ſurrendering themſelves purſuant to this Act; and alſo ſee, in the true and genuine Books of the ſaid Priſon, the Entries made of the Name or Names of

ſuch

ſuch Priſoner or Priſoners, together with the Name or Names of the Perſon or Perſons at whoſe Suit or Suits he, ſhe, or they are detained: And if any ſuch Gaoler or Keeper ſhall neglect or refuſe to comply with what is here above required, every ſuch Gaoler or Keeper, who ſhall ſo offend in the Premiſſes, ſhall forfeit and pay to the Perſon ſo refuſed and aggrieved, the Sum of forty Pounds; to be recovered, with Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of the Courts of *Weſtminſter*, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed, by and in the Name or Names of the Perſon or Perſons ſo refuſed and aggrieved.

On Penalty of 40 l. with Coſts of Suit.

XXXIII. Provided always, and be it enacted, That notwithſtanding the Perſon of any Priſoner or Priſoners, Fugitive or Fugitives, ſhall be diſcharged under this Act, the future Eſtates and Effects of every ſuch Priſoner and Fugitive ſhall remain and be liable to his, her, and their reſpective Creditors as before the making of this Act (his, her, or their neceſſary Wearing Apparel, and Bedding for his, her, or their Families, and Working Tools and Implements neceſſary for his, her, or their Trade or Occupation, not exceeding the Value of ten Pounds in the Whole, only excepted) and any Creditor or Creditors of any ſuch Priſoner or Priſoners, Fugitive or Fugitives, may, at any Time hereafter, ſue out Execution, Extents, or other Proceſs, on any Judgment at the Time of ſuch Diſcharge recovered, or Statute Staple, or Recognizance acknowledged by, or Sentence or Decree obtained againſt any ſuch Priſoner or Fugitive, but not againſt his, her, or their Perſon, or his, her, or their reſpective Wearing Apparel, Bedding, Working Tools, and Implements, as aforeſaid.

Priſoner's future Eſtate and Effects, notwithſtanding his perſonal Diſcharge, liable to Creditors.

Wearing Apparel, Bedding, and Working Tools, &c. not exceeding 10 l. Value, excepted.

XXXIV. And be it alſo enacted, That any Creditor or Creditors of any Priſoner or Priſoners, Fugitive or Fugitives, who ſhall be diſcharged under this Act, may, at any Time after any ſuch Diſcharge, commence and proſecute any Action or Suit againſt any ſuch Priſoner or Fugitive, his, her, or their reſpective Heirs, Executors, or Adminiſtrators, for the Recovery of any Sum or Sums of Money which ſhall be due from any ſuch Priſoner or Priſoners, Fugitive or Fugitives, at the Time of his or her ſaid Diſcharge, but ſhall not hold the Perſon of any ſuch Priſoner or Fugitive to Special Bail; nor ſhall take the Perſon, neceſſary Wearing Apparel, Bedding, Tools, or Implements, as aforeſaid, of any ſuch Priſoner or Fugitive in Execution, or any Judgment, Sentence, or Decree, which ſhall hereafter be recovered or obtained againſt any ſuch Priſoner or Fugitive: And in any Action or Suit, which ſhall be hereafter commenced againſt any ſuch Priſoner or Fugitive, his or her Heirs, Executors, or Adminiſtrators, no Benefit or Advantage ſhall be had or taken, for that the Cauſe of Action did not accrue within three Years next before the commencing of any ſuch Action or Suit; nor ſhall any Statute of Limitation be pleadable, or be allowed to be pleaded in Bar of or in any ſuch Action or Suit, which ſhall be hereafter commenced by any ſuch Creditor or Creditors, againſt any ſuch Priſoner or Priſoners, unleſs ſuch Cauſe of Action or Suit did not accrue within three Years next before any ſuch Priſoner or Fugitive ſhall be diſcharged under this Act; and in any ſuch Caſe, the ſame may be pleaded by any ſuch Priſoner, his or her Heirs, Executors, or Adminiſtrators.

Creditor may ſue for the Recovery of Debt due at the Time of the Priſoner's Diſcharge,

but not hold the Priſoner to Special Bail, nor take his Perſon, Wearing Apparel, Bedding, or Tools, in Judgment; and no Advantage is to be taken of the Cauſe of Action not accruing within 3 Years, nor of the Statute of Limitation.

Exception.

XXXV. Provided always, and be it likewiſe enacted, That by the Diſcharge of any Priſoner or Fugitive by force of this Act, no other Perſon or Perſons who was or were Partner or Partners in Trade with any ſuch Priſoner or Fugitive, at the Time of his or her Diſcharge under this Act, or then ſtood bound, engaged with, or liable to the Payment of any Debt with any ſuch Priſoner or Fugitive, or engaged in any Contract together with any ſuch Priſoner or Fugitive, ſhall be diſcharged from any ſuch Debt or Demand; but every ſuch other Perſon and Perſons ſhall ſeverally ſtand and be chargeable with, and liable to pay, ſuch Debt and Debts, and to perform ſuch Contracts, in like manner as if any ſuch Priſoner or Fugitive had never been diſcharged from the ſame.

Diſcharge of Priſoner no Acquittal to the Copartner or Sureties.

XXXVI. And be it further enacted, That if any Gaoler or Keeper, or reputed Gaoler or Keeper, of any Priſon or Priſons, ſhall make, or cauſe to be made, any falſe Entries in any Book or Books belonging to any Priſon or Gaol under his Care, or of which he is or was Gaoler, or ſhall prepare or keep, or cauſe to be prepared or kept, any falſe Book or Books, in order for any falſe or untrue Entry or Entries to be made therein; or ſhall inſert in any Liſt to be delivered in as aforeſaid, the Name or Names of any Perſon or Perſons who was not a Priſoner or Priſoners in actual Cuſtody in any ſuch Gaol or Priſon upon the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, or ſhall not have ever ſince remained in ſuch actual Cuſtody; except as in the Oath of any ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall be excepted; every ſuch Gaoler or Keeper, or deputed Gaoler or Keeper, ſhall, over and above the Penalties which he ſhall be liable to for every ſuch Fraud, forfeit and pay the Sum of five hundred Pounds, to be recovered with treble Coſts of Suit, by and in the Name and for the Uſe of any Perſon or Perſons who ſhall be prejudiced by any Entry, or ſuch falſe Entries; which Penalties ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Gaoler making falſe Entries in the Priſon Book, or Liſts, forfeits 500 l. with treble Coſts,

over and above all other Penalties for ſuch Fraud.

XXXVII. And be it further enacted, That if any Priſoner, being thereunto required by any Creditor, ſhall refuſe to diſcover and declare the Trade or Occupation and Habitation or laſt Place of Abode of the Perſon or Perſons at whoſe Suit he or ſhe is detained or charged in Cuſtody; or being called for and deſired, by any Creditor or Creditors, to come to the Lodge of the Priſon in which any ſuch Priſoner ſhall be confined, without ſome reaſonable Cauſe being made appear to the contrary every ſuch Priſoner, upon Proof being made thereof before the Juſtices at any General or Quarter Seſſion of the Peace, or any Adjournment thereof, to be held as aforeſaid, ſhall not have or

Priſoner refuſing to declare the Abode, &c. of the Perſon at whoſe Suit he is detained, or to come to the Creditor in the Lodge, is excluded the Benefit of this Act.

receive any Benefit or Diſcharge by or under this Act; any Thing herein contained to the contrary thereof in any wiſe notwithſtanding.

'XXXVIII. And whereas there is but one Common or County Gaol for each of the reſpective 'Counties of *York* and *Lincoln*, which ſaid Counties are each of them divided into ſeveral Ridings or 'Diviſions, all which have ſeveral Commiſſions of the Peace; and if the Gaoler of thoſe Gaols be 'obliged to carry the Debtors, Priſoners therein, to the Quarter Seſſion of each Riding or Diviſion, 'the ſame will be a very great Charge, not only to ſuch Gaolers, but alſo to the Priſoners in thoſe 'large Counties;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful for two or more Juſtices of the Peace for each of the Ridings and Diviſions in their reſpective Counties, at the Common or County Gaol thereof reſpectively, or at ſome convenient Place near thereto, and they are hereby required to aſſemble and meet, and to hold Seſſion there, by Adjournment from their reſpective Quarter Seſſion, from Time to Time, for the Diſcharge of the reſpective Priſoners therein, according to the Powers, Limitations, and Directions of this Act.

Juſtices for Com' York and Lincoln, to meet at the County Gaols, &c. for Diſcharge of Priſoners.

XXXIX. And be it further enacted by the Authority aforeſaid, That all Debtors, and others, who were in Priſon on or before the ſaid twenty-fifth Day of *October* one thouſand ſeven hundred and ſixty, or ſince, in any of the Gaols of this Kingdom, and now remain there for not paying their Fees, Rents, or any other Demands, due, or claimed as due, to the Keeper or Gaoler of any Priſon reſpectively, or to any other Officer of any ſuch Priſon (and upon no other Account) ſhall be diſcharged therefrom, he, ſhe, or they taking the Oath by this Act required to be taken by Priſoners.

Thoſe who are Priſoners for their Fees, or other Demands of the Gaoler or Officer, to be diſcharged.

XL. Provided always, That this Act ſhall not extend to diſcharge any Perſon out of Priſon, ſeeking his or her Diſcharge under this Act, with reſpect to any Debt with which he or ſhe ſhall ſtand charged at the Suit of the Crown, or ſhall be indebted to any Body Politick or Corporate, or to any one Perſon, in any Sum exceeding the Sum of one thouſand Pounds, beſides Intereſt and Coſts, unleſs ſuch Body Politick or Corporate, or Creditor, ſhall conſent thereto; and if any ſuch Body Politick or Corporate, Creditor or Creditors, to whom a Sum exceeding one thouſand Pounds ſhall be owing, ſhall oppoſe the Diſcharge of ſuch Priſoner, and ſhall inſiſt that ſuch Priſoner be continued in Gaol, that then, and in ſuch Caſe, ſuch Body Politick or Corporate, or Creditor or Creditors, oppoſing the ſaid Priſoner's Diſcharge as aforeſaid, ſhall, at his, her, or their proper Coſts and Charges, allow and pay in the Whole ſuch a weekly Maintenance to the ſaid Priſoner, not exceeding three Shillings and ſix Pence *per* Week, in ſuch manner as the ſaid Juſtices in their General or Quarter Seſſion, or ſome Adjournment thereof, ſhall order; and upon Non-payment of the ſame for the Space of ſix Weeks, the ſaid Priſoner, upon Application to the ſaid Juſtices in their General or Quarter Seſſion held as aforeſaid, ſhall be diſcharged purſuant to the Intent and Meaning of this Act.

Debtors to the Crown, and Priſoners who owe above 1000 l. to one Perſon, unleſs the Creditors conſent, are excluded the Benefit of this Act.

Creditor oppoſing Priſoner's Diſcharge, to allow him 3 s. 6 d. per Week.

On Nonpayment, Priſoner to be diſcharged.

XLI. Provided alſo, That every Perſon and Perſons intitled, or to be intitled to the Benefit of this Act, ſhall obtain their reſpective Diſcharges, on or before the thirty-firſt Day of *March* one thouſand ſeven hundred and ſixty-three, or ſhall be excluded from all Benefit of this Act.

Diſcharges to be obtained by 31 March 1763.

'XLII. And whereas it may happen that ſeveral Perſons who may claim and be intitled to the 'Benefit of this Act, are ſeiſed of an Eſtate Tail, in ſome Freehold or Copyhold Lands, Tenements 'or Hereditaments; which Entail, with the Remainders thereupon expectant, they have, by Law, 'Power to defeat and bar, either by levying a Fine or Fines, ſuffering a Common Recovery or Com'mon Recoveries, or by Surrender or Surrenders thereof, whereby ſuch Perſon or Perſons ſaid Free'hold or Copyhold Lands, Tenements, or Hereditaments, would be liable to the Payment of their 'Debts, and be delivered up, according to the Terms of this Act, for the Benefit of their Creditors;' Be it therefore enacted by the Authority aforeſaid, That, in every ſuch Caſe, ſuch Perſon or Perſons ſo ſeiſed, as aforeſaid, and who ſhall be intitled to and claim the Benefit of this Act, ſhall, to all Intents and Purpoſes whatſoever, in Law, be deemed and taken, and is and are hereby declared, to be ſeiſed of ſuch Lands, Tenements, and Hereditaments, in Fee, provided the ſame ſhall be delivered up to the Creditor or Creditors of every ſuch Priſoner, in the ſame Manner as if ſuch Perſon or Perſons had actually levied a Fine, ſuffered a Common Recovery or Recoveries, or made a Surrender or Surrenders thereof, and thereby had become ſeiſed in Fee; any Law, or Conſtruction of Law, to the contrary thereof in any wiſe notwithſtanding.

Perſons ſeized of an Eſtate Tail, claiming the Benefit of this Act, are to deliver up the ſame to the Creditors.

'XLIII. And whereas many Priſoners who may be intitled to and claim the Benefit of this Act, 'have been great Dealers, or otherwiſe engaged in large Tranſactions, whereby they may be intitled 'to ſundry and great Debts and Demands of various and intricate Natures, and they may be intitled 'to Equities of Redemption of Eſtates, ſubject and liable to Mortgages, Judgments, or other Incum'brances, or to Reverſions, Remainders, or other contingent Eſtates in Lands, Tenements, or Here'ditaments, or to other Truſts or Intereſts in Eſtates, both Real and Perſonal, which may not be 'ſufficiently deſcribed or diſcovered in the Schedule or Inventory before directed to be delivered in, 'upon Oath, by the Priſoner to be diſcharged as aforeſaid, or which may want his Aid or Aſſiſtance 'to adjuſt, make out, recover, or manage, for the Benefit of the Creditors;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the reſpective Aſſignees of the Eſtate and Effects of ſuch Priſoner or Priſoners who ſhall obtain his, her, or their Diſcharge, in purſuance of this Act, or any other Perſon or Perſons duly authorized by them for that Purpoſe, from Time to Time, to apply to any two or more of the Juſtices of the Peace for the County, Riding, Diviſion, City, Town, Place, or Liberty, where ſuch Priſoner or Priſoners ſhall be then reſiding, thereby deſiring, that ſuch Priſoner or Priſoners may be further examined as to any Matters or Things relating

Aſſignees may apply for further Examination of Priſoner, touching the Diſcovery of his Effects, &c.

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relating to his, her, or their Eſtate or Effects; whereupon ſuch Juſtices ſhall ſend for, or call before them, ſuch Priſoner or Priſoners by ſuch Warrant, Summons, Ways or Means, as they ſhall think fit; and, upon ſuch Priſoner's appearing, ſhall examine him, her, or them, as well upon Oath as otherwiſe, as to ſuch Matters and Things as ſuch Aſſignee ſhall deſire, relating to the Eſtate or Effects of ſuch Priſoner or Priſoners; and if any Priſoner or Priſoners (on Payment or Tender of Payment of ſuch reaſonable Charges as ſuch Juſtices ſhall judge ſufficient) ſhall neglect or refuſe to come and appear, not having a lawful Excuſe, to be made known to ſuch Juſtices, and by them allowed, or, being come before them, ſhall refuſe to be ſworn, or to anſwer to all ſuch Queſtions as by ſuch Juſtices ſhall be put to him, her, or them, relating to the Diſcovery of his, her, or their Eſtate or Effects ſo veſted, or intended to be veſted, in ſuch Clerk of the Peace, or in ſuch Aſſignees, as aforeſaid; that then it ſhall and may be lawful to and for ſuch Juſtices, by Warrant under their Hands and Seals, to apprehend ſuch Priſoner or Priſoners ſo offending as aforeſaid, and him, her, or them to commit to the County Gaol, there to remain without Bail or Mainprize, until ſuch Time as he, ſhe, or they ſhall ſubmit him, her, or themſelves to ſuch Juſtices, and anſwer upon Oath to all ſuch lawful Queſtions as ſhall by ſuch Juſtices be put to him, her, or them, for the Purpoſes aforeſaid.

and Juſtices may ſend for and examine the Priſoner accordingly.

Priſoner refuſing to appear, or to anſwer upon Oath, may be committed.

XLIV. And be it further enacted by the Authority aforeſaid, That all and every ſuch Perſon and Perſons who ſhall, within twelve Months after the Diſcharge of ſuch Priſoner or Priſoners, voluntarily come in and make a Diſcovery of any Part of ſuch Debtor or Debtors Real or Perſonal Eſtate as ſhall not be comprized in ſuch Schedule as aforeſaid, before any ſuch Juſtices aforeſaid, ſhall be allowed after the Rate of twenty Pounds *per Centum*, out of the net Produce of ſuch Debtor or Debtors Eſtate, which will be recovered on ſuch Diſcovery, and which ſhall be paid ſuch Perſon or Perſons ſo diſcovering the ſame, by the Aſſignee or Aſſignees of ſuch Priſoner's Eſtate and Effects.

20 l. per Cent allowed on diſcovering, within 12 Months, any Part of the Priſoner's Eſtate not returned in the Schedule.

XLV. Provided always, and be it enacted, That notwithſtanding the Diſcharge of any Priſoner or Priſoners by virtue of this Act, if it ſhall hereafter appear the ſame was obtained fraudulently, or that any Part of the Oath taken by any ſuch Priſoner was not true; then, and in every ſuch Caſe, every ſuch Diſcharge ſhall be void and of none Effect.

Diſcharge obtained fraudulently, void.

'XLVI. And whereas many Perſons who are Priſoners for Debt, too often chuſe rather to con-'tinue in Priſon, and ſpend their Subſtance there, than diſcover and deliver up to their Creditors 'their Eſtates or Effects towards ſatisfying their juſt Debts;' Be it therefore enacted, That it ſhall and may be lawful to or for any Creditor or Creditors of any Priſoner committed, or who ſhall hereafter be committed, and charged in Execution in any Gaol or Priſon, upon twenty Days Notice in Writing for that Purpoſe to be given to ſuch Priſoner who now is charged in Execution, or who, at any Time after the paſſing of this Act, ſhall be charged in Execution, and alſo to the Gaoler or Keeper of the Priſon in whoſe Cuſtody ſuch Priſoner is, to require the Sheriff or Sheriffs, Gaoler or Gaolers, or Keeper of the Priſon wherein any ſuch Priſoner is or ſhall be detained, to bring any ſuch Priſoner before the Juſtices at their next General or Quarter Seſſion of the Peace, or any Adjournment thereof, for the reſpective County, Riding, Diviſion, City, Town, or Liberty, in the Gaol or Priſon of which any ſuch Priſoner ſhall be detained, after any ſuch Notice ſhall be given, together with a Copy or Copies of the Cauſe or Cauſes of his or her Detainer; and ſuch Priſoner coming before ſuch Juſtices at their ſaid General or Quarter Seſſion held as aforeſaid, ſhall, at the Deſire of any Creditor or Creditors at whoſe Suit he or ſhe ſhall be detained, be obliged to take and ſubſcribe the Oath herein after directed to be taken, and alſo to deliver in and ſubſcribe a Schedule of his or her Eſtates and Effects, in like manner as Perſons deſiring to take the Benefit of this Act are required to do; and every ſuch Priſoner, upon taking the Oath herein after directed, and ſubſcribing ſuch Schedule as aforeſaid, and diſcovering his or her Eſtates to the Satisfaction of the ſaid Juſtices in their ſaid General or Quarter Seſſion held as aforeſaid, or the major Part of them, ſhall be diſcharged and ſet at Liberty, in the ſame Manner, and with the ſame Benefit of making uſe of their Diſcharge, as is hereby provided for Priſoners who ſhall be diſcharged under this Act; and if any ſuch Priſoners, who ſhall be ſo brought up as aforeſaid, and be required to deliver up his or her Eſtates or Effects as aforeſaid, ſhall neglect or refuſe ſo to do, and to deliver in and ſubſcribe ſuch Schedule within forty Days after he or ſhe ſhall be ſo brought up, or ſhall wilfully conceal any of his or her Eſtate or Effects, to the Amount of twenty Pounds or upwards, or any Books, Papers, or Writings thereto belonging, with Intent to defraud his or her Creditors, and being thereof lawfully convicted by Judgment or Information, ſhall be deemed and adjudged to be guilty of Felony, and ſhall ſuffer Death as a Felon, without Benefit of Clergy; and in any ſuch Caſe ſuch Felon's Goods and Eſtate ſhall go and be divided amongſt his or her Creditors in proportion to each one's reſpective Debt.

Creditor may compel any Priſoner, charged in Execution, to appear at the Quarter Seſſions, with the Copy of his Detainer, and deliver in a Schedule of his Eſtate.

Repealed by 2 *Geo.* 3. *c.* 2.

Priſoner ſubſcribing the Schedule, and making a Diſcovery of his Eſtate, is to be diſcharged.

On his Refuſal ſo to do, or concealing to the Amount of 20 l. &c. he is to ſuffer as a Felon.

XLVII. Provided always, and be it further enacted, That the Creditor or Creditors who ſhall deſign to compel any ſuch Priſoner to deliver in any ſuch Schedule of their Eſtate and Effects, and ſurrender up the ſame, ſhall give publick Notice of ſuch his or her Intention in the *London Gazette*, if the Priſoner is in Cuſtody in any Gaol in *London*, or within the Weekly Bills of Mortality; and if not, then alſo in ſome News Paper which ſhall be publiſhed in or near the County, Riding, Diviſion, City, Town, Liberty, or Place where the Gaol is in which any ſuch Perſon ſhall be a Priſoner, twenty Days at leaſt before any ſuch General or Quarter Seſſion ſhall be ſo held as aforeſaid, to the end the other Creditors of every ſuch Priſoner may be apprized thereof, and come in for their reſpective diſtributive Shares of the Eſtate and Effects of every ſuch Perſon; and which Eſtate and Effects ſhall be diſpoſed of with all convenient Speed, after any Perſon or Perſons ſhall be choſe Aſſignee or Aſſignees of the Eſtate and Effects of any ſuch Priſoner, by ſuch Aſſignee or Aſſignees; and the neat Produce thereof ſhall be equally diſtributed between and amongſt all the juſt Creditors of any ſuch Priſoner,

Where Priſoner is to be compelled, Notice is to be given in the Gazette, &c. that other Creditors may come in.

After Aſſignees ſhall be choſen, the Eſtate and Effects of the Priſoner are to be ſold with all Speed, and Diſtribution

made among the Creditors.

Prisoner, in proportion to their respective Debts, who shall ascertain the same, on Oath, in like manner as Creditors of Persons seeking their Discharge under this Act are required and directed by this Act to do: And if any Dispute shall arise touching the Reality or Fairness of any such Debt, the same shall be determined by the Justices at the next General or Quarter Session which shall be held for the County, Riding, Division, City, Town, Liberty, or Place, wherein the Gaol or Prison in which any such Prisoner was in Custody, when required to surrender up his Estates and Effects in pursuance of this Act, is; and if, after paying all the Debts of any such Prisoner, and all necessary Charges, any Overplus shall remain from his Estates or Effects, the same shall be paid to such Prisoner, his Executors, or Administrators.

Disputes touching any Debt to be determined by the Court;

and Surplus Monies to be paid over to the Prisoner.

XLVIII. And be it further enacted, That every Prisoner who shall be required to deliver up his Estate and Effects as aforesaid, shall, at the General or Quarter Session at which he or she shall be required to appear as aforesaid, take an Oath to the Effect following; that is to say,

Oath to be made by Prisoner compelled to deliver up his Estate and Effects;

'I *A. B.* upon my corporal Oath, in the Presence of Almighty God, do solemnly swear, protest, and declare, That the Schedule now delivered in, and by me subscribed, doth contain, to the best of my Knowledge, Remembrance, and Belief, a full, just, true, and perfect Account and Discovery of all my Real Estate, either in Possession, Reversion, Remainder or Expectancy, and of all the Goods, Chattels, and Personal Estate, which I, or any in Trust for me, or for my Benefit or Advantage, now have, or am intitled to; and of all Debts as are to me owing, or to any Person or Persons in Trust for me; and of all Securities and Contracts whereby any Money now is, or will or may hereafter become payable to, or any Benefit or Advantage may accrue to me, or to my Use, or to any Person or Persons in Trust for me; and the Names and Places of Abode of the several Persons from whom such Debts are due and owing; and of the Witnesses that can prove such Debts or Contracts; and also a true Account of all Books, Papers, Decrees, Writings, and Evidences relating thereto, in my Custody or Power; and that neither I, nor any Person or Persons in Trust for me, have, to my Knowledge and Belief, any Lands, Money, Stock, or other Estate, Real or Personal, in Possession, Reversion, or Remainder, other than what is or are in the said Schedule contained; except the Wearing Apparel, Bedding for myself and Family, Working Tools, and necessary Implements for my Occupation and Calling, and these in the Whole not exceeding the Value of ten Pounds; and that I have not, nor any Body for me hath, directly or indirectly, sold, lessened, or otherwise conveyed, disposed of in Trust, or concealed, all or any Part of my Messuages, Lands, Money, Goods, Chattels, Stock, Debts, Securities, Contracts, or Estates, Real or Personal, or any Books, Papers, or Writings concerning the same, whereby to secure the same, or to receive or expect any Profit or Advantage to myself or my Family, or with any View or Design to defraud or deceive any Creditor or Creditors, to whom I am indebted, or was indebted when committed to Gaol, in any wise howsoever. *So help me GOD.*'

he is liable also to undergo further Examination for Discovery of his Effects on the Application of the Assignees, and on Refusal may be committed.

XLIX. And be it further enacted by the Authority aforesaid, That every such Prisoner shall be obliged, from Time to Time, to undergo the like Examination on the Application of the Assignee or Assignees of his or her Estate or Effects, as Prisoners, seeking and obtaining their Discharge under this present Act, are required to undergo; and shall be subject to the like Commitment for refusing to appear and answer, upon Oath, any lawful Questions, before any Justice of the Peace, for the Discovery of his or her Estate and Effects, in like manner as may be done, by virtue of this Act, in the Case of other Prisoners.

Persons concealing any Estate or Effects of the Prisoner, forfeit 100*l.* and double Value, with treble Costs of Suit.

L. And, for the better Discovery of the Estate and Effects of any Prisoner who shall be discharged by virtue of this Act, Be it enacted by the Authority aforesaid, That any Person or Persons who shall have accepted of any Trust or Trusts, and shall wilfully conceal or protect any Estate, Real or Personal, of any such Prisoner from his Creditors, and shall not, within thirty Days after any Assignee or Assignees shall, in pursuance of this Act, be chose of any such Prisoner's Estate, discover and disclose to such Assignee or Assignees such Trust and Estate in Writing, and deliver up or make over the same to such Assignee or Assignees, he, she, or they, so offending, shall, for every such Offence, forfeit the Sum of one hundred Pounds, and also double the Value of the Estate, either Real or Personal, so concealed, to and for the Use of the Creditors of any such Prisoner; to be recovered by Action of Debt, in any of his Majesty's Courts of Record at *Westminster*, in the Name or Names of the Assignee or Assignees of such Prisoner's Estate, together with treble Costs of Suit.

Assignees, with Consent of the Majority in Value of the Creditors, may compound for Debts due to the Prisoner's Estate;

and may submit any Dispute relating thereto to Arbitration,

LI. And be it further enacted by the Authority aforesaid, That it shall be lawful at all Times hereafter for any Assignee or Assignees of the Estate or Effects of any Prisoner or Prisoners, who shall be chose in pursuance of this Act, by and with the Consent of the major Part in Value of such Prisoner or Prisoners Creditors, who shall be present at a Meeting to be had on twenty-one Days publick Notice being previously given for the Purpose hereafter mentioned in the *London Gazette*, if the Prisoner was in Custody in *London*, or within the Weekly Bills of Mortality, and if not, then also in some News Paper which shall be published in the County, City, or Place, in or near which any such Person shall have been in Gaol, to make Composition with any Person or Persons, Debtors or Accountants to such Prisoner or Prisoners, where the same shall appear necessary or reasonable; and to take such reasonable Part of any such Debt as can, upon such Composition, be gotten, in full Discharge of such Debts and Accounts; and also to submit any Difference or Dispute between such Assignee or Assignees, and any Person or Persons, for or on account, or by reason or means of any Matter, Cause, or Thing relating to such Prisoner or Prisoners Estate or Effects, or to any Debt or Debts due, or claimed to be due, to or from such Prisoner or Prisoners, to the final End and Determination

mination of Arbitrators to be chosen by the said Assignee or Assignees, and the major Part in Value of such Creditors, and the Party or Parties with whom they shall have no Difference, and to perform the Award of such Arbitrators, or of any Umpire to be chosen by them; or otherwise to settle and agree the Matters in Difference and Dispute between them, in such manner as the said Assignee or Assignees, with such Consent as aforesaid, shall think fit, and can agree, and the same shall be binding to all the Creditors of such Prisoner or Prisoners; and every such Assignee or Assignees is and are hereby indemnified for what they shall fairly do in the Premisses in pursuance of this Act.

or otherwise may settle and agree the same as they shall think fit.

LII. And, to the Intent and Purpose that the Estate and Effects of such Prisoner or Prisoners as shall be discharged by virtue of this Act, may be truly and faithfully applied for the Benefit of his, her, or their real Creditors, Be it enacted by the Authority aforesaid, That it shall and may be lawful to and for the respective Courts at *Westminster*, and the Courts of Great Session in *Wales*, and the Principality of *Chester*, and the Counties Palatine of *Lancaster* and *Durham*, respectively, from whence any Process issued upon which any such Prisoner or Prisoners was or were committed, or, where the Process issued out of any other Court, to and for the Judges of the Court of *King's Bench*, *Common Pleas*, and *Exchequer*, or of Great Sessions aforesaid, within their respective Jurisdictions, or any one of them, from Time to Time, upon the Petition of any such Prisoner, or the Creditor or Creditors of such Prisoner or Prisoners, complaining of any Insufficiency, Fraud, Mismanagement, or other Misbehaviour of any Assignee or Assignees of the Estate or Effects of any such Prisoner or Prisoners, to summon all Parties concerned, and, upon hearing the Parties concerned therein, to make and give such Orders and Directions therein, either for the Removal or Displacing such Assignee or Assignees, and the appointing any new Assignee or Assignees in the Place or Stead of such Assignee or Assignees so to be removed or displaced, or for the prudent, just, or equitable Management or Distribution of the Estate and Effects of any such Prisoner for the Benefit of the respective Creditors, as the said Courts or Judges respectively shall think fit; and in case of the Removal or Displacing of any Assignee or Assignees, and the appointing of any new Assignee or Assignees, the Estate or Effects of such Prisoner or Prisoners shall, from thenceforth, be divested out of the Assignee or Assignees so removed or displaced, and be vested in and delivered over to such new Assignee or Assignees, in the same Manner, and for the same Intents and Purposes, as the same were before vested in the Assignee or Assignees first chose as aforesaid; any Thing in this Act contained to the contrary notwithstanding.

Assignees may be petitioned against, for Insufficiency, Fraud, Mismanagement, or other Misbehaviour;

the Court thereupon is to summon the Parties, and make such Orders therein as they shall think fit.

LIII. Provided always, and be it enacted by the Authority aforesaid, That in all Cases where mutual Credit hath been given between any Prisoner or Prisoners who shall be discharged in pursuance of this Act, and any other Person or Persons, or Body Politick or Corporate, before the Delivery of such Schedule or Inventory of the Estate and Effects of such Prisoner or Prisoners, upon Oath, as aforesaid, the respective Assignee and Assignees of such Prisoner or Prisoners is and are hereby authorized and required, on his and their Parts, to state and allow an Account between them and the other Party or Parties concerned; and nothing more shall be deemed to be vested in such Clerk of the Peace, or such Assignee or Assignees, under such Clerk of the Peace, as the Estate or Effects of such Prisoner or Prisoners, than what shall appear to be justly due to him, her, or them, respectively, as and for the Balance of such Account when truly stated.

Where mutual Credit has been given, the Balance to be stated and allowed.

LIV. And whereas great Numbers of poor People have been, and are now, imprisoned for Debt upon Processes issuing out of Courts of Conscience; it is hereby enacted and declared, That all such Prisoners shall be intitled to have the Benefit of this Act, and be discharged under the same, provided he, she, or they conform to the Directions herein before prescribed, touching other Prisoners who shall be discharged by virtue of this Act.

Those who are Prisoners upon Process out of Courts of Conscience, to have the Benefit of this Act.

LV. And be it further enacted by the Authority aforesaid, That in all Cases wherein by this Act an Oath is required, the solemn Affirmation of any Person being a *Quaker* shall and may be accepted and taken in lieu thereof; and every Person making such Affirmation, who shall be convicted of wilful and false Affirming, shall incur and suffer such and the same Penalties as are inflicted and imposed by this Act upon Persons convicted of wilful and corrupt Perjury.

Quakers Affirmation to be taken in lieu of an Oath.

LVI. Provided always, and be it further enacted by the Authority aforesaid, That no Person who took the Benefit of an Act passed in the twenty-eighth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for Relief of Insolvent Debtors*, shall have or receive any Benefit or Advantage of or under this Act, nor be deemed to be within the Intent and Meaning thereof, so as to be discharged under the same; any Thing herein before contained to the contrary notwithstanding.

Persons who took the Benefit of the Act of 28 Geo. 2. excluded.

LVII. Provided also, and be it further enacted by the Authority aforesaid, That no Person or Persons under the Age of fifty Years, who hath or have been at any Time in the Service of his late Majesty King *George* the Second, either by Sea or by Land, or any Mariner or Sea-faring Man under the said Age of fifty Years, shall, during the present War with *France*, be discharged from his or their Imprisonments, or have any Benefit or Advantage by means or virtue of this Act, or any Thing herein contained, unless such Person or Persons, if approved of and deemed fit to serve his present Majesty, his Heirs or Successors, by any Officer of his present Majesty, his Heirs or Successors, who shall attend at any General or Quarter Session of the Peace, or any Adjournment thereof, at which any such Prisoner or Prisoners shall be discharged, do and shall enter or list himself or themselves into his present Majesty's Service, either by Sea or by Land, as a Mariner or Soldier, if approved of as aforesaid, immediately after such Discharge, and do and shall continue in such Service during the Continuance of the present War; and if any such Person or Persons who shall obtain his or their Discharge under this present Act, shall desert or absent himself or themselves from such Service, at any Time during the Continuance of the present War, it shall and may be lawful to and for any one of

Mariners, and those who have been in the Sea or Land Service, are, upon their Discharge, if under 50 Years of Age, and approved of, to serve during the present War;

and if they desert, &c. they are liable to Arrest and Imprisonment, at Suit of their Creditors.

of the Creditors, at whoſe Suit ſuch Perſon or Perſons was or were detained at the Time of his or their obtaining ſuch their Diſcharge, to renew and ſue out the like Proceſs as ſuch Perſon or Perſons ſtood charged in Cuſtody with at the Time of his or their Diſcharge, and to cauſe ſuch Perſon or Perſons to be arreſted, impriſoned, and detained in Priſon anew, for his, her, or their Debt or Demand, in ſuch Sort, Manner, and Form, as if this Act had never been made, and ſuch Perſon had not before been confined in Priſon, in reſpect of ſuch Debt, Demand, Contempt, Coſt, or otherwiſe; any thing herein contained to the contrary notwithſtanding.

This Act not to extend to Scotland. *Repealed in Part by 2 Geo. 3. c. 2.*

LVIII. Provided alſo, and it is hereby enacted, That nothing in this Act contained ſhall extend to that Part of *Great Britain* called *Scotland*.

CAP. XVIII.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer, for the Service of the Year one thouſand ſeven hundred and ſixty-one.

Moſt Gracious Sovereign,

Preamble.

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, being deſirous to raiſe the Reſidue of the neceſſary Supplies which we have chearfully granted to your Majeſty in this Seſſion of Parliament, by Ways and Means the leaſt burthenſome to your Majeſty's Subjects, have reſolved to give and grant to your Majeſty the Sum herein after mentioned; and do therefore moſt humbly beſeech your Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as ſhall, from Time to Time, be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, after paying or reſerving ſufficient to pay all ſuch Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, there ſhall and may be iſſued and applied for and towards making good the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and ſixty-one, a Sum not exceeding one million ſeven hundred ſixty-two thouſand and four hundred Pounds; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly.

1,762,400l. out of the Sinking Fund,

II. And be it further enacted by the Authority aforeſaid, That the Sum of eighty-eight thouſand ſix hundred ſixty-ſeven Pounds and ten Shillings, remaining in the Receipt of the Exchequer, being Part of the Sum of ninety thouſand Pounds, granted to his late Majeſty, in the Year one thouſand ſeven hundred and fifty-nine, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia, from the thirty-firſt Day of *December* one thouſand ſeven hundred and fifty-eight, to the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty, and for repaying the Sum of one thouſand three hundred thirty-two Pounds and ten Shillings, advanced by his ſaid Majeſty, for the Service of the Militia, ſhall and may be in like manner iſſued and applied at the ſaid Receipt, for and towards the ſaid Supply.

and 88,667l. 10s. remaining in the Exchequer, Part of 90,000l. granted to his late Majeſty on Account of the Militia; granted to his preſent Majeſty, for the Service of the Year 1761.

Clauſe of Loan.

III. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds, or any Part thereof, by Loans or Exchequer Bills, in manner herein after mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sum or Sums of Money not exceeding the ſaid Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds, upon the Credit of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund, and to have and receive Intereſt for the Forbearance of the Money lent, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, who are hereby authorized to iſſue their Warrants for that Purpoſe as faſt as ſuch Loans ſhall be wanted for the publick Service; and moreover, that no Money to be lent upon the Security of this Act, ſhall be rated or aſſeſſed to any Tax or Aſſeſſment whatſoever.

Tallies of Loan to be ſtruck, &c.

IV. And be it further enacted, That all and every Perſon or Perſons who ſhall lend any Money upon the Credit of this Act, as aforeſaid, and pay the ſame into the Receipt of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and an Order for his, her, or their Repayment, bearing the ſame Date with his, her, or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money ſo to be lent, ſhall be regiſtered in Courſe according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe according as their Orders ſhall ſtand regiſtered in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her, or their Executors, Adminiſtrators, or Aſſigns, who ſhall have his, her, or their Order or Orders firſt entered in the ſaid

Orders regiſtered and paid in Courſe.

Books

Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid, out of the ſaid Surpluſſes, Exceſſes, or other Revenues; and he, ſhe, or they, who ſhall have his, her, or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues, compoſing the Sinking Fund, as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors, or Aſſigns reſpectively, without any undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent, or Purpoſe whatſoever (other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf, as aforeſaid); and that no Fee, Reward, or Gratuity, directly or indirectly, ſhall be demanded or taken of any of his Majeſty's Subjects, for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Intereſt thereof, as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies, on pain of Payment of treble Damages to the Party grieved, by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo: And if any undue Preference of one before another ſhall be made, either in point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable, by Action of Debt, or on the Caſe, to pay the Value of the Debt, with full Coſts of Suit, to the Party grieved, and ſhall be forejudged of his Place or Office; and if any ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after incapable of his Office or Place; and in caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon ſuch Orders, according to each Perſon's due Place and Order as before directed, then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks therein offending, to be liable to ſuch Action, Debt, Damages, and Coſts, in ſuch manner as aforeſaid; all which ſaid Penalties, Forfeitures, Damages, and Coſts, to be incurred by any of the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

No Fee for regiſtering, &c.

Penalty for undue Preference.

V. Provided always, and it is declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment as aforeſaid, bear Date, or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

No undue Preference, where Tallies are dated or brought the ſame Day:

VI. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in Point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders before other Perſons that did not come to take their Monies and bring their Orders in Courſe; ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders; which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Nor if ſubſequent Orders be paid before ſuch as were not demanded in Courſe.

VII. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due for Loans to be regiſtered by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her, or their Executors, Adminiſtrators, or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her, or their Order, may aſſign and transfer his, her, or their Right, Title, Intereſt, and Benefit of ſuch Order to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſtry aforeſaid for Orders (which the Officer ſhall, upon Requeſt, without Fee or Charge, accordingly make) ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may, in like manner, aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment, to make void, releaſe, or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

Orders aſſignable.

VIII. And, to the end there may be no Want or Failure of a certain Sum, not to exceed in the whole the ſaid Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills, as is herein after-mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds, or any Part thereof by Exchequer Bills, inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered, at any Time or Times, to prepare and make, or cauſe to be prepared and made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money, not exceeding in the Whole the ſaid Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds, together with ſuch Loans aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions as in and by a certain Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of*

Commiſſioners of the Treaſury impowered to prepare any Number of new Exchequer Bills, containing one common Sum, or different Sums, in the principal Monies.

the Year one thouſand ſeven hundred and ſixty-one, are enacted and preſcribed, concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

Clauſes in the Land Tax Act relating to Exchequer Bills, extended to this.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills, authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act) ſhall be applied and extended to the Exchequer Bills to be made in purſuance of this Act, as fully and effectually to all Intents and Purpoſes, as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act.

Bills diſcharged to be cancelled.

X. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt, Premium, Rate, and Charges, incident to, or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing Produce of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues, compoſing the Sinking Fund (except ſuch Monies of the ſaid Sinking Fund, as are appropriated to any particular Uſe or Uſes, by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging ſuch Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the Whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

The Bank impowered to advance on the ſaid Credit of Loan, any Sum or Sums not exceeding 1,762,400l. the Act of 5 & 6 W. & M. c. 20. notwithſtanding.

XI. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majeſty in like manner at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds; any thing in an Act made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt* France, to the contrary thereof in any wiſe notwithſtanding.

CAP. XIX.

An Act for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for exempting any Annuities or Sums of Money granted or to be granted to the Royal Family, from Payment of Taxes.

Moſt Gracious Sovereign,

Preamble.

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, having taken into our ſerious Conſideration your Majeſty's moſt gracious 'Meſſage, ſignifying your Majeſty's Deſire to be enabled by your faithful Commons to defray 'any extraordinary Expences of the War incurred, or to be incurred, for the Service of the Year 'one thouſand ſeven hundred and ſixty-one; and to take all ſuch Meaſures as may be neceſſary to 'diſappoint or defeat any Enterprizes or Deſigns of your Majeſty's Enemies, and as the Exigency 'of Affairs may require, have reſolved to give and grant to your Majeſty the Sum of one million 'for that Purpoſe; and do therefore moſt humbly beſeech your Majeſty that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may by lawful to and for the King's moſt Excellent Majeſty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commiſſioners of his Majeſty's Treaſury now, or for the Time being, or any three or more of them, or the Lord High Treaſurer for the Time being, at any Time or Times before the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, to cauſe or direct any Loans to be taken or received at his Majeſty's Exchequer from any Perſon or Perſons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the Whole, the ſaid Sum of one million, in the ſame or like Manner, Form, and Order, and according to the ſame or like Rules and Directions, as in and by an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and ſixty-one*, are enacted and preſcribed concerning the Loans or Exchequer Bills to be taken or made in purſuance of the ſaid Act.

Credit of Loan granted to his Majeſty for 1,000,000l.

Treaſury may raiſe the ſame by Loans or Exchequer Bills,

in like manner as is preſcribed by the Land Tax Act of this Seſſion, concerning Loans or Exchequer Bills thereby to be made out.

The Clauſes, &c. in the ſaid Act relating to the Loans or Exchequer Bills,

II. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities contained in the ſaid laſt mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except

cept ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act) ſhall be applied and extended to the Loans and Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame Loans or Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this Act.

extended to the Loans and Exchequer Bills to be made forth in purſuance of this Act;

III. And be it further enacted by the Authority aforeſaid, That all ſuch Loans or Exchequer Bills, together with the Intereſt, Premium, Rate, and Charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt Aids or Supplies which ſhall be granted in the next Seſſion of Parliament; and in caſe ſufficient Aids or Supplies for that Purpoſe ſhall not be granted before the fifth Day of *July* one thouſand ſeven hundred and ſixty-two, then all the ſaid Loans or Exchequer Bills, with the Intereſt, Premium, Rate, and Charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon ſuch Monies as, at any Time or Times at or after the ſaid fifth Day of *July* one thouſand ſeven hundred and ſixty-two, ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging ſuch Loans or Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Principal and Intereſt, with the Charges attending, to be paid out of the next Supplies, and if none ſufficient be granted before 5 July 1762, then they are to be paid out of the Sinking Fund;

IV. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Surpluſſes, Exceſſes, Overplus Monies, or other Revenues compoſing the Sinking Fund, ſhall, from Time to Time, be replaced by and out of the firſt Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithſtanding.

and the Monies ſo iſſued to be replaced out of the firſt Supplies.

V. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majeſty in like manner at the Receipt of the Exchequer, upon the Credit of the Loan granted by this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of one million; any thing in an Act made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt* France, to the contrary thereof in any wiſe notwithſtanding.

The Bank impowered to advance on the ſaid Credit of Loan, any Sum or Sums not exceeding 1,000,000l. the Act of 5 & 6 W. & M. c. 20. notwithſtanding.

VI. Provided always, and it is hereby enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſixty-one*; and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges allowable thereby for raiſing the ſaid Land Tax, ſhould be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to ſatisfy and diſcharge the ſame; and alſo all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſixty-one*; and ſo much Money if any ſuch be, of the Duties thereby granted, as ſhall ariſe or remain, after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate, and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to ſatisfy and diſcharge the ſame; and alſo all the Monies coming into the Exchequer by Contributions for Annuities and a Lottery, granted by one other Act of this Seſſion of Parliament, intituled, *An Act for granting to his Majeſty an additional Duty upon Strong Beer and Ale; and for raiſing the Sum of twelve millions by Way of Annuities and a Lottery, to be charged on the ſaid Duty; and for further encouraging the Exportation of Strong Beer and Ale*; and alſo the Sum of one million ſeven hundred ſixty-two thouſand and four hundred Pounds, out of ſuch Monies as ſhall or may ariſe of the Surpluſſes, Exceſſes, or Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, directed to be iſſued and applied by one other Act of this Seſſion of Parliament, intituled, *An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer, for the Service of the Year one thouſand ſeven hundred and ſixty-one*; and alſo the Sum of eighty-eight thouſand ſix hundred ſixty-ſeven Pounds and ten Shillings, remaining in the Receipt of the Exchequer, being Part of the Sum of ninety thouſand Pounds, granted to his late Majeſty, in the Year one thouſand ſeven hundred and fifty-nine, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia, from the thirty-firſt Day of *December* one thouſand ſeven hundred and fifty-eight, to the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty; and for repaying the Sum of one thouſand three hundred thirty-two Pounds and ten Shillings, advanced by his ſaid majeſty, for the Service of the Militia, by the ſaid Act directed to be iſſued and applied; and the further

Appropriation of the Supplies in general. The Monies ariſing by the Land Tax, 1 *Geo.* 3. *c.* 2. Malt Act, 1 *Geo.* 3. *c.* 3. Lottery Act, 1 *Geo.* 3. *c.* 7. and Sinking Fund, 1 *Geo.* 3. *c.* 18. with the Sum of 88,667l. 10s. remaining in the Exchequer, of the Money granted in the Year 1759, towards Pay and Cloathing for the Militia, &c. and the further Sum of

1,000,000l. granted by this Act.

viz. Out of the Aids in general,

3,598,624l. 7s. 10d. towards Naval Services herein ſpecified.

further Sum of one million by this Act granted; ſhall be further appropriated, and are hereby appropriated for and towards the ſeveral Uſes and Purpoſes herein after expreſſed; that is to ſay,

VII. It is hereby enacted and declared by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied, any Sum or Sums of Money, not exceeding three millions five hundred ninety-eight thouſand ſix hundred twenty-four Pounds ſeven Shillings and ten Pence, for or towards the naval Services herein after particularly expreſſed; that is to ſay, For or towards Victuals, Wages, Wear and Tear of the Navy, and the victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards defraying the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers; and for or towards maintaining eighteen thouſand three hundred and fifty-five Marines; and for or towards the Buildings, Rebuildings, and Repairs, of his Majeſty's Ships, for the Year one thouſand ſeven hundred and ſixty-one.

7,130l. towards finiſhing the Hoſpital at Haſler near Goſport.

VIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſeven thouſand one hundred and thirty Pounds, for compleating the Works of the Hoſpital for ſick and wounded Seamen at *Haſler* near *Goſport*.

10,000l. towards finiſhing the Hoſpital near Plymouth.

IX. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand Pounds, towards carrying on the Works of the Hoſpital for ſick and wounded Seamen building near *Plymouth*, for the Year one thouſand ſeven hundred and ſixty-one.

479,035l. 19s. 2d. for Charge of Tranſport Service.

X. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding four hundred ſeventy-nine thouſand thirty-five Pounds nineteen Shillings and two Pence, for the Charge of Tranſport Service, between the firſt of *October* one thouſand ſeven hundred and fifty-nine, and the thirtieth of *September* one thouſand ſeven hundred and ſixty, including the Expence of victualling his Majeſty's Land Forces within the ſaid Time.

728,716l. 13s. 11d. for Charge of the Office of Ordnance for Land Service.

XI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſeven hundred twenty-eight thouſand ſeven hundred ſixteen Pounds thirteen Shillings and eleven Pence, for the Charge of the Office of Ordnance for Land Service, for the Year one thouſand ſeven hundred and ſixty-one, and for defraying the extraordinary Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament, in one thouſand ſeven hundred and ſixty.

8,415,293l. 1s. 4d. 2q. towards the Land Forces in general;

of which, 1,576,935l. 10s. 7d for Charge of 64,971 effective Men including thoſe in Germany, &c.

843,756l. 12s. 9d. for Guards and Garriſons, &c. in the Plantations, Gibraltar, &c.

XII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding eight millions four hundred fifteen thouſand two hundred ninety-three Pounds one Shilling and four Pence Half-penny, for and towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding one million five hundred ſeventy-ſix thouſand nine hundred eighty-five Pounds ten Shillings and ſeven Pence, for defraying the Charge of the ſixty-four thouſand nine hundred and ſeventy-one effective Men, including thoſe in *Germany*, and including Commiſſion and Non-commiſſion Officers, and alſo four thouſand and eight Invalids for Guards and Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey*, and *Jerſey*, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding eight hundred forty-three thouſand ſeven hundred fifty-ſix Pounds twelve Shillings and nine Pence, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Gibraltar*, *Guadaloupe*, *Africa*, and the *Eaſt Indies*, and for Proviſions for the Garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Providence*, *Quebec*, *Guadaloupe*, *Senegal*, and *Goree*, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding twenty-two thouſand one hundred and ſeventy-nine Pounds, for defraying the Charge of three Regiments of Foot on the *Iriſh* Eſtabliſhment ſerving in *North America*, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding ſeventy-two thouſand eight hundred ninety-ſix Pounds fourteen Shillings and two Pence, for the Pay of the General and General Staff Officers, and Officers of the Hoſpitals for his Majeſty's Land Forces, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding one hundred forty thouſand three hundred fifty-eight Pounds nineteen Shillings and four Pence, for defraying the Charge of the embodied Militia of the ſeveral Counties in *South Britain*, and of the fencible Men of *Argyleſhire*, and of Lord *Sutherland*'s Battalion of Highlanders in *North Britain* for one hundred and twenty-two Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fifth Day of *April* one thouſand ſeven hundred and ſixty-one, both Days incluſive; and any Sum or Sums of Money not exceeding two hundred ninety-eight thouſand ſix hundred ſixty-eight Pounds nine Shillings and ten Pence, in Addition to the ſaid Sum of one hundred forty thouſand three hundred fifty-eight Pounds nineteen Shillings and four Pence, for defraying the Charge of the embodied Militia of the ſeveral Counties in *South Britain*, and of the fencible Men of *Argyleſhire*, and of Lord *Sutherland*'s Battalion of Highlanders in *North Britain*, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-one, both Days incluſive, being three hundred and ſixty-five Days; and any Sum of Money not exceeding fifty-ſix thouſand five hundred ſixty-eight Pounds fifteen Shillings and two Pence, upon Account, for defraying the Charge of Cloathing for the embodied Militia

22,179l. for Charge of three Regiments of Foot on the Iriſh Eſtabliſhment ſerving in N. America.

72,896l. 14s. 2d. for Pay of the General and General Staff Officers, and Officers of the Hoſpitals for the Land Forces.

140,358l. 19s. 4d. for Charge of the embodied Militia in S. Britain; and the fencible Men of Argyleſhire; and a Battalion of Highlanders in N. Britain; with the additional Sum of 298,668l. 9s. 10d. for the ſaid Purpoſes, to 24 Dec. 1761.

56,568l. 15s. 2d. upon Account, for Cloathing

for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding twenty-two thouſand three hundred ſixty-one Pounds eleven Shillings and eight Pence, for defraying the Charge of the Difference between the Pay of Major General *Anſtruther's* Regiment of Foot on the *Britiſh* Eſtabliſhment, and the Sum paid by *Ireland* for the ſaid Regiment, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December*, one thouſand ſeven hundred and ſixty-one, both Days incluſive, being three hundred and ſixty-five Days, and of ſeveral Augmentations to his Majeſty's Forces ſince the Eſtimates for the Year one thouſand ſeven hundred and ſixty-one were preſented to Parliament, from the reſpective Times of the Commencement of their Eſtabliſhment, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-one, incluſive; and any Sum or Sums of Money not exceeding ſeventy thouſand Pounds, upon Account, towards defraying the Charge of the Pay of the Militia or that Part of *Great Britain* called *England*, when unembodied, and of the Cloathing of the Part of the ſaid Militia now unembodied for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceed ng thirty-four thouſand eight hundred fifty-four Pounds nine Shillings and two Pence, upon Account of the reduced Officers of his Majeſty's Land Forces and Marines, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding two thouſand nine hundred ſeventy-three Pounds nineteen Shillings and two Pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, and to the ſuperannuated Gentlemen of the four Troops of Horſe Guards, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding one thouſand nine hundred and twenty-two Pounds, for the paying of Penſions to the Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines, as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding eighteen thouſand three hundred ſixty Pounds two Shillings and eleven Pence, upon Account, for Out Penſioners of *Chelſea* Hoſpital, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding four hundred ſixty-three thouſand eight hundred ſeventy-four Pounds nineteen Shillings and one Penny Farthing, for defraying the Charge of thirty-nine thouſand ſeven hundred and ſeventy-three Men, of the Troops of *Hanover*, *Wolfenbuttle*, *Saxe Gotha*, and Count of *Buckeburgg*, together with that of General and Staff Officers, actually employed againſt the Common Enemy, in Concert with the King of *Pruſſia*, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-one, both incluſive, to be iſſued in Advance, every two Months, in like manner as the Pay of the *Heſſian* Forces now in the Service of *Great Britain*; the ſaid Body of Troops to be muſtered by an *Engliſh* Commiſſary, and the effective State thereof to be aſcertained by the Signature of the Commander in Chief of the ſaid Forces; and any Sum or Sums of Money not exceeding two hundred ſixty-eight thouſand three hundred ſixty Pounds eight Shillings and eight Pence, for defraying the Charge of two thouſand one hundred twenty Horſe, and nine thouſand nine hundred Foot, together with the General and Staff Officers, the Officers of the Hoſpital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Heſſe Caſſel*, in the Pay of *Great Britain*, for three hundred ſixty-five Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-one, both Days incluſive, together with the Subſidy for the ſaid Time, purſuant to Treaty; and any Sum or Sums of Money not exceeding one hundred forty-ſeven thouſand ſeventy-one Pounds five Shillings and two Pence, for defraying the Charge of an additional Corps of one thouſand five hundred ſeventy-ſix Horſe, and eight thouſand eight hundred and eight Foot, together with the General and Staff Officers, the Officers of the Hoſpital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Heſſe Caſſel*, in the Pay of *Great Britain*, for three hundred ſixty-five Days, from the firſt Day of *January* one thouſand ſeven hundred and ſixty-one, to the thirty-firſt Day of *December* following, both Days incluſive, purſuant to Treaty; and any Sum or Sums of Money not exceeding fifty-ſeven thouſand ſeven hundred ninety-eight Pounds and ſixteen Shillings, for defraying the Charge of one thouſand two hundred and five Cavalry, and two thouſand two hundred eight Infantry, the Troops of the reigning Duke of *Brunſwick*, in the Pay of *Great Britain*, for three hundred ſixty-five Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-one, both Days incluſive, together with the Subſidy for the ſaid Time, purſuant to Treaty; and any Sum or Sums of Money not exceeding two thouſand five hundred ſixty-nine Pounds and ten Shillings, to make good a Deficiency in the Sum voted laſt Seſſion of Parliament, for the Charge of the Troops of *Brunſwick*, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty; and any Sum or Sums of Money not exceeding twenty-five thouſand five hundred four Pounds ſix Shillings and eight Pence, for defraying the Charge of five Battalions, ſerving with his Majeſty's Army in *Germany*, each Battalion conſiſting of one Troop of one hundred and one Men, and four Companies of Foot of one hundred and twenty-five Men in each Company, with a Corps of Artillery, for three hundred ſixty-five Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-one, both Days incluſive; and any Sum or Sums of Money,

the embodied Militia for 1761.

22,361l. 11s. 8d. for Charge of the Difference between the Pay of Anſtruther's Regiment on the Britiſh Eſtabliſhment, and the Sum paid by Ireland;

and of Augmentations to the Forces ſince the Eſtimates for 1761 were delivered in.

70,000l. upon Account, for Pay and Cloathing of the Militia when unembodied for one Year, from 25 March 1761.

34,854l. 9s. 2d. to the reduced Officers of the Land Forces and Marines.

2,973l. 19s. 2d. Allowances to the Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, and ſuperannuated Gentlemen of the four Troops of Horſe Guards.

1,922l. for Penſions to the Widows of Officers, who died on half Pay.

18,360l. 2s. 11d. for Out Penſioners of Chelſea Hoſpital.

463,874l. 19s. 1d. for Charge of the Troops of Hanover, Wolfenbuttle, Saxe Gotha, and Count Buckebugg, to 24 Dec. 1761; to be iſſued two Months in Advance;

The Troops to be muſtered by an Engliſh Commiſſary.

268,360l. 8s. 8d. for Charge of the Troops of Heſſe Caſſel, to 24 Dec. 1761, together with the Subſidy for the ſaid Time.

147,071l. 5s. 2d. for Charge of an additional Corps of Troops of Heſſe Caſſel, to 31 Dec. 1761.

57,798l. 16s. for Charge of the Troops of the Duke of Brunſwick, to 24 Dec. 1761, together with the Subſidy for the ſaid Time.

2,569l. 10s. to make good the Deficiency of the Sum voted the laſt Seſſion for the ſaid Troops.

25,504l. 6s. 8d. for Charges of five Battalions ſerving with his Majeſty's Army in Germany, to 24 Dec. 1761.

1,167,903l. 12s. 6d. for extraordinary Expences of Land Forces, and other Services incurred in 1760, not provided for by Parl.

Money not exceeding one million one hundred ſixty-ſeven thouſand nine hundred three Pounds twelve Shillings and ſix Pence, for defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services incurred, to the nineteenth Day of *November* one thouſand ſeven hundred and ſixty, and not provided for by Parliament; and any Sum or Sums of Money not exceeding one Million,

1,000,000l. towards the Charge of Forage, Bread, and other Contingencies, for the Army under Prince Ferdinand.

upon Account, towards defraying the Charges of Forage, Bread, Bread Waggons, Train of Artillery, and of Proviſions, Wood, Straw, *et cetera*, and other extraordinary Expences and Contingencies of his Majeſty's Combined Army, under the Command of Prince *Ferdinand*; and any Sum or Sums of Money not exceeding nine hundred ninety-three thouſand eight hundred forty-four Pounds four Shillings and four Pence three Farthings, for defraying the extraordinary Expences of his Ma-

993,844 l. 4s. 4d. 3q. for extraordinary Expences of the Land Forces, and other Services incurred in 1760, not provided for.

jeſty's Land Forces, and other Services incurred from the twentieth Day of *November* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *December* following, and not provided for by Parliament; and any Sum or Sums of Money not exceeding three hundred thirty-ſix thouſand four

336,479l. 14s. 1d. 2q. for extraordinary Expences of Bread, Forage, &c. furniſhed by the Chancery of Hanover in 1757, 8, to the Heſſian and Pruſſian Forces in Germany not provided for.

hundred ſeventy-nine Pounds fourteen Shillings and one Penny Half-penny, for diſcharging the extraordinary Expences not provided for by Parliament, of Bread, Forage, and Firewood, furniſhed by the Chancery at War of *Hanover*, in the Years one thouſand ſeven hundred and fifty-ſeven, and one thouſand ſeven hundred and fifty-eight, to the *Heſſian* and *Pruſſian* Forces acting in the Army in *Germany*; and any Sum or Sums of Money not exceeding ſix hundred and ſeventy thouſand Pounds,

670,000 l. to the King of Pruſſia purſuant to Treaty.

to enable his Majeſty to make good his Engagements with the King of *Pruſſia*, purſuant to a Convention between his Majeſty and the King of *Pruſſia*, concluded the twelfth of *December* one thouſand ſeven hundred and ſixty; and any Sum or Sums of Money not exceeding one hundred and

120,000 l. to the Landgrave of Heſſe Caſſel, purſuant to Treaty.

twenty thouſand Pounds, on Account, towards aſſiſting his Majeſty to grant a reaſonable Succour, in Money, to the Landgrave of *Heſſe Caſſel*, purſuant to Treaty.

1,000,000 l. to diſcharge the like Sum borrowed, purſuant to a Vote of Credit of the laſt Seſſion.

XIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million, to enable his Majeſty to diſcharge the like Sum raiſed in purſuance of an Act made in the laſt Seſſion of Parliament, and charged upon the firſt Aids or Supplies to be granted in this Seſſion of Parliament.

1,000,000 l. upon Account, to defray any extraordinary Expences of the War which may be incurred in 1761.

XIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million, upon Account, to enable his Majeſty to defray any extraordinary Expences of the War, incurred or to be incurred for the Service of the Year one thouſand ſeven hundred and ſixty-one, and to take all ſuch Meaſures as may be neceſſary to diſappoint or defeat any Enterprizes or Deſigns of his Enemies, and as the Exigency of Affairs may require.

1,500,000 l. to diſcharge the Exchequer Bill's iſſued, by an Act of the laſt Seſſion, towards paying off the Navy Debt.

XV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million and five hundred thouſand Pounds, to enable his Majeſty to pay off and diſcharge ſuch Exchequer Bills as have been made out by virtue of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for enabling his Majeſty to raiſe a certain Sum of Money towards paying off and diſcharging the Debt of the Navy, and towards Naval Services, for the Year one thouſand ſeven hundred and ſixty*, and charged upon the firſt Aids or Supplies to be granted in this Seſſion of Parliament.

10,595 l. 12 s. 9 d. for Support of the Colony of Nova Scotia for 1761.

XVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ten thouſand five hundred ninety-five Pounds twelve Shillings and nine Pence, upon Account, for ſupporting and maintaining the Settlement of his Majeſty's Colony of *Nova Scotia*, for the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding

4,057 l. 10 s. for Charge of the Civil Eſtabliſhment of Georgia, to 24 June 1761.

four thouſand fifty-ſeven Pounds and ten Shillings, upon Account, for defraying the Charges of the Civil Eſtabliſhment of his Majeſty's Colony of *Georgia*, and other incidental Expences attending the ſame, from the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty, to the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-one.

200,000 l. as a Compenſation to the Provinces in N. America, for Expences incurred in levying, &c. Troops there.

XVII. And it is hereby alſo further enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding two hundred thouſand Pounds, upon Account, to enable his Majeſty to give a proper Compenſation to the reſpective Provinces in *North America*, for the Expences incurred by them in the Levying, Cloathing, and Pay of the Troops raiſed by the ſame, according as the active Vigour and ſtrenuous Efforts of the reſpective Provinces ſhall be thought by his Majeſty to merit; and any Sum or Sums of Money not exceeding twenty thouſand Pounds, upon Account, to

20,000 l. to the E. India Company, towards defraying their Military Expences.

be paid to the United Company of Merchants of *England* trading to the *Eaſt Indies*, towards enabling them to defray the Expence of a military Force in their Settlements to be maintained by them, in lieu of the Battalion of his Majeſty's Forces commanded by Colonel *Adlercron* withdrawn from

15,000 l. towards repairing London Bridge.

thence, and now returned to *Ireland*; and any Sum or Sums of Money not exceeding fifteen thouſand Pounds, to be paid into the Chamber of the City of *London*, to be applied towards the improving, widening, and enlarging the Paſſage over and through *London Bridge*, without Account, other than as is directed for the Monies raiſed by an Act made in the twenty-ninth Year of his late Majeſty's Reign, intituled, *An Act to improve, widen, and enlarge the Paſſage over and through* London Bridge; and any Sum or Sums of Money not exceeding forty-four thouſand one hundred ninety-

41,197 l. 10 s. to the Foundling Hoſpital, for maintaining the Chil-

ſeven Pounds and ten Shillings, upon Account, towards enabling the Governors and Guardians of the Hoſpital for the Maintenance and Education of expoſed and deſerted young Children, to maintain

tain and educate such Children as were received into the said Hospital on or before the twenty-fifth Day of *March* one thousand seven hundred and sixty, from the thirty-first Day of *December* one thousand seven hundred and sixty, exclusive, to the thirty-first Day of *December* one thousand seven hundred and sixty-one, inclusive; and that the said Sum be issued and paid for the Use of the said Hospital without Fee or Reward, or any Deduction whatsoever; and any Sum or Sums of Money not exceeding thirteen thousand Pounds, to be employed in maintaining and supporting the Fort at *Anamaboe*, and the other *British* Forts and Settlements upon the Coast of *Africa*; and any Sum or Sums of Money not exceeding forty-nine thousand four hundred and twenty-four Pounds, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July* one thousand seven hundred and sixty, of the several Duties on Malt granted by an Act *tricesimo tertio Georgii Secundi*, to answer Annuities, after the Rate of four Pounds *per Centum* charged thereupon; and any Sum or Sums of Money not exceeding seventy-two thousand eleven Pounds six Shillings and eleven Pence, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *July* one thousand seven hundred and sixty, of the several Rates and Duties upon Offices and Pensions, and upon Houses, and upon Windows or Lights, which were made a Fund by an Act *tricesimo primo Georgii Secundi*, for paying Annuities at the Bank of *England*, in respect of five millions borrowed towards the Supply granted for the Service of the Year one thousand seven hundred and fifty-eight; and any Sum or Sums of Money not exceeding five thousand nine hundred sixty-nine Pounds twelve Shillings and nine Pence Half-penny, to replace to the Sinking Fund the like Sum paid out of the same, to make good the Deficiency on the fifth Day of *January* one thousand seven hundred and sixty, of the Subsidy of Poundage upon certain Goods and Merchandizes imported, and an additional Inland Duty on Coffee and Chocolate, to answer Annuities after the Rate of three Pounds *per Centum* charged thereupon, pursuant to the Act *tricesimo secundo Georgii Secundi*; and any Sum or Sums of Money not exceeding eighty-nine thousand five hundred ten Pounds twelve Shillings and eleven Pence, to make good the Deficiency of the Grants for the Service of the Year one thousand seven hundred and sixty; and any Sum or Sums of Money not exceeding thirty-eight thousand five hundred fifty-three Pounds twelve Shillings and one Penny three Farthings, upon Account, for paying and discharging the Debts and Wadsett Sums, with the necessary Expences attending the Payment of the same, claimed and sustained upon the Lands and Estate which became forfeited to the Crown, by the Attainder of *Simon* late Lord *Lovat*, or so much of the said Debts and Sums as shall be remaining unsatisfied according to the several Decrees in that Behalf respectively made by the Lords of Session in *Scotland*, and pursuant to an Act of the twenty-fifth Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for annexing certain forfeited Estates in* Scotland *to the Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to establish a Method of managing the same; and applying the Rents and Profits thereof for the better civilizing and improving the Highlands of* Scotland, *and preventing Disorders there for the future.*

dren admitted on or before 25 March 1760;

the same to be issued without Fee.

12,000 l. for supporting the British Forts in Africa.

49,424 l. to replace to the Sinking Fund the like Sum paid thereout for Deficiency of the Malt Tax for 1760.

72,011 l. 6 s. 11 d. to replace to the Sinking Fund the like Sum paid thereout for Deficiency of the Duties on Offices, Pensions, and Houses, &c. for 1760.

5,969 l. 12 s. 9 d. 2 q. to replace to the Sinking Fund the like Sum paid thereout for Deficiency of the Subsidy of Poundage on Goods imported.

89,510 l. 12 s. 11 d. to make good the Deficiency of the Grants for 1760.

38,553 l. 12 s. 1 d. 3 q. for discharging the Claims on the Lovat Estate.

XVIII. And it is hereby further enacted by the Authority aforesaid, That the said Aids and Supplies provided as aforesaid, shall not be issued or applied to any Use, Intent, or Purpose whatsoever, other than the Uses and Purposes before-mentioned, or for the several Deficiencies or other Payments directed to be satisfied thereout, by any Act or Acts, or any particular Clause or Clauses for that Purpose contained in any other Act or Acts of this present Session of Parliament.

These Aids to be applied to no other Uses.

XIX. And, as to the said Sum of thirty-four thousand eight hundred fifty-four Pounds nine Shillings and two Pence, by this Act appropriated, on account of Half-pay as aforesaid, it is hereby enacted and declared by the Authority aforesaid, That the Rules herein after prescribed, shall be duly observed in the Application of the said Half-pay; that is to say, That no Person shall have or receive any Part of the same who was a Minor, and under the Age of sixteen Years at the Time when the Regiment, Troop, or Company, in which he served, was reduced; that no Person shall have or receive any Part of the same, except such Person who did actual Service in some Regiment, Troop, or Company; that no Person having any other Place or Employment of Profit, Civil or Military, under his Majesty, shall have or receive any Part of the said Half-pay; that no Chaplain of any Garrison or Regiment, who has any Ecclesiastical Benefice in *Great Britain* or *Ireland*, shall have or receive any Part of the said Half-pay; that no Person shall have or receive any Part of the same, who has resigned his Commission, and has had no Commission since; that no Part of the same shall be allowed to any Person by virtue of any Warrant or Appointment, except to such Persons as would have been otherwise intitled to the same as reduced Officers; and that no Part of the same shall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately disbanded in *Ireland*, except to such as were lately taken off the Establishment of Half-pay in *Great Britain*.

Rules to be observed in the Application of the Half-pay.

'XX. And whereas by an Act of Parliament made and passed in the thirty-third Year of his late 'Majesty's Reign, intituled, *An Act for enabling his Majesty to raise the Sum of one million, for the 'Uses and Purposes therein mentioned; and for further appropriating certain Supplies granted in this Session of Parliament*; the several Supplies which had been granted to his late Majesty, as is therein 'mentioned, were appropriated to the several Uses and Purposes therein expressed; amongst which, 'any Sum or Sums not exceeding thirty-five thousand six hundred fifty-one Pounds and nine Shil'lings, was appropriated to be paid to the reduced Officers of his Majesty's Land Forces and Ma'rines; subject nevertheless to such Rules to be observed in the Application of the said Half-pay, as 'in and by the aforesaid Act were prescribed in that Behalf:' Now it is hereby provided, enacted, and

Clause in Act 33 Geo. 2. c. 18.

Application of the Savings of the said Sum of 35,651 l. 9 s. granted the last Session towards Half-pay.

and declared, by the Authority aforesaid, That so much of the said Sum of thirty-five thousand six hundred fifty-one Pounds and nine Shillings, as is or shall be more than sufficient to satisfy the said reduced Officers, according to the Rules prescribed by the said Act to be observed in the Application thereof, or any Part of such Overplus, shall and may be disposed of to such Officers who are maimed or have lost their Limbs in the late Wars, or such others as, by reason of their long Service or otherwise, his Majesty shall judge to be proper Objects of Charity, or to the Widows or Children of such Officers, according to such Warrant or Warrants under his Majesty's Royal Sign Manual, as shall be signed in that Behalf; any Thing in this Act, or the said former Act, to the contrary notwithstanding.

The Sum of 38,553 l. 12 s. 1 d. 3 q. appropriated for discharging the Claims on the Lovat Estate to be paid into the Banks of Scotland.

XXI. And, for the better and more easy Payment of the said Debts and Sums, upon the said Lands and Estate of *Lovat*, by this Act directed to be paid and discharged, Be it further enacted by the Authority aforesaid, That it shall and may be lawful for the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, to issue, or cause to be issued, in such Proportions as he or they shall think fit, to either or both of the Banks of *Scotland* at *Edinburgh*, or to either of their lawful Attornies, a Sum not exceeding thirty-eight thousand five hundred fifty-three Pounds twelve Shillings and one Penny three Farthings, to be applied in paying and discharging the said Debts and Sums, with the necessary Expence attending the Payment of the same, in manner herein after-mentioned.

The Creditors thereupon to produce to the Court of Exchequer in Scotland, the Decrees of the Court sustaining their said Claims, by 5 July 1761.

Court to make out Debentures for the Principal and Interest;

XXII. And be it further enacted by the Authority aforesaid, That the several Creditors, whose Claims have been sustained upon the said Lands and Estate forfeited and annexed to the Crown as aforesaid, or some Person or Persons on their Behalf, shall, on or before the fifth Day of *July* one thousand seven hundred and sixty-one, produce, or cause to be produced, in his Majesty's Court of *Exchequer* in *Scotland*, the Decree or Decrees of the Court of Session, sustaining the said Claims; and, upon Production of every such Decree or Decrees, the Barons of the said Court of *Exchequer*, or any three or more of them, shall, and they are hereby impowered and required to make out Debentures or Certificates, under their Hands, with all convenient Dispatch, for the several Sums of Money, as well the Interest computed to the Date of such Debentures or Certificates, as the Principal which shall appear to be due, by and under the said Decrees respectively, or so much thereof as shall be then remaining unsatisfied; which Debentures or Certificates shall mention the Nature of the Debt claimed, and the Date of the Decree sustaining the same, and shall be issued and delivered to the several Creditors respectively intitled to the Sums therein contained, or to such Persons as shall be legally authorized to receive the said Sums, in Right or in Behalf of the said Creditors, or any of them; and the several Sums contained in the said Debentures or Certificates shall be paid at Sight, without Deduction, Fee, or Abatement, by the said Bank or Banks, out of the Money aforesaid, to the said Creditors, or other Persons in their Right, or on their Behalf, in whose Names such Debentures or Certificates shall be made out, or to such others as shall be duly impowered by the Nominees, in the said Debentures or Certificates to receive the same; and the said Debentures or Certificates shall be, to the said Bank or Banks, sufficient Discharges for such Payments.

to be paid at Sight, without Deduction or Fee, at the Banks.

The Decrees not being produced by the said Day, the Claims are not intitled to carry further Interest.

XXIII. Provided always, and be it further enacted by the Authority aforesaid, That if the Decree or Decrees, sustaining the Claim or Claims of any Creditor or Creditors aforesaid, shall not be so produced as aforesaid in his Majesty's Court of *Exchequer* in *Scotland*, on or before the fifth Day of *July* one thousand seven hundred and sixty-one, such Claim or Claims shall not carry any further Interest, to be computed from and after the said fifth Day of *July* one thousand seven hundred and sixty-one.

Barons of the Exchequer to ascertain the Officers Fees;

XXIV. And be it further enacted by the Authority aforesaid, That the said Barons of the *Exchequer*, or any three or more of them, may and shall, and they are hereby impowered to settle and ascertain, with the Consent of the Commissioners of his Majesty's Treasury, or any three or more of them now being, or the High Treasurer, or any three or more of the Commissioners of the Treasury for the Time being, the Rewards due, for the Execution of this Act, to the Officers of the said Court, and to issue Debentures for the same, which shall be paid by the said Bank or Banks out of the Money remaining in their Hands, after the said Debts are satisfied and paid; and such Debentures shall be, to the said Banks, sufficient Discharges for such Payments.

the same to be paid by the Banks.

Officers not to demand or take any Fee of the Creditors,

XXV. And be it further enacted by the Authority aforesaid, That no Officer or Officers of the said Court of *Exchequer* shall ask, demand, or receive any Sum or Sums of Money, from any Creditor upon the said Estate, in the Name of Fee or Reward, or on any other Pretence whatsoever, for or on account of their Trouble in executing this Act; and the Officer or Officers offending herein, and being thereof lawfully convicted before the said Barons, who are hereby impowered to judge and finally determine upon any Complaint brought against any such Officer or Officers, shall forfeit and pay the Sum of one hundred Pounds; to be levied and applied by the said Barons, in the same manner as other Fines payable in the Exchequer in *Scotland* now are, and shall further be found liable to repay to the Party the Sum or Sums so illegally exacted, with full Costs of Suit.

on Forfeiture of 100 l. with full Costs of Suit.

Surplus of the Money appropriated for discharging the said Claims to be reserved for the future Disposition of Parliament.

XXVI. Provided always, and be it further enacted by the Authority aforesaid, That in case there shall be any Surplus or Remainder of the Money by this Act appropriated for discharging all the said Incumbrances on the *Lovat* Estate, after all the several Claims and all Arrears thereof are satisfied, or Money sufficient shall be reserved for that Purpose, such Surplus or Remainder shall be reserved for the Disposition of Parliament, and shall not be issued but by the Authority of Parliament, and as shall be

be directed by any future Act or Acts of Parliament; any Thing to the contrary thereof in any wise notwithstanding.

'XXVI. And whereas several Sums of Money and Annuities granted by his late Majesty to his 'Royal Family, out of the Revenues for defraying the Charges of the Civil Government, were by 'certain Acts of Parliament exempted from the Payment of all Taxes, Impositions, and other pub- 'lick Charges whatsoever, and it is proper that the like Exemption should be allowed upon and in 'respect of such Annuities and Sums of Money as have been or shall be granted to the Royal Family 'by his present Majesty;' Be it therefore enacted by the Authority aforesaid, That all such Sums of Money and Annuities as have been granted, or which shall be at any Time hereafter granted, by his Majesty, to any of the Royal Family, out of the Revenues appointed for defraying the Charges of the Civil Government, and supporting the Honour and Dignity of the Crown, shall, from and after the twentieth Day of *March* one thousand seven hundred and sixty-one, be free and clear, and the same, and every Part thereof, is and are hereby freed and discharged from all Taxes, Impositions, Fees, and publick Charges whatsoever; any former Act or Acts of Parliament to the contrary notwithstanding.

All Annuities, &c. granted by his Majesty to any of the Royal Family to be Tax-free.

CAP. XX.

An Act for enabling his Majesty to raise a certain Sum of Money towards paying off and discharging the Debt of the Navy, and towards Naval Services, for the Year one thousand seven hundred and sixty-one; and for allowing further Time for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Solicitors, and filing thereof.

'*Most Gracious Sovereign*,

'WE, your Majesty's most dutiful and loyal Subjects, the Commons of *Great Britain*, in Par- 'liament assembled, for raising the Supply granted to your Majesty, towards paying off and 'discharging the Debt of the Navy; and also towards raising the Supply granted to your Majesty for 'Naval Services, in the Year one thousand seven hundred and sixty-one; have resolved to give and 'grant unto your Majesty the Sum of one million five hundred thousand Pounds; and do there- 'fore most humbly beseech your Majesty, that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful to and for the King's most Excellent Majesty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commissioners of his Majesty's Treasury now, or for the Time being, or any three or more of them, or the Lord High Treasurer for the Time being, at any Time or Times before the fifth Day of *January* one thousand seven hundred and sixty-two, to cause or direct any Loans to be taken or received at his Majesty's Exchequer from any Person or Persons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the Whole, the said Sum of one million five hundred thousand Pounds, in the same or like Manner, Form and Order, and according to the same or like Rules and Directions, as in and by an Act of this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax to be raised in* Great Britain *for the Service of the Year one thousand seven hundred and sixty-one*, are enacted and prescribed concerning the Loans or Exchequer Bills to be taken or made in pursuance of the said Act.

Preamble.

Credit of Loan granted to his Majesty for 1,500,000l.

Treasury may raise the same by Loans or Exchequer Bills,

in like manner as is prescribed by the Land Tax Act of this Session, concerning Loans or Exchequer Bills thereby to be made out.

II. And be it further enacted by the Authority aforesaid, That all and every the Clauses, Provisoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Disabilities contained in the said last mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the same Act (except such Clauses as do charge the same on the Taxes granted by the same Act, and except such Clauses as limit the Rate of Interest to be paid for the Forbearance of Money lent on the Credit of the said Act, and also except as is herein after mentioned) shall be applied and extended to the Loans and Exchequer Bills to be made in pursuance of this Act, as fully and effectually, to all Intents and Purposes, as if the same Loans or Exchequer Bills had been originally authorized by the said last mentioned Act, or as if the said several Clauses or Provisoes had been particularly repeated and re-enacted in the Body of this Act.

The Clauses, &c. in the said Act relating to the Loans or Exchequer Bills,

extended to the Loans and Exchequer Bills to be made forth in pursuance of this Act:

III. Provided always, and be it further enacted by the Authority aforesaid, That no Exchequer Bill or Bills to be made out by virtue of this Act, shall, after the same hath or have been issued and paid at the Exchequer to the Treasurer of his Majesty's Navy for the Time being, and applied by him for the Purposes herein after-mentioned, be afterwards, at any Time before the twenty-sixth Day of *March* one thousand seven hundred and sixty-two, received or taken, or pass or be current to any Receiver or Collector in *Great Britain* of the Customs, Excise, or any Revenue, Supply, Aid, or Tax whatsoever, due or payable to his Majesty, his Heirs, or Successors, or at the Receipt of the Exchequer, from any such Receiver or Collector, or from any other Person or Persons, Bodies Politick or Corporate, otherwise, or on any other Account, than for the Discharge and Cancelling of such Bills, in case the same shall be in due Course or Order of Payment before the said twenty-sixth Day of *March*; nor shall any such Receiver or Collector exchange at any Time before the said twenty-

Exchequer Bills, after being issued and applied, not to be received or exchanged by any Collectors, &c. of the publick Revenues, before 26 March 1762.

twenty-sixth Day of *March*, for any Money of such Revenues, Aids, Taxes, or Supplies, in his Hands, any Exchequer Bill or Bills which shall have been issued and applied as aforesaid by virtue of this Act; nor shall any Action be maintained against any such Receiver or Collector for neglecting or refusing to exchange any such Bill or Bills for ready Money, before the said twenty-sixth Day of *March*; any Thing in the said Act made in this present Session of Parliament, intituled, *An Act for granting an Aid to his Majesty by a Land Tax, to be raised in* Great Britain, *for the Service of the Year one thousand seven hundred and sixty-one*, or this Act, contained to the contrary notwithstanding.

No Action to lie for such Refusal.

Principal and Interest, with the Charges attending, to be paid out of the next Supplies;

and if none sufficient be granted before 5 July 1762, then they are to be paid out of the Sinking Fund;

IV. And be it further enacted by the Authority aforesaid, That all such Loans or Exchequer Bills, together with the Interest, Premium, Rate, and Charges incident to or attending the same, shall be, and are hereby charged and chargeable upon, and shall be repaid or borne by or out of the first Aids or Supplies which shall be granted in the next Session of Parliament; and in case sufficient Aids or Supplies for that Purpose shall not be granted before the fifth Day of *July* one thousand seven hundred and sixty-two, then all the said Loans or Exchequer Bills, with the Interest, Premium, Rate, and Charges incident to or attending the same, shall be and are hereby charged and chargeable upon such Monies as, at any Time or Times at or after the said fifth Day of *July* one thousand seven hundred and sixty-two, shall be or remain in the Receipt of the Exchequer, of the Surplusses, Excesses, Overplus Monies, and other Revenues composing the Fund commonly called *The Sinking Fund* (except such Monies of the said Sinking Fund as are appropriated to any particular Use or Uses by any Act or Acts of Parliament in that Behalf) and such Monies of the said Sinking Fund shall and may be issued and applied, as soon as the same can be regularly stated and ascertained, for and towards paying off, cancelling, and discharging such Loans or Exchequer Bills, Interest, Premium, Rate, or Charges, until the Whole of them shall be paid off, cancelled, and discharged, or Money sufficient for that Purpose be kept and reserved in the Exchequer, to be payable on Demand to the respective Proprietors thereof.

and the Monies so issued to be replaced out of the first Supplies.

V. Provided always, and be it enacted by the Authority aforesaid, That whatever Monies shall be so issued out of the said Surplusses, Excesses, Overplus Monies, or other Revenues composing the Sinking Fund, shall, from Time to Time, be replaced by and out of the first Supplies to be then after granted in Parliament; any Thing herein contained to the contrary notwithstanding.

The Bank impowered to advance on the said Credit of Loan, any Sum or Sums not exceeding 1,500,000 l.

the Act of 5 & 6 W. & M. c. 20. notwithstanding.

VI. And be it declared and further enacted by the Authority aforesaid, That it shall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majesty in like manner at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of one million five hundred thousand Pounds; any Thing in an Act made in the fifth and sixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majesties several Rates and Duties upon Tonnage of Ships and Vessels, and upon Beer, Ale, and other Liquors, for securing certain Recompences and Advantages in the said Act mentioned, to such Persons as shall voluntarily advance the Sum of one million five hundred thousand Pounds, towards carrying on the War against* France, to the contrary thereof in any wise notwithstanding.

Application of the said Sum, viz.

1,000,000 l. towards paying off the Debt of the Navy, and 500,000 l. towards Naval Services for the Year 1761.

VII. And be it further enacted by the Authority aforesaid, That the said Sum of one million five hundred thousand Pounds, by this Act granted, shall be appropriated, and is hereby appropriated, for and towards the Uses and Purposes herein after mentioned; that is to say, That out of the said Sum there shall and may be issued and applied any Sum or Sums of Money not exceeding one million, towards paying off and discharging the Debt of the Navy; and any Sum or Sums of Money not exceeding five hundred thousand Pounds, towards the Naval Services herein after mentioned; that is to say, Towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and towards Sea-services in the Office of Ordnance, performed and to be performed, and towards defraying the Ordinary of his Majesty's Navy, and Half-pay to Sea Officers, and towards maintaining eighteen thousand three hundred and fifty-five Marines, and towards the Buildings, Rebuildings, and Repairs of his Majesty's Ships, for the Year one thousand seven hundred and sixty-one.

Further Time allowed to 6 Nov. 1761. for making and filing Affidavits of the Execution of Articles, &c. of Clerks to Attorneys or Solicitors.

' VIII. And whereas some Persons have omitted to cause Affidavits to be made, and afterwards to ' be filed in the proper Office, of the actual Execution of several Contracts in Writing entered into ' by them to serve as Clerks to Attornies or Sollicitors, within the Time in which the same ought to ' have been done, and many Infants and others may thereby incur certain Disabilities:' For preventing whereof, and for relieving such Persons, Be it likewise enacted by the Authority aforesaid, That every Person who hath neglected or omitted to cause any such Affidavit or Affidavits as aforesaid to be made and filed, and who, on or before the sixth Day of *November* one thousand seven hundred and sixty-one, shall cause one or more Affidavit or Affidavits to be made, and afterwards to be filed, in such manner as the same ought to have been made and filed in due Time, shall be and is hereby indemnified, freed, and discharged from and against all Penalties, Forfeitures, Incapacities, and Disabilities in or by any Act or Acts of Parliament mentioned and incurred, or to be incurred, for or by reason of any such Neglect or Omission in not causing such Affidavit or Affidavits to be made and filed in such manner as the same ought to have been; and every such Affidavit and Affidavits so to be made, and which shall be duly filed on or before the said sixth Day of *November* one thousand seven hundred and sixty-one, as aforesaid, shall be as effectual, to all Intents and Purposes, as if the same had been made and filed within the respective Times the same ought, by the Laws now in being for that Purpose, to have been so made and filed.

CAP.

CAP. XXI.

An Act for the better Preſervation of the Game in that Part of *Great Britain* called *Scotland*; and for repealing Part of an Act paſſed in the twenty-fourth Year of the Reign of his late Majeſty, for the better Preſervation of the Game in that Part of *Great Britain* called *Scotland*.

Preamble.

FOR the better Preſervation of the Game in that Part of *Great Britain* called *Scotland*, may it pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon in *Scotland* ſhall, upon any Pretence whatſoever, take, kill, deſtroy, carry, ſell, buy, have in his or her Poſſeſſion or Uſe, any Moor Fowl or Tarmagan, between the tenth Day of *November* and the twenty-fifth Day of *July*, in any Year; nor any Partridge between the firſt Day of *February* and the firſt Day of *September*, in any Year; nor any Pheaſant between the firſt Day of *February* and the firſt Day of *October*, in any Year; nor any Heath Fowl commonly called *Black Game*, between the firſt Day of *December* and the twenty-fifth Day of *Auguſt*, in any Year.

Game may not be taken within the Times here mentioned, viz. Moor Fowl or Tarmagan between 10 Nov. and 25 July; Partridge between 1 Feb. and 1 Sept. Pheaſants between 1 Feb. and 1 Oct. Black Game between 1 Dec. and 25 Aug. in any Year;

II. And be it further enacted by the Authority aforeſaid, That every Perſon tranſgreſſing this Act in any of the aforeſaid Caſes, ſhall, for every Bird ſo taken, killed, deſtroyed, carried, ſold, bought, found in their Poſſeſſion, or uſed, forfeit and pay the Sum of five Pounds Sterling; and in caſe of Inſolvency, the Party offending ſhall ſuffer Impriſonment for the Space of two Months.

on Penalty of 5 l. or 2 Months Impriſonment.

III. And be it further enacted by the Authority aforeſaid, That all Offences againſt this Act ſhall and may be enquired into and determined either by the Oath or Oaths of one or more credible Witneſs or Witneſſes, or by the Confeſſion or Oaths of the Parties accuſed, before any two or more of his Majeſty's Juſtices of the Peace, or before the Sheriff Depute of the County where the Offence ſhall be committed, or where the Offender ſhall be found; and that all Proſecutions for Offences againſt this Act ſhall be carried on, either at the Inſtance of the Fiſchal of Court, or of any other Perſon who will inform or complain.

Offences how to be enquired into and determined.

IV. And be it further enacted by the Authority aforeſaid, That one Moiety of the Forfeitures to be incurred for any Offence againſt this Act, ſhall, when recovered, be paid to the Informer or Proſecutor, and the other Moiety ſhall be applied to the Uſe of the Poor of the Pariſh or Place where the Offence ſhall be committed.

Application of the Forfeiture.

V. Provided always, That any Perſon aggrieved by the Judgment of any Juſtices of the Peace, or Sheriff Depute as aforeſaid, may have Liberty to appeal to the next General or Quarter Seſſions, in caſe ſuch Judgment was given by any Juſtices of the Peace as aforeſaid, or to the Lords of Juſticiary in their next Circuit Court, or (where there are no Circuit Courts) to the Court of Juſticiary at *Edinburgh*, in caſe the Judgment complained of was given by the Sheriff Depute of any County; and that the Determination of the ſaid General or Quarter Seſſions, or of the ſaid Circuit Court, ſhall be final and concluſive to all Parties.

Perſons aggrieved may appeal to the Quarter Seſſions, or Lords of Juſticiary.

VI. Provided always, That nothing in this Act ſhall extend to any Pheaſant or Partridge, which ſhall be taken in the Seaſons allowed by this Act, and kept in any Mew or Breeding Place.

Act not to extend to Pheaſants or Partridges kept in Mews, &c.

VII. And be it further enacted by the Authority aforeſaid, That from and after the paſſing of this preſent Act, ſo much of an Act paſſed in the twenty-fourth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the better Preſervation of the Game in that Part of* Great Britain *called* Scotland, as limits the Time for killing any Moor Fowl, Partridge, or Heath Fowl, ſhall be and is hereby declared to be repealed.

Clauſe in Act 24 Geo. 2. c. 34. repealed.

CAP. XXII.

An Act for applying the Money granted in this Seſſion of Parliament towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England* when unembodied, and of the Cloathing of the Part of the ſaid Militia now unembodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one.

Preamble.

'WHEREAS the Sum of ſeventy thouſand Pounds has been granted to his Majeſty, upon Account, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England*, when unembodied, and of the Cloathing of the Part of the ſaid Militia now unembodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; in order therefore that the Charge of Pay and Cloathing of ſuch Militia may be duly and properly defrayed and ſatisfied;' Be it enacted by the King's moſt Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That within ten Days after that his Majeſty's Lieutenant, or, in his Abſence, any three Deputy Lieutenants of any County, Riding, or

Where Pay has not yet been iſſued, the Lieutenant, or Deputy Lieutenant of the County, after having certified to the

Treaſury the actual Inrolment of the Proportion of Men and Officers required to be inrolled, before Pay, Arms, or Cloathing are iſſuable,

are to certify the ſame alſo to the Receiver General of the Land Tax; and alſo the Return of any of the Troops that have been embodied and called out, which ſhall be diſembodied and returned home.

Receivers General are to make Iſſues of 4 Months Pay in Advance, from the Date of ſuch Certificates, according to the Eſtabliſhment of Pay here ſet down,

with half a Year's Salary to the Regimental and Battalion Clerks, and the Allowances to the Clerk of the General Meetings; and Clerks of the Subdiviſion Meetings; and alſo Pay for Cloathing.

Where Certificates, as aforeſaid, have been received,

the Receivers General are to make the uſual Iſſues, without any new Certificate for that Purpoſe.

The Money to be paid to the Clerk of the Regiment or Battalion;

and for Independent Companies, to the reſpective Captains, or to their Order.

A ſecond Payment to be alſo made within 3 Months after the firſt;

and a third within three Months after the ſecond.

Place, within that Part of *Great Britain* called *England*, where Pay has not yet been iſſued for the Militia according to Law, ſhall have certified to the Commiſſioners of his Majeſty's Treaſury, or High Treaſurer for the Time being, That three Fifths of the Number of private Militia Men of any Regiment, Battalion, or Independent Company of the Militia of ſuch County, Riding, or Place, have been choſen and inrolled, and that the like Proportion of the Number of the Commiſſion Officers of ſuch Regiment, Battalion, or Independent Company, have been appointed, and have taken out their Commiſſions, and entered their Qualifications as is by Law required, his Majeſty's ſaid Lieutenant, or, in his Abſence, the ſaid three Deputy Lieutenants, ſhall alſo certify the ſame to the Receiver or Receivers General of the Land Tax for ſuch County, Riding, or Place; and when any Regiment, Battalion, or Independent Company of the Militia of any County, Riding, or Place, within the Part of *Great Britain* aforeſaid, that ſhall have been embodied and called out into actual Service, ſhall be diſembodied and returned home by Order of their Commanding Officers, and thereby be no longer intitled to the ſame Pay as the Officers and private Men in his Majeſty's other Regiments of Foot receive, his Majeſty's Lieutenant of the County, Riding, or Place to which ſuch Regiment, Battalion, or Independent Company ſhall belong, or, in his Abſence, any three Deputy Lieutenants, ſhall certify to the Receiver or Receivers General of the Land Tax for ſuch County, Riding, or Place, that ſuch Regiment, Battalion, or Independent Company is diſembodied and returned home as aforeſaid; upon Receipt of which reſpective Certificate, ſuch Receiver or Receivers General of the Land Tax ſhall iſſue and pay the whole Sums required for the ſeveral Uſes herein after mentioned; that is to ſay, For the Pay of the ſaid Militia for four Calendar Months in Advance from the Date of ſuch Certificate, at the Rate of ſix Shillings a Day for each Adjutant, where an Adjutant is by this Act allowed; and at the Rate of one Shilling a Day for each Serjeant, with the Addition of two Shillings and ſix Pence a Week for each Serjeant Major, where a Serjeant Major is by this Act allowed; and at the Rate of ſix Pence a Day for each Drummer, with the Addition of ſix Pence a Day for each Drum Major, where a Drum Major is by this Act allowed; and alſo at the Rate of one Shilling for each private Militia Man, with the Addition of ſix Pence to each Corporal, for every Day in which ſuch private Militia Man or Corporal ſhall be reſpectively employed in the Militia; and alſo at the Rate of two Shillings for each private Militia Man, with the Addition of one Shilling each Corporal for his March on the *Monday* and *Saturday* in *Whitſun* Week, to and from the Place of General Exerciſe; and alſo at the Rate of five Pence a Month for each private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion, or Independent Company of Militia; and alſo for half a Year's Salary for the Clerk of each Regiment of Militia, or of the Battalion of Militia belonging to ſuch County, Riding, or Place, at the Rate of fifty Pounds a Year; and alſo for the reſpective Allowances to the Clerk of the General Meetings, and Clerks of the ſeveral Subdiviſion Meetings, at the Rates following; that is to ſay, To the Clerk of the General Meetings, at the Rate of five Pounds five Shillings for each Meeting; and to the ſeveral Clerks of the Subdiviſion Meetings, at the Rate of one Pound one Shilling for each Meeting; and alſo for the Cloathing of the Militia for ſuch County, Riding, or Place, where the Militia hath not already been cloathed, at the Rate of one Pound ten Shillings for each private Man, and at the Rate of two Pounds for each Drummer, and at the Rate of three Pounds ten Shillings for each Serjeant.

II. Provided always, and be it enacted, That in every ſuch County, Riding, or Place, within the Part of *Great Britain* aforeſaid, for which his Majeſty's Lieutenant, or, in his Abſence, any three Deputy Lieutenants, ſhall have certified to the Purpoſe aforeſaid, and received the Cloathing for the Militia thereof which ſhall not have been embodied and called out into actual Service; and in every County, Riding, and Place, within the Part of *Great Britain* aforeſaid, where the Militia ſhall, after having been embodied and called out into actual Service, be diſembodied and be returned home by Order of their Commanding Officers, and thereby be no longer intitled to the ſame Pay as the Officers and private Men in his Majeſty's other Regiments of Foot receive, and ſuch Return ſhall have been certified as aforeſaid; the Receiver or Receivers General of the Land Tax for every ſuch reſpective County, Riding, or Place, ſhall make the Iſſues or Payments aforeſaid, without any new or other Certificate made for that Purpoſe.

III. And be it enacted, That all ſuch Sums of Money aforeſaid (except ſuch as ſhall be due to the ſeveral Clerks of the Meetings aforeſaid) ſhall be paid by the ſaid Receiver or Receivers General of the Land Tax into the Hands of the Clerk or Clerks of the Regiment or Regiments, or of the Battalion of Militia belonging to ſuch County, Riding, or Place, upon his or their producing his or their Warrant or Warrants of Appointment to ſuch Office, under the Hand and Seal of his Majeſty's Lieutenant for ſuch reſpective County, Riding, or Place; and where the Militia ſhall be formed into an Independent Company or Independent Companies, ſuch Sums as aforeſaid ſhall be paid by the ſaid Receiver or Receivers General of the Land Tax into the Hands of the reſpective Captain of each Independent Company of Militia, or to ſuch Perſon as ſuch reſpective Captain ſhall authorize to receive the ſame, according to the Number of Perſons, hereby intitled to receive Pay, of which ſuch Regiment or Regiments, Battalion or Battalions, Independent Company or Independent Companies, ſhall have been appointed to conſiſt: And ſuch Receiver or Receivers General of the Land Tax ſhall alſo, within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid firſt Payment, make a ſecond Payment for four Calendar Months in Advance; and ſhall alſo, within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid ſecond Payment, make a third Payment for four Calendar Months in Advance, for the Pay and contingent Expences of the Militia, and for the Allowances to the Regimental or Battalion Clerk or Clerks

Clerks aforesaid, in the Proportions herein before mentioned: And the Receipts of such Clerk or Clerks, and of such Captain of an Independent Company, or Captains of Independent Companies, or of such Person or Persons as such Captain or Captains shall so authorize to receive such Money as aforesaid, shall be a sufficient Discharge to such Receiver or Receivers General of the Land Tax for the several Sums of Money so by him or them paid.

Receipts of the Persons to whom the Money shall be paid, discharge the Receivers General.

IV. And be it enacted, That the Clerk of each Regiment or Battalion of Militia shall forthwith, after the Receipt of such Sums of Money as aforesaid, pay, or cause to be paid, one Calendar Month's Pay in Advance to the Adjutant, and fourteen Days Pay in Advance to the Serjeant-major and Drum-major of such Regiment or Battalion respectively; and to the Captain or Commanding Officer of each Company belonging to such Regiment or Battalion, two Months Pay in Advance for his respective Company, and for the contingent Expences thereof; and so, from Time to Time, so long as any Money, on that Account, shall remain in his Hands: Which Pay every such Captain or Commanding Officer is hereby required to distribute to each Person belonging to his Company by this Act intitled to receive the same, as it shall become due; and shall once in every Year give in to the Clerk of the Regiment or Battalion to which such Company shall belong, an Account of the several Payments he shall have made in pursuance of this Act, and shall pay back to the said Clerk the Surplus, if any, of the Money by him from Time to Time received, and then remaining in his Hands, except the Money by this Act allowed for contingent Expences; for the Disposition whereof, Provision is herein after made: And the said Money allowed for the contingent Expences of each Regiment or Battalion of Militia, shall once in every Year be accounted for by the Captain of each Company respectively, in manner aforesaid; and the Balance thereof shall be by him paid into the Hands of the Clerk of the Regiment or Battalion to which such Company shall belong, to be applied to the general Use of the said Regiment or Battalion, as the Field Officers and Captains thereof, or the greater Part of them, shall, at a General Meeting, direct: And the Captain of each Independent Company is hereby required to distribute to each Person belonging to his Company intitled thereto, such Money as he shall receive by virtue of this Act; and the said Money, allowed for the contingent Expences of each Independent Company of Militia, shall be respectively applied to the particular Use of such Independent Company by the Captain thereof.

The Clerks are to pay 1 Month in Advance to the Adjutant, and 14 Days to the Serjeant-major and Drum-major; and 2 Months Pay in Advance to the Captains, for their respective Companies; who are to distribute the same as it becomes due; and account for the same yearly to the Clerk, and pay back the Surplus Monies; and also the Balance of the Money allowed for contingent Expences; which is to be applied to the general Use of the Regiment.

Captains of Independent Companies to distribute the Pay to their Men, and apply the Money allowed for contingent Expences.

V. And be it enacted, That the said Regimental or Battalion Clerk may and shall retain to his own Use, out of the Money so by him received, such further Sums as shall complete the Allowance herein before made for his Salary; and such Regimental or Battalion Clerk shall pay to such Person or Persons as shall produce an Order from his Majesty's Lieutenant, or from the Commanding Officer of such Regiment or Battalion; and such Captain of an Independent Company, or such Person as shall be by him appointed for that Purpose, shall pay and discharge such Sums of Money as shall be due and owing for or on account of the Cloathing of the said Militia, not exceeding the Rates herein before mentioned.

Clerk to retain in his Hands Money for his own Salary; and discharge the Cloathing Bills.

VI. Provided always, and be it enacted, That where any Regiment, Battalion, or Independent Company of Militia, is or shall be embodied and called out into actual Service, and thereby the Officers and private Militia Men are or shall be intitled to the same Pay as the Officers and private Men in his Majesty's other Regiments of Foot receive, all Pay from the Receiver or Receivers General of the Land Tax for the County, Riding, or Place, to which such Regiment, Battalion, or Independent Company of Militia shall belong, whether to the Adjutant, Serjeants, private Militia Men, or others, and all Money allowed as aforesaid, for the contingent Expences of such Regiment, Battalion, or Independent Company of Militia, and also the Allowance to the Clerk of such Regiment or Battalion, shall, during such Time of actual Service, cease and not be paid.

During the Time the Troops are embodied, and called out into actual Service, all Pay from the Receivers General is to cease.

VII. And be it enacted, That the said Receiver or Receivers of the Land Tax shall pay to the Clerk of the General Meetings his Allowance, at the Rate of five Pounds five Shillings for each Meeting, upon his producing an Order or Orders for that Purpose from his Majesty's Lieutenant, or from three Deputy Lieutenants assembled at some General Meeting or Meetings; and shall also pay to each and every the Clerks of the Subdivision Meetings their several Allowances, at the Rate of one Pound one Shilling for each Meeting, upon his or their producing an Order or Orders from one or more Deputy Lieutenant or Deputy Lieutenants assembled in the several Subdivision Meetings; which said Order or Orders shall be to the said Receiver or Receivers General of the Land Tax a sufficient Discharge for the Payment of such Allowances, and be allowed in his or their Account.

The Clerk of the General Meetings is to be paid his Allowance, upon producing an Order from the Lieutenant, &c. and the Clerks of the Subdivision Meetings, upon producing a like Order from the Deputy Lieutenants.

Orders to discharge the Receivers General.

VIII. Provided always, and be it enacted, That the Clerk of each Regiment or Battalion of Militia, shall give Security to his Majesty's Lieutenant of the County, Riding, or Place, to which such Regiment or Battalion shall belong, by a Bond, to his Majesty, in the Penalty of one half of the Sum required, for the whole Year's Charge of the Regiment or Battalion of Militia to which such Clerk shall belong, for duly answering and paying such Sums as he shall, from Time to Time, have received, and for duly accounting for the same, and for Performance of the Trust hereby in him reposed; which said Bond shall be lodged in the Hands of the Receiver or Receivers General of the Land Tax for the respective County, Riding, or Place, who, in case the said Regimental or Battalion Clerk shall not duly perform the Conditions comprized in the said Bond, shall and is hereby required forthwith to put the said Bond in Suit, in the Name of his Majesty, his Heirs and Successors; the full Costs and Charges of which Suit shall be paid by the said Regimental or Battalion Clerk to the said Receiver or Receivers General of the Land Tax, who shall likewise be intitled to, and receive to his or their own Use, at the Rate of five Pounds *per Centum*, out of all such Monies as shall be by him or them recovered thereon; and shall account for the Residue thereof with the proper Auditor of his

Regimental and Battalion Clerks to give Security for paying and accounting for the Monies received by them;

the Bonds to be lodged with the Receivers General, and put in Suit by them, &c. on Nonperformance of the Conditions; and they are intitled thereupon to full Costs and Charges, and 5 l. per Cent. of the Money recovered;

the Residue to be ac-

counted for to the Auditor.

his Majesty's Revenue, the said Receiver or Receivers General of the Land Tax charging himself or themselves therewith upon the next Account of the Land Tax, to be by him or them passed.

The Regimental and Battalion Clerks, and Captains of Independent Companies, are to deliver in Accounts of their Receipts and Disbursements,

IX. And be it enacted, That the Clerk of every Regiment or Battalion of Militia, and the Captain of every Independent Company of Militia in every County, Riding, and Place, within the Part of *Great Britain* aforesaid shall, between the twenty-fifth Day of *March* and the twenty-fifth Day of *June* in the Year one thousand seven hundred and sixty-two, deliver to the Receiver or Receivers General of the Land Tax for the County, Riding, or Place, to which such Regiment, Battalion, or Independent Company, shall belong, a fair Account in Writing of all Monies by him received and disbursed for the Service of the preceding Year, in pursuance of this Act, with proper Vouchers for the same; and shall pay back to the said Receiver or Receivers General of the Land Tax, any Surplus of such Monies that shall then be in his Hands; which said Accounts, signed by such Regimental or Battalion Clerk, or by such Captain of an Independent Company respectively, shall be transmitted by the said Receiver or Receivers General of the Land Tax into the Office of the proper Auditor of his Majesty's Revenue.

and pay over the Balance to the Receivers General; who are to transmit the Accounts into the Auditor's Office.

Lieutenants neglecting to take proper Security of the Clerks, or to deposit the Bonds with the Receivers General, are answerable for any Loss of Monies sustained by their Default.

X. And be it enacted, That in case his Majesty's Lieutenant of any County, Riding, or Place, within the Part of *Great Britain* aforesaid, shall neglect to take such Security as aforesaid from the Clerk or Clerks of his or their respective Regiment or Regiments, Battalion or Battalions, of Militia, or to deposit the same in the Hands of the Receiver or Receivers General of the Land Tax for the same County, Riding or Place, such his Majesty's Lieutenant shall be answerable to such Receiver or Receivers General of the Land Tax for any Loss of publick Monies sustained by the Default of such Clerk or Clerks.

Recovery of Penalties, &c.

XI. Provided always, and be it enacted, That all Penalties, all Costs and Charges of Suit, and all Sums of Money for which any Person or Persons is or are by this Act made answerable, may and shall be recovered in any of his Majesty's Courts of Record at *Westminster*, by Action of Debt, Bill, Plaint, or Information, wherein no Essoin, Wager of Law, or Protection, nor more than one Imparlance, shall be allowed.

No Fee to be paid for issuing Warrants for Money.

XII. Provided always, and be it enacted, That no Fee or Gratuity whatsoever shall be given or paid, for or upon Account of any Warrant or Sum of Money, which shall be issued in relation to, or in pursuance of, this Act.

CAP. XXIII.

An Act for rendering more effectual the Provisions in an Act made in the twelfth and thirteenth Years of the Reign of his late Majesty King *William* the Third (intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*) relating to the Commissions and Salaries of Judges.

Preamble, reciting Act 12 and 13 Will. 3. c. 2.

'WHEREAS by an Act passed in the twelfth and thirteenth Years of the Reign of his late Majesty King *William* the Third, intituled, *An Act for the further Limitation of the Crown, and better securing the Rights and Liberties of the Subject*; it was enacted, That after the Limitation of the Crown thereby made should take effect, Judges Commissions be made *Quamdiu se bene gesserint*, and their Salaries ascertained and established; but upon the Address of both Houses of Parliament, it might be lawful to remove them: And whereas your Majesty has been graciously pleased to declare from the Throne to both Houses of Parliament, that you look upon the Independency and Uprightness of Judges, as essential to the impartial Administration of Justice, as one of the best Securities to the Rights and Liberties of your loving Subjects, and as most conducive to the Honour of your Crown; and in Consequence thereof, your Majesty has recommended it to the Consideration of your Parliament, to make further Provision for continuing Judges in the Enjoyment of their Offices during their good Behaviour, notwithstanding the Demise of your Majesty, or any of your Heirs and Successors; and your Majesty has also desired your faithful Commons, that you may be enabled to secure the Salaries of Judges, during the Continuance of their Commissions; And whereas in return for this paternal Goodness, and in the justest Sense of your tender Concern for the Religion, Laws, and Liberties, of your People, we have taken this important Work into our Consideration, and have resolved to enable your Majesty to effectuate the wise, just, and generous Purposes, of your Royal Heart: May it therefore please your Majesty that it may be enacted;' And be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That the Commissions of Judges for the Time being, shall be, continue, and remain, in full Force, during their good Behaviour, notwithstanding the Demise of his Majesty (whom God long preserve) or of any of his Heirs and Successors; any Law, Usage, or Practice, to the contrary thereof in any wise notwithstanding.

Judges continued in the Enjoyment of their Offices during their good Behaviour, notwithstanding any Demise of the Crown;

but they may be removed by the Crown, upon Address of Parliament:

II. Provided always, and be it enacted by the Authority aforesaid, That it may be lawful for his Majesty, his Heirs, and Successors, to remove any Judge or Judges upon the Address of both Houses of Parliament.

Their Salaries secured during the Continuance of their Commissions,

III. And be it enacted by the Authority aforesaid, That such Salaries as are settled upon Judges for the Time being, or any of them, by Act of Parliament, and also such Salaries as have been or shall be granted by his Majesty, his Heirs, and Successors, to any Judge or Judges, shall, in all Time coming, be paid and payable to every such Judge and Judges for the Time being, so long as the Patents or Commissions of them, or any of them respectively, shall continue and remain in Force.

IV. And

IV. And be it further enacted by the Authority aforeſaid, That ſuch Salaries of Judges as are now or ſhall become payable out of the annual Rent or Sum granted for the Support of his Majeſty's Houſehold, and of the honour and Dignity of the Crown, ſhall, from Time to Time, after the Demiſe of his Majeſty, or any of his Heirs and Succeſſors, be charged upon, and paid and payable out of, ſuch of the Duties or Revenues granted for the Uſes of the Civil Government of his Majeſty, his Heirs, and Succeſſors, as ſhall be ſubſiſting after every ſuch Demiſe reſpectively, until ſome further or other Proviſion be made by Parliament for the Expences of the Civil Government; and from and immediately after the making of ſuch Proviſion, and during the Continuance thereof, ſuch Salaries ſhall be paid and payable out of all or any of the Monies which ſhall be applicable to ſuch Uſes and Expences as aforeſaid.

and to be paid, after any Demiſe of the Crown, out of ſuch of the Revenues granted for the Uſes of the Civil Government as ſhall be ſubſiſting after ſuch Demiſe, until further Proviſion be made by Parliament, &c.

Anno Regni GEORGII III. Regis Magnæ Britanniæ, Franciæ, & Hiberniæ, ſecundo.

'AT the Parliament begun and holden at *Weſtminſter* the nineteenth Day of *May*, *Anno Domini* one thouſand ſeven hundred and ſixty-one, in the firſt Year of the Reign of our Sovereign Lord *GEORGE* the Third, by the Grace of God, of *Great Britain*, *France* and *Ireland*, King, Defender of the Faith, *&c.* and from thence continued by ſeveral Prorogations to the third Day of *November* following, being the firſt Seſſion of the twelfth Parliament of *Great Britain*.

CAP. I.

An Act for enabling his Majeſty to make Proviſion for ſupporting the Royal Dignity of the Queen, in caſe ſhe ſhall ſurvive his Majeſty.

Moſt Gracious Sovereign,

'WHEREAS your Majeſty's moſt faithful Commons reflect with the greateſt Pleaſure on the joyful and auſpicious Event of your Majeſty's Royal Nuptials with a Princeſs, deſcended from an illuſtrious Proteſtant Line, diſtinguiſhed by the moſt eminent Graces and Endowments, and worthy to be the Royal Partner of your Throne, by poſſeſſing every Virtue that can adorn it, and have a juſt Senſe of that affectionate Regard which your Majeſty has ſhewn for your People, by conſulting on this moſt important and intereſting Occaſion, as on every other, their Happineſs and that of their Poſterity, and are truly ſenſible how acceptable it will be to your Majeſty, that a good, certain, and competent Revenue be ſettled for ſupporting the Honour and Dignity of her Majeſty, your Royal Conſort, in caſe ſhe ſhould ſurvive your Majeſty (whoſe Lives God long preſerve): And whereas by an Act made in the firſt Year of the Reign of her late Majeſty Queen *Anne*, for preſerving the Inheritance of ſeveral Revenues of the Crown, intituled, *An Act for the better Support of her Majeſty's Houſhold, and of the Honour and Dignity of the Crown*, all Grants thereof (other than ſuch as are therein expreſſed) are declared to be void; and by another Act made in the ninth Year of her ſaid late Majeſty's Reign, intituled, *An Act for eſtabliſhing a General Poſt Office for all her Majeſty's Dominions, and for ſettling a weekly Sum out of the Revenues thereof, for the Service of the War, and other her Majeſty's Occaſions*, it was enacted, That ſuch Part of the Duties and Revenues ariſing in or by the General Letter Office or Poſt Office, which was thereby veſted in her ſaid late Majeſty, her Heirs and Succeſſors, and therein mentioned to be undeterminable, ſhould not be alienable, chargeable, or grantable for any Eſtate, Term, or Time whatſoever, to endure longer than the Life of the King or Queen that ſhould make ſuch Alienation, Charge, or Grant reſpectively; and that all Gifts, Grants, Alienations, and Aſſurances whatſoever, to be had or made of, and charged upon, the ſame Duties or Revenues, or any Part thereof, contrary to the Proviſion of that Act, ſhould be null and void: And whereas by an Act made in the laſt Seſſion of Parliament, intituled, *An Act for the Support of his Majeſty's Houſhold, and of the Honour and Dignity of the Crown of* Great Britain, the Duties and Revenues commonly called *The Hereditary Revenues*, together with ſeveral temporary Duties and Revenues thereby continued, and all other Branches and Revenues which, on the twenty-fourth Day of *October* one thouſand ſeven hundred and ſixty, ſtood ſettled or appointed to be towards the Support of the Houſhold of his late Majeſty King *George* the Second of bleſſed Memory, and the Honour and Dignity of the Crown, were (except as is therein excepted) directed to be, during your Majeſty's Life, carried to, and made Part of, the General or Aggregate Fund eſtabliſhed by an Act made in the firſt Year of the Reign of his late Majeſty King *George* the Firſt; and for the Support of your Majeſty's Houſhold, and of the Honour and Dignity of your Crown, a certain yearly Rent or Rents, or Sum or Sums of Money, was or were by the ſaid Act granted out of the ſaid Fund: Now we do moſt humbly, chearfully, and unanimouſly beſeech your Majeſty that it may be enacted,' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and

Preamble.

1 Annæ, c. 7.

9 Annæ, c. 10.

1 Geo. 3. c. 1.

His Majeſty impowered, by Letters Patent under the Great Seal, to grant unto the Queen an Annuity of 100,000l.

and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by any Letters Patent, or Indenture, or by ſeveral Letters Patent or Indentures, under the Great Seal of *Great Britain*, hereafter to be made, to give and grant to her ſaid Majeſty the Queen, or to ſuch other Perſon or Perſons as his Majeſty ſhall think fit, to be named in ſuch Letters Patent, Indenture or Indentures, and his or their Heirs, to the Uſe of, or in Truſt for her Majeſty, one Annuity or yearly Rent or Sum of hundred thouſand Pounds of lawful Money of *Great Britain*; which Annuity or yearly Sum of one hundred thouſand Pounds, and every Part thereof, ſhall commence and take Effect immediately from and after the Deceaſe of his Majeſty, and continue from thenceforth for and during the natural Life of her Majeſty; and ſhall be paid and payable at the four moſt uſual Days of Payment in the Year; that is to ſay, the fifth Day of *January*, the fifth Day of *April*, the fifth Day of *July*, and the tenth Day of *October*, by even and equal Portions; the firſt Payment thereof to be made at ſuch of the ſaid Days as ſhall firſt and next happen after the Deceaſe of his Majeſty, in caſe her Majeſty the Queen ſhall ſurvive him, as aforeſaid; and that the ſaid Annuity or yearly Sum of one hundred thouſand Pounds ſhall or may, by ſuch Letters Patent, Indenture or Indentures, be directed to be iſſuing and payable out of, or charged and chargeable upon all or any Part of ſuch of the ſaid Duties, Revenues, and Branches, which by the ſaid Act made in the laſt Seſſion of Parliament, intituled, *An Act for the Support of his Majeſty's Houſhold, and of the Honour and Dignity of the Crown of* Great Britain, were carried to, and made Part of, the ſaid General or Aggregate Fund, as ſhall be ſubſiſting after the Deceaſe of his preſent Majeſty; and in caſe the Duties, Revenues, and Branches, out of which the ſaid Annuity or yearly Sum of one hundred thouſand Pounds ſhall be iſſuing or payable, or charged or chargeable upon, ſhall at any Time or Times be deficient to make good the ſame, or any Part thereof, ſuch Deficiency and Deficiencies ſhall or may, by the ſaid Letters Patent, Indenture or Indentures, be directed to be from Time to Time, as often as ſuch Deficiency or Deficiencies ſhall ſo happen, ſupplied, iſſuing, and payable out of, or charged and chargeable upon, all and every the Duties and Revenues which compoſe the ſaid Fund, commonly called *The General or Aggregate Fund*, and every or any of them (after paying or reſerving ſufficient to pay, all ſuch Sum and Sums of Money, as hath or have been directed by any former Act or Acts of Parliament to be paid out of the ſame) but with Preference to all other Payments which ſhall or may hereafter be charged upon, and payable out of, the ſaid Fund.

to take Place from the Deceaſe of his Majeſty, and continue during her natural Life;

the ſame to be paid quarterly,

out of the hereditary and other Revenues carried to the Aggregate Fund, by an Act of 1 Geo. 3.

and any occaſional Deficiency to be made good out of the Duties compoſing the ſaid Fund,

in Preference to all other Payments which ſhall hereafter be charged thereupon.

II. And it is hereby further enacted, That the ſaid Annuity or yearly Sum of one hundred thouſand Pounds ſhall be paid and payable at the Receipt of his Majeſty's Exchequer, or by and from the immediate Hands of all and every the Commiſſioners, Farmers, Treaſurers, or Receivers for the Time being of the ſaid Duties, Revenues and Branches reſpectively, upon which the ſaid Annuity or yearly Sum of one hundred thouſand Pounds, or any Part or Parts thereof, ſhall be charged, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; and the Acquittance and Acquittances of her Majeſty, or her Truſtees, or of her Majeſty's Treaſurer or Receiver General for the Time being, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant to be ſued for, had, or obtained in that Behalf; and that the ſaid Annuity or yearly Sum of one hundred thouſand Pounds, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions, and other publick Charges whatſoever: and that if the Officers of the Receipt of his Majeſty's Exchequer, or the ſaid Commiſſioners, Farmers, Treaſurers, or Receivers for the Time being, of all or any of the ſaid Duties, Revenues, or Branches, upon which the ſaid Annuity or yearly Sum of one hundred thouſand Pounds, or any Part or Parts thereof, ſhall be charged, as aforeſaid, ſhall refuſe or neglect to pay the ſaid Annuity or yearly Sum, or any Part thereof, to her Majeſty, her Treaſurer, Receiver General, or Truſtees, or to do any Act neceſſary to enable her Majeſty, or her Truſtees, or her Treaſurer, or Receiver General to receive the ſame, then her Majeſty, or ſuch her Truſtees, as aforeſaid, may, from Time to Time, ſue, proſecute, or implead ſuch Officers, Commiſſioners, Farmers, Treaſurers, or Receivers, or any of them, or all or any of their Securities, Heirs, Executors, and Adminiſtrators, by Bill, Plaint, or Action of Debt, and ſhall and may recover Judgments, and ſue out Executions thereupon againſt ſuch Officers, Commiſſioners, Farmers, Treaſurers, or Receivers reſpectively, and their reſpective Securities, Heirs, Executors, and Adminiſtrators, for ſuch Sum and Sums of Money then due and owing upon the ſaid Annuity of one hundred thouſand Pounds, or any Part thereof, as ſhall be in the Hands of ſuch Officer or Officers, Commiſſioners, Farmers, Treaſurers, or Receivers reſpectively, at the Time or Times when Demand ſhall be made of the Payment of the ſaid yearly Sum, or any Part thereof as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by ſuch Officer or Officers, to enable her Majeſty, or her Truſtees, Treaſurer, or Receiver General to receive the ſame.

The ſaid Annuity to be paid at the Receipt of his Majeſty's Exchequer,

free of all Taxes and Charges;

and the Acquittance of her Majeſty, or her Truſtees, to be a ſufficient Diſcharge.

Officers refuſing or neglecting to perform their Duty may be ſued.

His Majeſty impowered likewiſe to grant, by Letters Patent under the Great Seal, the Palace of Somerſet Houſe in the Strand, with its Rights and Appurtenances,

III. And, for the better Accommodation of her Majeſty, in caſe ſhe ſhall happen to ſurvive his Majeſty, Be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for his Majeſty, notwithſtanding any Reſtriction contained in the ſaid Act made in the firſt Year of the Reign of her ſaid late Majeſty Queen *Anne*, by any Letters Patent, Indenture or Indentures, under the Great Seal of *Great Britain*, to give, grant, ſettle, or aſſure, all that his Majeſty's Palace or Capital Meſſuage called by the Name of *Denmark-Houſe*, alias *Somerſet Houſe*, alias *Strond Houſe*, ſituate in or near the *Strand*, and in or near the Pariſh of *Saint Mary at Strond*, in the County of *Middleſex*, with its Rights, Members, and Appurtenances whatſoever, and all and ſingular Houſes,

Out-

Outhouſes, Stables, Coach-houſes, Edifices, Buildings, Courts, Yards, Gardens, and Appurtenances whatſoever, to the ſaid Palace or Capital Meſſuage belonging, and other the Premiſſes, or any of them, belonging or appertaining, or accepted, reputed, taken, uſed, or enjoyed, as Part, Parcel, or Member thereof, or any Part thereof; and alſo to give, grant, ſettle, or aſſure, all that his Majeſty's Houſe, now or heretofore uſually called the *Lodge*, and formerly in the Tenure of *John Latton* Eſquire, ſituate and being within the Park called or known by the Name of *Richmond Old Park*, in the County of *Surrey*, and all and ſingular the Cloſes, Wood Grounds, Lands, Tenements, and Hereditaments thereunto belonging, or held or enjoyed therewith by his Majeſty upon his Acceſſion to the Imperial Crown of theſe Realms, all which Premiſſes are Parcel, or reputed Parcel, of the Manor of *Richmond*, alias *Weſt Sheen*, in the ſaid County of *Surrey*; and alſo all thoſe Meſſuages and Cloſes of Land, commonly called *Keele's Farm*, in the Pariſh of *Mortlake*, in the ſaid County of *Surrey*, purchaſed by or in Truſt for her late Majeſty; and alſo all ſuch other Cloſes, Wood Grounds, Walks, Eaſements, Lands, Tenements, and Hereditaments, purchaſed by or in Truſt for her ſaid late Majeſty, or his ſaid late Majeſty, or either of them, and added to, or uſed with, the ſaid Park, or any Part thereof, or as an Eaſement or Convenience thereto, and held and enjoyed therewith, by his Majeſty upon his Acceſſion to the Imperial Crown of theſe Realms, in as full, large, ample, and beneficial Manner and Form as his Majeſty might have given, granted, ſettled, or aſſured the ſame, or any Part thereof, if the ſaid Act of the firſt Year of her ſaid late Majeſty's Reign, or any the Reſtrictions, Clauſes, Matters, or Things therein contained, had never been had or made; ſo as by ſuch Gifts, Grants, Settlements, or Aſſurances, or ſome of them, a good and ſure Eſtate and Intereſt of and in the ſaid Palace, or Capital Meſſuage and Appurtenances, and the ſaid Houſe or Lodge, Lands, Tenements, Hereditaments, and all other the Premiſſes aforeſaid, and every of them, be limited, appointed, ſettled, or aſſured, to or for the Uſe of, or in Truſt for her Majeſty, in ſuch manner that ſhe may have and enjoy the ſole Benefit thereof immediately from and after the Deceaſe of his Majeſty, during the Term of her natural Life; and ſo as an Eſtate or Intereſt be thereby alſo limited, appointed, ſettled, or aſſured, to or for the Uſe of, or in Truſt for, the Executors, Adminiſtrators, and Aſſigns of her Majeſty, to take Effect immediately from and after her Deceaſe, and to continue for one whole Year from thence next enſuing.

and alſo the Lodge in Richmond Old Park, and the Lands and Premiſſes thereunto belonging,

with Keele's Farm in the Pariſh of Mortlake, and all other Cloſes, &c. added to, or uſed with the ſaid Park, and enjoyed therewith at his Majeſty's Acceſſion to the Crown.

IV. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Precepts, Directions, and Clauſes, to be contained in his Majeſty's Letters Patent, Indenture or Indentures, hereafter to be made, as aforeſaid, for the better and more certain Payment and Aſſurance of the ſaid Annuity, or yearly Sum of one hundred thouſand Pounds, and for making the ſaid reſpective Revenues, or any of them, or any Part thereof, liable thereunto as aforeſaid, and for granting, conveying, ſettling, and aſſuring, of the ſaid Palace, or Capital Meſſuage and Appurtenances, Houſe or Lodge, Lands, Tenements, Hereditaments, and other Premiſſes, ſhall be, and are hereby enacted to be good and effectual in the Law, according to the Tenor and Purport thereof, in the ſaid Letters Patent, Indenture or Indentures, to be expreſſed, notwithſtanding any Reſtriction, or other Matter or Thing, contained in the ſaid Act of Parliament made in the firſt Year of her late Majeſty's Reign, intituled, *An Act for the better Support of her Majeſty's Houſhold, and of the Honour and Dignity of the Crown*, and notwithſtanding any Reſtriction, or other Matter or Thing, contained in the ſaid Act made in the ninth Year of her ſaid late Majeſty's Reign, for eſtabliſhing the Poſt Office, or in any other Act or Acts of Parliament, and any Miſ-recital, Non-recital, Omiſſion, or other Defect, in the ſaid Letters Patent, Indenture or Indentures, hereafter to be made, in any wiſe notwithſtanding.

The ſaid Letters Patent &c. deemed good in Law,

notwithſtanding any Reſtriction in the Act 1 Annæ,

or 9 Annæ.

V. Saving to all and every Perſon and Perſons, Bodies Politick and Corporate, their Heirs, Executors, Adminiſtrators, and Aſſigns (other than to the King's Majeſty, his Heirs and Succeſſors, and other than to ſuch Perſon or Perſons, who do or may ſtand ſeiſed or poſſeſſed in Truſt for his Majeſty, his Heirs, and Succeſſors) all ſuch Right, Title, Intereſt, and Demand whatſoever, which they or any of them have, or may have, of, in, to, or out of the Revenues aforeſaid, or any of them, or of, in, or to, the ſaid Palace, or Capital Meſſuage and Appurtenances, Houſe or Lodge, Lands, Tenements, Hereditaments, and Premiſſes, as aforeſaid, ſo to be granted as aforeſaid, or any Part thereof, before the making of this Act, as fully and effectually, to all Intents and Purpoſes, as if this Act had not been made; any thing herein contained to the contrary notwithſtanding.

Reſervation of Rights.

CAP. II.

An Act to repeal ſo much of an Act paſſed in the firſt Year of the Reign of his preſent Majeſty King *George* the Third, intituled, *An Act for the Relief of Inſolvent Debtors*, as relates to Creditors compelling Priſoners charged in Execution to deliver up their Eſtates, and to ſuch Priſoners being thereupon diſcharged.

Preamble.

1 Geo. 3. c. 17.

'WHEREAS an Act of Parliament was made and paſſed in the firſt Year of the Reign of his preſent Majeſty King *George* the Third, intituled, *An Act for Relief of Inſolvent Debtors*: And whereas by the ſaid Act any Creditor of any Priſoner committed, or who ſhould be committed, and charged in Execution, is impowered to compel ſuch Priſoner to deliver up his Eſtate and Effects in order to his being diſcharged, in ſuch manner as by the ſaid Act is directed: And whereas great Inconveniences have ariſen from ſuch Power being given to Creditors as aforeſaid; May it therefore pleaſe your Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent

Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the nineteenth Day of *November* one thouſand ſeven hundred and ſixty-one, ſo much of the ſaid recited Act, as relates to Creditors compelling Priſoners charged in Execution to deliver up their Eſtates, and to ſuch Priſoners being thereupon diſcharged, ſhall be, and the ſame is hereby, repealed, to all Intents and Purpoſes whatſoever.

The compulſive Clauſe in the recited Act repealed.

II. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall not extend, or be conſtrued to extend, to pardon, indemnify, or diſcharge any Perſon who hath incurred, or, before the ſaid nineteenth Day of *November* one thouſand ſeven hundred and ſixty-one, ſhall incur, any Penalty or Forfeiture, by committing any Offence againſt the ſaid Act made and paſſed in the ſaid firſt Year of his preſent Majeſty's Reign; but that every ſuch Offender ſhall be liable to the Forfeitures and Penalties incurred, or, before the ſaid nineteenth Day of *November* one thouſand ſeven hundred and ſixty-one, to be incurred, under the ſaid Act, made and paſſed in the ſaid firſt Year of his preſent Majeſty's Reign, as if the ſaid Act had not been repealed, and had continued in full Force.

Offences againſt the recited Act, notwithſtanding ſuch Repeal, may be ſued for,

and the Offenders are made liable to the Penalties and Forfeitures thereby incurred.

CAP. III.

An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in *Great Britain*, for the Service of the Year one thouſand ſeven hundred and ſixty-two. *EXP.*

CAP. IV.

An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder, and Perry, for the Service of the Year one thouſand ſeven hundred and ſixty-two. *EXP.*

CAP. V.

An Act for more effectually preventing the exceſſive Uſe of Spirituous Liquors for Home Conſumption, by laying additional Duties upon Spirits made in *Great Britain*, or imported into the ſame; and for better regulating and encouraging the Exportation of *Britiſh* made Spirits; and for ſecuring the Payment of the Duties upon Spirituous Liquors.

Preamble.

35 *Geo.* 2. *c.* 9.

For former Laws concerning Spirituous Liquors, refer to 12 *Car.* 2. *c.* 23 & 24. 22 *Car.* 2. *c.* 4. 2 *W. & M. ſt.* 2. *c.* 9. 7 & 8 *W.* 3. *c.* 30. 8 & 9 *W.* 3. *c.* 19. 10 & 11 *W.* 3. *c.* 4 & 21. 12 *W.* 3. *c.* 11. 1 *Ann. ſt.* 2. *c.* 14. 4 *Ann. c.* 12. 12 *Ann. ſt.* 2. *c.* 3. 3 *Geo.* 1. *c.* 4. 6 *Geo.* 1. *c.* 21. 8 *Geo.* 1. *c.* 18. 11 *Geo.* 1. *c.* 30. 2 *Geo.* 2. *c.* 28. 6 *Geo.* 2. *c.* 17. 7 *Geo.* 2. *c.* 14. 9 *Geo.* 2. *c.* 23. 10 *Geo.* 2. *c.* 17. 11 *Geo.* 2. *c.* 26. 15 *Geo.* 2. *c.* 25. 16 *Geo.* 2. *c.* 8. 17 *Geo.* 2. *c.* 17. 19 *Geo.* 2. *c.* 12. 20 *Geo.* 2. *c.* 39. 24 *Geo.* 2. *c.* 40. 26 *Geo.* 2. *c.* 13. 27 *Geo.* 2. *c.* 11. 31 *Geo.* 2. *c.* 36. 32 *Geo.* 2. *c.* 29.

'WHEREAS by an Act made in the thirty-third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for preventing the exceſſive Uſe of Spirituous Liquors, by laying additional Duties thereon; for ſhortening the Prohibition of making Low Wines and Spirits from Wheat, Barley, Malt, or other Grain, and from Meal, Flour, and Bran; for encouraging the Exportation of* Britiſh made *Spirits; and for more effectually ſecuring the Duties payable upon Spirits, and preventing the fraudulent Relanding or Importation thereof*; additional Duties were laid upon Spirituous Liquors, and other Proviſions were eſtabliſhed, in order by continuing the high Price of ſuch Liquors, to prevent the exceſſive Uſe thereof for Home Conſumption, at the ſame time that the Exportation of Spirituous Liquors was intended to be encouraged: And whereas ſome of the Proviſions made by the ſaid Act do no leſs tend to enhance the Price of Spirits made for Exportation, than the Price of thoſe made for Home Conſumption: And whereas the preſent Method of ſubjecting Spirits made for Exportation to the Payment of Duties, and in conſideration thereof granting Drawbacks or Allowances upon Exportation, has been found to be attended with many Inconveniencies: In order therefore more effectually to carry on the wiſe and ſalutary Purpoſes of the ſaid Act, by providing a more convenient Method of encouraging the Exportation of Spirituous Liquors, and at the ſame time effectually guarding againſt any Increaſe of the Uſe thereof for Home Conſumption; May it therefore pleaſe your Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, there ſhall be raiſed, levied, collected, and paid unto his Majeſty, his Heirs and Succeſſors, throughout the Kingdom of *Great Britain*, for the ſeveral Kinds of Spirituous Liquors herein after mentioned, ſpecified, and enumerated, which ſhall be made in *Great Britain* for Home Conſumption, or imported into *Great Britain* from Parts beyond the Seas (not being the Produce of the *Britiſh* Colonies) over and above all Duties, Charges, and Impoſitions by any former Act or Acts of Parliament thereupon reſpectively ſet, rated, and impoſed, the ſeveral additional Rates and Duties of Exciſe herein after mentioned and expreſſed; that is to ſay,

The additional Duties following laid on Spirituous Liquors, made or imported into Great Britain, not being the Produce of the Britiſh Colonies; to take Place from and after 21 Jan. 1762.

The Duties.

II. For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from any Sort of Drink or Waſh brewed or made from any Sort of Malt or Corn, or from Brewers Waſh or Tilts, or any Mixture with ſuch Brewers Waſh or Tilts, to be paid by the Diſtillers or Makers thereof, one Penny.

III. For every Gallon of Strong Waters, or *Aqua Vitæ*, made for Sale of the Materials aforeſaid, or any of them, to be paid by the Diſtillers or Makers thereof, three Pence.

IV. For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn in *Great Britain* from any Foreign or Imported Materials, or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, three Pence.

V. For every Gallon of Spirits made or drawn in *Great Britain*, from any foreign or imported Materials, or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, two Pence.

VI. For every Gallon of Low Wines, or Spirits of the firſt Extraction, made or drawn from Cyder, or any Sort or Kind of *Britiſh* Materials (except thoſe before-mentioned) or any Mixture therewith, to be paid by the Diſtillers or Makers thereof, one Penny three Farthings.

VII. For every Gallon of Spirits made for Sale, from Cyder or any Sort or Kind of *Britiſh* Materials, except thoſe before-mentioned, to be paid by the Diſtillers or Makers thereof, two Pence.

VIII. For every Gallon of Single Brandy Spirits or *Aqua Vitæ*, imported into *Great Britain* from beyond the Seas, not being the Produce of the *Britiſh* Colonies, to be paid by the Importer before landing, ſix Pence.

IX. For every Gallon of Brandy, Spirits or *Aqua Vitæ* above Proof, commonly called *Double Brandy*, imported into *Great Britain* from beyond the Seas, not being the Produce of the *Britiſh* Colonies, to be paid by the Importer before landing, one Shilling.

Duties in England to be under the Receipt and Management of the Commiſſioners and Officers of Excile there;

and thoſe in Scotland, under the Commiſſioners & Officers of Exciſe there;

and they are impowered to appoint proper Officers under them in that Behalf.

The Monies ariſing thereby are to be paid into the Exchequer at Weſtminſter, ſeparate from all other Branches of the publick Revenue.

'X. And for the better aſcertaining, charging, collecting, raiſing, levying, and ſecuring the 'Rates and Duties by this Act impoſed on the ſaid ſpirituous Liquors, and preventing Frauds there-'in,' Be it further enacted by the Authority aforeſaid, That ſuch of the ſaid Rates and Duties by this Act granted, as are charged upon Spirituous Liquors made, extracted, and manufactured in, or imported into *England*, *Wales*, or the Town of *Berwick upon Tweed*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of his Majeſty's Revenue of Exciſe in *England* for the Time being; and ſuch of the ſaid Rates and Duties as are impoſed by this Act, upon Spirituous Liquors made, extracted and manufactured in, or imported into *Scotland*, ſhall be under the Receipt and Management of the Commiſſioners and Officers of Exciſe in *Scotland* for the Time being; and the ſaid reſpective Commiſſioners of Exciſe, or the major Part of them, have hereby Power by Commiſſion, under their reſpective Hands and Seals, to conſtitute and appoint under them ſuch Officers as ſhall be neceſſary in that Behalf; and all Monies ariſing by the ſaid Duties in *Great Britain*, or any Part thereof (the neceſſary Charges of raiſing and accounting for the ſame excepted) ſhall from Time to Time be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the publick Revenue; and ſhall be ſubject and liable to ſuch Uſes, Applications, and Purpoſes, as ſhall by any future Act or Acts of Parliament be directed or appointed.

Clauſe in the Act of 23 Geo. 2. prohibiting Malt Diſtillers to compound or rectify Spirits into Gin, or Brandy,

'XI. And whereas by a Clauſe in the ſaid Act of Parliament paſſed in the thirty-third Year of the 'Reign of his late Majeſty King *George* the Second, reciting, that whereas many Evils had ariſen 'to the Publick by reaſon of the compounding or rectifying of Spirits, by Perſons practiſing the 'Trade or Buſineſs of making or diſtilling Spirits from Corn or Grain; it was therefore enacted, 'That from and after the twenty-firſt Day of *April* one thouſand ſeven hundred and ſixty, if any 'Perſon practiſing the Trade or Buſineſs of making, extracting, or diſtilling Low Wines or Spirits, 'from Corn or Grain, or any Mixture therewith, or having any Intereſt, Share, or Property, in 'any ſuch Trade or Buſineſs, ſhould, directly, or indirectly, either by him or herſelf, or any other 'Perſon or Perſons in Truſt, or for his or her Benefit, rectify, compound, or make, any Sort of Spi-'rits into the Liquor commonly called Gin, or into Brandy, or any other compound Spirituous Li-'quors whatſoever, every ſuch Perſon ſhould, for every ſuch Offence, forfeit and pay the Sum of 'one hundred Pounds; and that the Heirs, Executors, Adminiſtrators, or Aſſigns, of any Perſon 'who ſhould, after the ſaid twenty-firſt Day of *April* one thouſand ſeven hundred and ſixty, have 'been guilty of the Offence aforeſaid, ſhould not be intitled unto, or maintain any Cauſe, Action, 'or Suit, for Recovery, either in Law or Equity, of any Sum or Sums of Money, Debt, or De-'mand whatſoever, on account or by reaſon of any Intereſt or Property in, or Profit or Advantage 'ariſing in reſpect of Spirits made, extracted or diſtilled from Corn or Grain, or any rectified 'or compounded Spirituous Liquors whatſoever: And whereas it it thought expedient to anſwer the 'Purpoſes of this Act, to repeal the ſame Clauſe;' Be it therefore enacted by the Authority afore-ſaid, That the ſaid recited Clauſe, and every Part thereof, ſhall, from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, be, and the ſame is hereby repealed, and made null and void to all Intents and Purpoſes.

is repealed.

No Diſtiller, Rectifier, or Dealer in Spirits may have in his Poſſeſſion any Still or Stills, which ſeparately, or together, ſhall contain leſs than 100 Gallons, on Penalty of 100l.

and all the ſmall or under-ſized Stills are to be placed in one Room, under like Penalty.

Perſons who ſhall deal in exciſeable Liquors, and ſhall alſo diſtil Spirits, are declared to be common

XII. And for the more effectual ſecuring the Payment of the Duties upon Spirits, it is hereby enacted and declared by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, no Perſon or Perſons who ſhall either make or rectify any Spirits for Sale, or who ſhall ſell or deal in any Sort of Spirituous Liquors, ſhall have in his, her, or their Cuſtody or Poſſeſſion, or in the Cuſtody or Poſſeſſion of any other Perſon or Perſons in Truſt, or for the Uſe or Benefit of him, her, or them, any Still or Number of Stills, unleſs ſuch Still if a ſingle one, or ſuch Stills taken together if more than one, ſhall contain at the leaſt one hundred Gallons, on pain to forfeit for every ſuch Still the Sum of one hundred Pounds; and that ſuch Stills as ſhall contain ſeparately leſs than one hundred Gallons ſhall be all placed in one Room or Workhouſe, on pain to forfeit for every ſuch Still not ſo placed, the like Sum of one hundred Pounds; and every Perſon and Perſons who ſhall, after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, ſell or deal in any Liquors which are chargeable with any Duty of Exciſe, and who ſhall alſo make or diſtil any Spirits, ſhall be deemed and taken, and is and are hereby declared to be a common Diſtiller or Diſtillers for Sale, and is and are hereby required

Diſtillers; and are to enter their Stills, and pay Duties accordingly.

to enter his, her, and their Still and Stills, and ſhall be liable to be charged with, and to pay for all Low Wines and Spirits made by them, the ſeveral Rates and Duties of Exciſe charged by this, and all and every former Act or Acts for laying Duties upon Low Wines or Spirits, and be ſubject to the Survey of the Officers of Exciſe, and to the ſeveral Penalties and Forfeitures impoſed by this or any former Act or Acts of Parliament now in Force, in any wiſe relating to Diſtillers.

All Waſh, and the Low Wines, and Spirits therefrom made for foreign Exportation, are exempted from the Duties of Exciſe;

XIII. And for the better encouraging the Exportation of Spirits made in *Great Britain*; Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, no Waſh which ſhall be brewed or made for the making of Low Wines, in order to extract Spirits for Exportation to Parts beyond the Seas, nor any ſuch Low Wines or Spirits, ſhall be charged or chargeable with any Duty or Duties of Exciſe granted by this or any former Act or Acts of Parliament for laying of Duties upon Low Wines or Spirits; and that from thenceforth all and every Drawback, Allowance, and Bounty, which hath been given or granted by any former Act or Acts of Parliament on the Exportation of *Britiſh* made Spirits, to Parts beyond the Seas, whether payable by the Commiſſioners of Exciſe or Cuſtoms, ſhall ceaſe, and be no longer payable or paid; any Law or Statute to the contrary notwithſtanding.

And no Drawbacks or Allowances are to be paid thereon, for the future;

except ſuch as were ſhipped, &c. for Exportation, before 1 Jan. 1762, &c.

XIV. Provided, That nothing herein contained ſhall extend to prevent the Payment of the Drawbacks, Allowances, and Bounties, for ſuch Spirits as ſhall have been really and *bona fide* ſhipped or ſent Coaſtways in order for Exportation, before the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, and which had been tried and aſcertained according to the Directions of the ſaid recited Act.

Every Diſtiller of Spirits for Exportation is previouſly to enter at the next Office of Exciſe,

XV. And be it further enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, all and every Diſtiller and Diſtillers who ſhall be deſirous of making or diſtilling Spirits for Exportation, ſhall, four Days at the leaſt before he, ſhe, or they ſhall begin to brew any Corn or Grain, or to mix any other Materials for the making of Waſh to be diſtilled into Low Wines, in order to extract Spirits for Exportation, make a true and particular Entry in Writing at the next Office of Exciſe, within the Limits whereof his, her, or their Workhouſe, Stillhouſe, Storehouſe, Warehouſe, or other Place for diſtilling or keeping Waſh, Low Wines, or Spirits, is or ſhall be ſituate, of all and every Still, Copper, Tun, Waſhbatch, Caſk, or other Veſſel, which, he, ſhe, or they ſhall make uſe of for the Brewing, Diſtilling, Working, Making, Laying, or Keeping any Worts, Waſh, Low Wines, or Spirits, and alſo of the Caſks or Veſſels which every ſuch Diſtiller or Diſtillers ſhall make uſe of for the Brewing, Holding, or Keeping of the After-runnings or Feints from the ſecond Extraction, which ſhall, from Time to Time, be drawn from every ſuch Still; and alſo of all and every Workhouſe, Stillhouſe, Storehouſe, Warehouſe, or other Place, by him, her, or them uſed for the Preparing, Diſtilling, or Keeping Waſh, Low Wines, or Spirits; and in ſuch Entry ſhall inſert the Day when he, ſhe, or they ſhall intend to begin firſt to brew any Corn or Grain, or to mix any other Materials for the making of Waſh to be diſtilled into Low Wines in order to extract Spirits for Exportation; and ſhall afterwards, from Time to Time, during the Continuance of ſuch Entry, give or leave Notice in Writing at the ſaid Office of Exciſe, or with the Officer of Exciſe for the Diviſion or Place where ſuch Spirits are intended to be made, four Hours at the leaſt before he, ſhe, or they ſhall begin any ſuch ſubſequent Brewing or Mixing; and ſhall inſert in ſuch Notice the Hour when he, ſhe, or they ſhall intend to begin; and ſhall alſo, from Time to Time, during the Continuance of ſuch Entry, give or leave Notice in Writing at the ſaid Exciſe Office, or with the ſaid Officer of Exciſe, four Hours at the leaſt before any Waſh is pumped up, or otherwiſe conveyed into the Still or Stills, and ſhall inſert in ſuch Notice the Hour when he, ſhe, or they ſhall intend to begin: And if he, ſhe, or they ſhall neglect or refuſe to make ſuch Entry as aforeſaid, or ſhall not inſert in ſuch Entry the Day, when he, ſhe, or they ſhall intend firſt to brew any Corn or Grain, or to mix any other Materials for the making of Waſh as aforeſaid, or to give ſuch reſpective Notices as aforeſaid, or to inſert in ſuch Notices reſpectively the Hour when he, ſhe, or they ſhall intend to begin his, her, or their reſpective Operations as aforeſaid; every ſuch Diſtiller and Diſtillers, for every ſuch Offence, ſhall forfeit and loſe the Sum of one hundred Pounds: And if, after ſuch Entry ſo made, ſuch Diſtiller or Diſtillers ſhall not begin and proceed to brew, or mix his Materials as aforeſaid, on the Day mentioned in ſuch Entry, or within four Hours next afterwards; or having given ſuch Notice or Notices as aforeſaid, ſhall not begin and proceed in ſuch reſpective Operations at the Hour, and Time or Times, mentioned in ſuch reſpective Notices, or in two Hours next afterward; then every ſuch Entry and Notice ſhall be, and is and are hereby declared to be null and void; and every ſuch Diſtiller and Diſtillers ſhall be obliged to make a freſh and like Entry, or to give a freſh and like Notice or Notices as aforeſaid: And in caſe any ſuch Diſtiller or Diſtillers ſhall begin to brew any Corn or Grain, or to mix any Materials for the Purpoſe aforeſaid, or ſhall pump up or otherwiſe convey, or cauſe or ſuffer to be pumped up or otherwiſe conveyed, any Waſh into the Still or Stills, without making ſuch freſh Entry, in caſe the firſt became void, or giving ſuch freſh Notice or Notices reſpectively, in caſe ſuch firſt Notice or Notices ſhall reſpectively become void; then, and in every ſuch caſe, ſuch Diſtiller and Diſtillers ſo offending, ſhall for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds.

all the Stills, and other Veſſels which he ſhall make uſe of,

and his Workhouſes and Warehouſes, with the Day he ſhall firſt begin to work;

and is from Time to Time afterwards to give due Notice to the proper Officer, before he ſhall begin any ſubſequent Brewing, &c.

and a like Notice before he ſhall pump up, or convey any Waſh into the Still;

on Penalty of 100l.

Diſtiller not proceeding in his Operations on the Day and Hours mentioned in the Entry and reſpective Notices, &c.

is to make a freſh Entry, and give freſh Notices, before he proceeds therein;

on Penalty of 100l.

No Diſtiller for Exportation may enter or give Notice, whoſe Waſh-ſtill will not contain 1600 Gallons, and the Spirit or Low Wine-ſtill 800

XVI. Provided always, That nothing herein contained ſhall extend to permit or authorize any Diſtiller or Diſtillers to enter or give Notice of his Intention to make Spirits for Exportation, whoſe Waſh-ſtill will not contain one thouſand ſix hundred Gallons, and the Spirit or Low Wine-ſtill eight hundred Gallons; neither ſhall any Diſtiller or Diſtillers be intitled or permitted to diſtil Spirits

for

for Exportation, although he may have made an Entry as aforeſaid, unleſs he, ſhe, or they ſhall actually have diſtilled into Spirits all the Waſh and Low Wines in his, her, or their Cuſtody or Poſſeſſion for the making of Spirits for Home Conſumption, at leaſt forty-eight Hours before the Day mentioned in ſuch Entry.

Gallons; and unleſs he ſhall have diſtilled into Spirits all the Waſh and Low Wines in his Cuſtody for Home Conſumption, 48 Hours before the Day mentioned in the Entry.

XVII. And it is hereby further enacted by the Authority aforeſaid, That when any ſuch Diſtiller or Diſtillers ſhall be deſirous of diſtilling any Spirits for Home Conſumption, and ſhall have actually diſtilled into Spirits all the Waſh, Low Wines, and Feints, in his, her, or their Cuſtody or Poſſeſſion, for the making of Spirits for Exportation, and ſuch Spirits ſhall be locked up in the Warehouſe as herein after is directed; he, ſhe, or they may withdraw his, her, or their Entry for Exportation, and ſhall be at Liberty to make a freſh and like Entry for making Spirits for Home Conſumption; and at the Expiration of ſix Days after ſuch Entry made, it ſhall and may be lawful for ſuch Diſtiller and Diſtillers to begin to brew or mix Materials for Waſh to be diſtilled into Spirits for Home Conſumption: And if any ſuch Diſtiller or Diſtillers ſhall begin to brew or mix Materials for Waſh to be diſtilled into Spirits for Home Conſumption, without having made ſuch Entry, or contrary to any of the Directions of this Clauſe, he ſhall, for every ſuch Offence, forfeit and loſe the Sum of two hundred Pounds.

When the Waſh and Low Wines for Spirits for Exportation ſhall be diſtilled, and the Spirits locked up; the Diſtiller may withdraw his Entry for Exportation, and make Entry anew for Home Conſumption, and within ſix Days after begin his Operations accordingly; and if he acts contrary to theſe Directions he forfeits 200l.

'XVIII. And, for the preventing of Frauds, which Diſtillers for Exportation may commit, by 'privately removing and concealing the Waſh, Low Wines, or Spirits; and in order that the Of-'ficer may obtain true Gauges of the ſame;' It is hereby further enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, no Waſh that ſhall be brewed or mixed for the extracting Spirits for Exportation, ſhall be pumped up into the Still or Stills, or otherways removed from the Back or Veſſel wherein the ſame was fermented, but in the Preſence of an Officer of Exciſe, on any Pretence whatſoever; and all and every ſuch Diſtiller and Diſtillers ſhall, and is and are hereby required to run or draw off his, her, or their Low Wines immediately from the Still, into an entered Veſſel or Veſſels only, and to continue them therein, ſo that the Officers of Exciſe may take a true Gauge of ſuch Low Wines; and ſuch Diſtiller and Diſtillers ſhall each of them provide a proper Caſk which ſhall be duly entered and gauged, into which the Spirits ſhall run immediately from the Still; which Caſk ſhall be ſufficient to contain the whole Produce of Spirits to be extracted from each Still when made up to the proper Strength ſuch Spirits are required to be; and when the whole Quantity of Spirits ſhall be collected in ſuch Caſk from each Still, all and every ſuch Diſtiller and Diſtillers ſhall, and is and are hereby required immediately to make up ſuch Spirits, in the Preſence of the Officer of Exciſe, to the Strength of one to ſix under Hydrometer Proof; and a true Gauge of ſuch Spirits ſo made up, ſhall then be taken by the Officer of Exciſe, who ſhall keep an exact Account thereof; and ſuch Spirits, and every Part thereof, ſhall immediately afterwards be put into Caſks, and ſecured in the Preſence of the Officer of the Exciſe, in a Warehouſe or Warehouſes to be provided and duly entered at the proper Office of Exciſe, and kept for that Purpoſe by and at the Expence of ſuch Diſtiller and Diſtillers, which Spirits ſhall be kept there ſeparate and apart from all Spirits made for Home Conſumption; and no Spirits for Home Conſumption ſhall be put into the ſame Warehouſe; and ſuch Warehouſe and Warehouſes ſhall be ſecured under three Locks and three Keys to each Warehouſe into which the ſaid Spirits ſhall be carried; one of thoſe Locks to be provided by ſuch Diſtiller, and the other two Locks to be provided by the Surveyor, Superviſor, or Officer of Exciſe, of the Diviſion or Place where the ſaid Spirits ſhall be locked up, at the Expence of ſuch Diſtiller; whereof one Key of each Place ſhall be kept by ſuch Diſtiller, and another by ſuch Surveyor or Superviſor, and the third by ſuch Officer of Exciſe, until the ſame Spirits ſhall be delivered out for Rectification, or afterwards for Exportation; which Warehouſe and Warehouſes ſhall be made well and ſufficiently ſecure to the Satisfaction and Approbation of the reſpective Surveyors or Superviſors of Exciſe for the Time being, in whoſe Diviſion or Diſtrict any ſuch Warehouſe or Warehouſes ſhall be ſituate, whoſe Approbation thereof ſhall be ſignified in Writing, under the Hands of ſuch Surveyors or Superviſors; and the reſpective Surveyors or Superviſors are hereby required to attend, on reaſonable Notice to them given by the reſpective Diſtillers, in order to view the ſame: And if any Diſtiller or Diſtillers for Exportation ſhall, contrary to the Directions of this Act, pump up into the Still or Stills, or otherwiſe remove any ſuch Waſh as aforeſaid, from the Back or Veſſel wherein the ſame was fermented, but in the Preſence of an Officer of Exciſe, or ſhall not run off, or cauſe to be run off, his, her, or their Low Wines immediately from the Still into an entered Veſſel or Veſſels only, or ſhall not continue the ſame in ſuch entered Veſſel or Veſſels, ſo that the Officers of Exciſe may take a true Gauge of ſuch Low Wines, or ſhall neglect or refuſe to provide a proper Caſk into which the Spirits ſhall run immediately from the Still as aforeſaid, or to enter ſuch Caſk, or ſhall run off any Spirits from the Still into any Caſk, except ſuch Caſk herein before directed to be provided, or ſhall, when the whole Quantity of Spirits ſhall be collected as aforeſaid, neglect or refuſe immediately to make up, in the Preſence of the Officer of Exciſe, ſuch Spirits to the Strength of one to ſix under Hydrometer Proof; or ſhall by any Ways or Means prevent, hinder, or obſtruct the Officer of Exciſe, from taking a Gauge or Gauges of the Waſh, Low Wines, or Spirits, or to take a Sample or Samples of them or any of them, or to try the Proof of the Spirits (which Gauges, Samples, and Trials of Proof, they are hereby impowered to take and make, as often as the Commiſſioners of Exciſe for the Time being ſhall direct, and which Samples ſhall be returned by the Officers of Exciſe to the

Waſh for Spirits for Exportation is to be pumped, &c. into the Still in the Preſence of an Officer; and the Low Wines immediately run off into an entered Veſſel, and there kept till gauged; and a proper Caſk entered and gauged, ſufficient to contain the Spirits extracted, is to be provided; and when the whole is collected, the Spirits are to be made Proof in the Preſence of the Officer, and gauged by him; and afterwards put in Caſks, and ſecured in his Preſence in ſome entered and approved Warehouſe, under three Locks and Keys, ſeparate from Spirits for Home Conſumption,

until delivered out for Rectification, or Exportation;

and the Surveyors are to view, and ſign their Approbation of the ſaid Warehouſes. Diſtiller acting contrary to theſe Directions,

or obſtructing the Officer in the Gauging, taking Samples of the Spirits, or trying the Proof, &c.

the reſpective Traders, when the Commiſſioners of Exciſe ſhall find it expedient to give Directions for that Purpoſe) or ſhall neglect or refuſe, immediately after the Spirits are ſo made up to the Strength aforeſaid, to put ſuch Spirits into Caſks, and ſecure the ſame, in the Preſence of the Officer of Exciſe, in a Warehouſe or Warehouſes, according to the Directions of this Act, or ſhall neglect or refuſe to provide and keep a Warehouſe or Warehouſes for that Purpoſe, or to ſecure the ſame well and ſufficiently, according to the Directions of this Act, or to provide and keep ſuch Warehouſe and Warehouſes with Locks and Keys for ſecuring ſuch Spirits for Exportation as aforeſaid, or to enter ſuch Warehouſe or Warehouſes for that Purpoſe at the proper Office of Exciſe, or ſhall make Uſe of any Warehouſe or Warehouſes, or other Place or Places for keeping Spirits for Exportation, before the ſame ſhall have been firſt approved of according to the Directions of this Act, or ſhall put into, or keep in, ſuch Warehouſe or Warehouſes, any Spirits made for Home Conſumption; or if any ſuch Diſtiller or Diſtillers, or any other Perſon or Perſons whatſoever by his, her, or their Order, Privity, Connivance, or Direction, after any ſuch Spirits ſhall have been locked up and ſecured in any Warehouſe or Warehouſes for keeping Spirits for Exportation, ſhall open any of the Locks or Doors in the Abſence of the proper Surveyor or Superviſor and Officer of Exciſe, or ſhall make any Way or Kind of Entrance into any ſuch Warehouſe or Warehouſes, or ſhall remove any Part whatever of the Partition between any Warehouſe or Warehouſes for keeping Spirits for Exportation, and any other Place or Places whatſoever next thereunto adjoining, or ſhall, after any ſuch Warehouſe or Warehouſes ſhall have been ſo approved of as aforeſaid, make any Addition to, or any Way alter the ſame, without Notice firſt given to the proper Surveyor or Superviſor of Exciſe of ſuch intended Addition to, or Alteration in, ſuch Warehouſe or Warehouſes, and his Conſent in Writing firſt had and obtained for the ſame; or ſhall remove any of the ſaid Spirits from any locked Warehouſe or Warehouſes to any other Warehouſe or Warehouſes for keeping Spirits for Exportation before the ſame be taken out either for immediate Rectification or to be immediately put on Shipboard, and exported to Parts beyond the Seas; or ſhall, by any Art, Contrivance, or Device whatſoever, remove, convey away, or conceal, or cauſe, procure, or ſuffer to be removed, conveyed away, or concealed, any of the Waſh, or Low Wines for making Spirits for Exportation, or any ſuch Spirits, whether raw or rectified, either before the ſame are put into the Warehouſe or Warehouſes, or afterwards; then, and in each and in every ſuch Caſe, ſuch Diſtiller and Diſtillers, for every ſuch Offence, ſhall forfeit and loſe the Sum of five hundred Pounds.

or if he ſhall open any of the Locks in the Abſence of the Officer,

or make any Way into ſuch Warehouſe,

or alter the Condition thereof without giving Notice to the Surveyor,

and his Conſent be firſt had;

or ſhall clandeſtinely remove any of the Spirits,

or Waſh, or Low Wines, &c.

ſhall forfeit 500l.

Spirits made for Exportation may be ſent by the Maker to the Diſtiller, Bond being firſt given for the due Exportation thereof, and Leave alſo had from the Commiſſioners, and Notice given to the Officer,

XIX. Provided always, That nothing in this Act contained ſhall extend to hinder any Maker of Spirits for Exportation from ſending ſuch Spirits out of his locked up Warehouſe to any other Diſtiller, provided ſuch Maker of Spirits ſending the ſame, and the Diſtiller who ſhall receive the ſame, do, before ſuch Spirits are taken out of the Warehouſe, give Bond with ſufficient Security, to be approved of as any other Security is directed by this Act to be approved, in double the Value of ſuch Spirits, and double the Duties they would have been liable to, if made for Home Conſumption, for the due and fair Exportation of ſuch Spirits, within three Months next after the Date of each reſpective Bond, and provided Leave for that Purpoſe be firſt obtained in Writing from the Commiſſioners of Exciſe for the Time being, and that Notice thereof ſhall have been given to the Officer of Exciſe, twenty-four Hours at the leaſt, in order that ſuch Officer may receive the ſame into ſuch Diſtiller's Stock; and provided ſuch Spirits be removed with a proper Certificate from an Officer of Exciſe; and when ſuch Spirits ſhall be ſo received by ſuch Diſtiller, the ſame ſhall be under the like Directions as to the Rectification and Exportation thereof, and all other Matters and Things, as if ſuch Spirits had been rectified and exported by the Maker thereof; and ſuch Diſtiller ſhall, for Breach of any of thoſe Directions, be ſubject to the like Penalties as the Maker of ſuch Spirits would have been for the like Offences.

and ſo as the ſame be removed with a Certificate, &c.

and Diſtiller is thereafter liable to the ſame Penalties for Breach of Directions, as the Maker would have been.

Raw unrectified Spirits prohibited to be exported

Diſtiller to give due Notice to the proper Officer, when any Spirits are intended to be taken out of any Warehouſe, in order to be rectified, or ſhipped on Board for Exportation, &c.

XX. And it is hereby further enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, no raw unrectified Spirits ſhall be permitted to be exported; and when any ſuch Diſtiller or Diſtillers, for Exportation, ſhall be deſirous to take any of his, her, or their Spirits out of any of the ſaid Warehouſes, where the ſame ſhall be locked up, in order to be rectified, or when rectified, and again depoſited in ſuch Warehouſe or Warehouſes, in order to be put immediately on Ship-board for Exportation, he, ſhe, or they ſhall thereof give Notice in Writing to the Surveyor or Superviſor, or the Officer of Exciſe of the Diviſion or Diſtrict where ſuch Spirits ſhall be ſo locked up, the Space of four Hours before the Time he, ſhe, or they ſhall deſign to take out the ſame, as aforeſaid, and ſhall alſo inſert in the ſaid Notice, the preciſe Day and Hour of ſuch Day, when he, ſhe, or they ſhall or do intend taking any of the ſaid Spirits out of the ſaid Warehouſe or Warehouſes, and ſhall alſo inſert in ſuch Notice the Quantity and Quality of Spirits he, ſhe, or they do then deſire to take out, and whether ſuch Spirits are raw or rectified, and out of what particular Warehouſe, and whether the ſame are for Rectification, and by whom, or for immediate Exportation, or to be ſent Coaſtways, and to whom and to what Port, and whether for Merchandize or Stores; and in ſuch Caſe the reſpective Surveyor or Superviſor, or Officer, is and are hereby required to attend purſuant to ſuch Notice, at the reſpective Places where the ſaid Spirits ſhall be locked up, and ſee the Quantity of Spirits taken out in purſuance of ſuch Notice, and he or they are hereby required to take an exact Account of the ſame; and in caſe any ſuch Diſtiller or Diſtillers ſhall not begin and proceed to take the ſaid Spirits out of the ſaid Warehouſe or Warehouſes, at the Hour and Time mentioned in ſuch Notice, or within two Hours next after, then every ſuch Notice ſhall be, and is hereby declared to be void, and ſuch Diſtiller or Diſtillers ſhall be, and is hereby obliged to give a freſh and like Notice in manner aforeſaid, four Hours

and the Officer is to attend, and take an Account thereof;

and Diſtiller not keeping to his Time, is to give freſh Notice;

Hours at the leaſt before he, ſhe, or they ſhall begin to take any of the ſaid Spirits out of the ſaid Warehouſe or Warehouſes: And in caſe any ſuch Diſtiller or Diſtillers ſhall neglect or refuſe to give ſuch firſt Notice, before he takes out any of the ſaid Spirits, or to inſert in ſuch Notice the Particulars in ſuch Notice herein before required, or to give a freſh Notice in manner aforeſaid, four Hours at the leaſt before he, ſhe, or they ſhall begin to take out any of the ſaid Spirits in caſe he, ſhe, or they ſhall not begin and proceed to take out the ſaid Spirits at the Hour and Time mentioned in the ſaid firſt Notice, or within two Hours next afterwards, ſuch Diſtiller or Diſtillers ſhall, in every ſuch caſe, for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds.

and failing in any of the Particulars here required, forfeits 100l.

XXI. And be it further enacted by the Authority aforeſaid, That when any raw Spirits ſhall be ſo taken out, in purſuance of ſuch Notice, the ſame ſhall be immediately pumped up, or put, in the Preſence of the Officer of Exciſe, into the Still or Stills, and be rectified forthwith, and the Spirits ſhall be run off immediately from the Still into a like Caſk as is before directed to be provided and entered for the containing of Spirits immediately diſtilled from Low Wines; and when the whole Quantity of Spirits deſigned to be made into Brandy ſhall be collected in ſuch Caſk from each Still, the ſame ſhall be immediately made up in the Preſence of the Officer of Exciſe to the Strength of one to ſix under hydrometer Proof, at which Strength all Spirits are to be exported, and a true Gauge of ſuch Spirits ſo made up, ſhall then be taken by the Officer of Exciſe, who ſhall keep an exact Account thereof; and ſuch Spirits ſhall immediately afterwards be put into Caſks, and, in the Preſence of the Officer of Exciſe, either carried directly on Ship-board for Exportation (if intended to be immediately exported) or elſe into ſuch Warehouſe or Warehouſe, to be locked up in manner aforeſaid.

Raw Spirits taken out, in purſuance of Notice, are to be forthwith put into the Still in the Officer's Preſence, and rectified, and run off into the Spirit Caſk; and then made up Proof, and gauged; and are afterwards to be put into Caſks, and ſhipped for Exportation, or ſecured in proper Warehouſes.

XXII. Provided always, and it is hereby enacted by the Authority aforeſaid, That in caſe it ſhall at any Time ſo happen, that the Spirits diſtilled for Exportation in one Day belonging to any Diſtiller or Diſtillers, cannot, for Want of Time, be conveyed from the Spirit Caſk (into which they are directed to be run immediately from the Still) and locked up in the Warehouſe or Warehouſes, as herein before is directed, the Officer of Exciſe ſhall gauge the ſame, and ſecure the Lid of the ſaid Spirit Caſk, and take Samples thereof; which Spirits ſhall be locked up in ſuch Warehouſe or Warehouſes the next Morning (if not intended for immediate Exportation): And if it ſhall appear that any Decreaſe has been made in the Quantity or Quality of the ſaid Spirit ſo gauged, or in caſe any ſuch Spirits ſhall have been removed in the Abſence of the Officer of Exciſe, in either of the ſaid Caſes the Diſtiller or Diſtillers ſhall be and are hereby charged for the ſaid Spirits ſo decreaſed or removed, with double the Duties ſuch Spirits would have been charged with if made for Home Conſumption; which the Officer of Exciſe is hereby required to charge accordingly.

Where the Spirits can't be conveyed from the Spirit Caſk the ſame Day, and ſecured in the Warehouſe,

the Officer is to gauge the ſame and take Samples thereof, and ſecure the Lid of the Caſk; and if any Fraud ſhall thereupon be committed, the Diſtiller ſhall pay double Duties.

XXIII. Provided alſo, and it is hereby enacted by the Authority aforeſaid, That if any ſuch Diſtiller or Diſtillers, after he, ſhe, or they have depoſited any Spirits made for Exportation (whether raw or rectified) in manner aforeſaid, in ſuch Warehouſe or Warehouſes, ſhall be deſirous of uſing any ſuch Spirits for Home Conſumption, and ſhall ſignify ſuch his, her, or their Deſire to the Commiſſioners of Exciſe for the Time being, it ſhall and may be lawful for the ſaid Commiſſioners, or any two of them, to direct the Quantity of Spirits ſo deſired to be taken out of ſuch Warehouſe or Warehouſes, and delivered to ſuch Diſtiller or Diſtillers, he, ſhe, or they having firſt duly paid to the proper Officer of Exciſe appointed to receive the Duties on Low Wines and Spirits, the Sum of forty Pounds and ten Shillings, for each Ton of ſuch Spirits of the Strength they were taken into ſuch Warehouſe; *videlicet*, one to ſix under hydrometer Proof.

Any of the ſaid Spirits originally intended for Exportation, may upon Application to the Commiſſioners, and Payment of the Duties, be taken out of the Warehouſes, and uſed for Home Conſumption.

XXIV. And for the Purpoſes of this Act, it is hereby enacted by the Authority aforeſaid, That each Gallon of Brandy, or Spirits of the Strength of one to ſix under hydrometer Proof, ſhall be taken and reckoned at ſeven Pounds and thirteen Ounces the Gallon.

A Gallon of Brandy, or Proof Spirit, to be reckoned at 7 lb. 13 oz. the Gallon.

XXV. And it is hereby further enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, when any Quantity of raw Spirits ſhall, in purſuance of any Notice, be delivered out of the Warehouſe or Warehouſes, in order to rectify the ſame, as many Gallons of rectified Spirits, and of the ſame Strength when made up, ſhall be produced, as ſuch Quantity amounted to when taken out of the Warehouſe or Warehouſes, allowing only for the Feints; and the Commiſſioners of Exciſe for the Time being are hereby authoriſed and required to make juſt Allowances for neceſſary Waſte, and the Difference that will ariſe between gauging and weighing Spirits; which Feints ſhall alſo be run off from the Still directly into one large entered Feint Caſk, and ſhall be immediately gauged as ſoon as the Still is off, and an Account thereof taken by the Officer of Exciſe, and kept in Stock by him, who ſhall and may take a Sample or Samples of ſuch Feints; which Feints ſhall be in like manner locked up in ſuch Warehouſe or Warehouſes, and ſhall be there put into one or more large Caſks to be provided by ſuch Diſtiller or Diſtillers, and marked with the Word Feints; and every ſuch Diſtiller and Diſtillers ſhall, once a Month at leaſt, diſtil all his Feints, and make up the Spirits to be produced therefrom of the Strength of one to ſix under hydrometer Proof; and all ſuch Spirits ſhall then be locked up, or exported, as other Spirits for Exportation are hereby directed to be.

The ſame Quantity of rectified Spirits is to be produced, as was delivered out of raw Spirits to be rectified,

allowing for the Feints.

Allowances to be made alſo for Waſte, and the Difference between gauging and weighing Spirits.

Feints to be run off into the Feint Caſk, and gauged, and kept in Stock, and ſecured; and Samples taken by the Officer; and to be all diſtilled once a Month, at leaſt, and made into Proof Spirits; and then locked up or exported.

XXVI. And it is hereby further enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, in order the more effectually to prevent ſuch Diſtillers from fraudulently removing Waſh, Low Wines, or Spirits, if any Decreaſe ſhall at any Time or Times appear to be found in the Waſh of any Diſtiller or Diſtillers, brewed or made for the Diſtilling of Spirits for Exportation (except ſuch Decreaſe as ſhall be made appear to the Satisfaction of the Commiſſioners of Exciſe for the Time being, to have really and truly ariſen from Accidents) ſuch Diſtiller or Diſtillers ſhall be, and is and are hereby charged with a double Duty

Diſtiller to pay double Duty, for any fraudulent Decreaſe of Waſh or Spirits for Exportation;

to be computed according to the Quantity ſuch Waſh would make of Low Wines and Spirits for Home Conſumption; and to pay double Duty, in like manner, for any fraudulent Decreaſe in his Stock of Spirits made for Exportation.

Duty for the Quantity of Low Wines and Spirits ſuch Waſh ſo decreaſed is preſumed to make; and the Officers of Exciſe are hereby required in ſuch Caſe, to make ſuch Charge accordingly, calculating ſuch Waſh ſo found to be decreaſed, to produce the ſame Quantity of Low Wines and Spirits as Waſh is preſumed to do when Spirits are made for home Conſumption: And if any Decreaſe ſhall at any Time or Times appear in the Stock of Spirits made for Exportation, belonging to any ſuch Diſtiller or Diſtillers, except ſuch as can or may be accounted for by the Certificates of the proper Officer or Officers, either as being exported as Merchandize, or for Stores, or as being taken out for home Conſumption, on Payment of Duties by the Conſent of the Commiſſioners of Exciſe, or by any Allowance the ſaid Commiſſioners ſhall have made to any ſuch Diſtiller or Diſtillers, for or by reaſon of Waſte, or any Difference which may have ariſen between Gauge and Weight, or by being ſent Coaſtways for Exportation, or by being ſent, with the Conſent of the Commiſſioners of Exciſe, to any other Diſtiller, in order to be rectified for Exportation; every ſuch Diſtiller and Diſtillers ſhall be charged, and the Officers of Exciſe are hereby required to charge him, her, or them for all the Spirits ſo found to be decreaſed and not properly accounted for, with double the Duties ſuch Spirits would have been charged with if made for home Conſumption: And the more effectually to prevent ſuch Diſtillers from working in the Abſence of the Officers of Exciſe, every ſuch Diſtiller and Diſtillers is and are hereby required to permit the Officer of Exciſe to ſecure the Head and Heads of his, her, or their Still or Stills, when ſuch Still or Stills are not at Work, and alſo the Pump or Pumps for charging the Still or Stills, and emptying the Low Wine and Spirit Caſk, ſo as to prevent the ſame being uſed in the Abſence of the Officer, and alſo to ſecure the Lid or Head of the Low Wine and Spirit Caſks, and the Safe at the End of the Worm, to prevent any Spirits or Low Wines being ſecreted, whilſt the Still is at Work; all which the ſaid Officers are hereby impowered to do.

Officer to ſecure the Still and other Veſſels from being fraudulently made uſe of in his Abſence;

and the Spirits from being ſecreted.

On Delivery of Spirits to be ſent Coaſtways, with Certificate for Exportation, the Diſtiller is to give Bond and Security for the due landing thereof in the Port where entered for.

XXVII. And be it further enacted by the Authority aforeſaid, That when Spirits made for Exportation ſhall be delivered out of any Warehouſe or Warehouſes ſo ſecured as aforeſaid to be ſent Coaſtways (with a Certificate from the proper Officer) in order for Exportation to foreign Parts from any Port of this Kingdom, the Diſtiller or Diſtillers, out of whoſe Warehouſe ſuch Spirits were delivered, ſhall, on taking out the ſame, give Bond, with ſufficient Security, to his Majeſty, his Heirs and Succeſſors, to be approved of by the reſpective Commiſſioners of Exciſe for the Time being, or any three of them, or by ſuch Perſon or Perſons as they ſhall, from Time to Time, appoint for that Purpoſe, in double the Value of the Spirits, and double the Duties which are payable for the like Spirits diſtilled for home Conſumption, that the ſame Spirits, and every Part thereof, ſhall (the Danger of the Seas and Enemies excepted) be really and truly landed in ſuch Port of this Kingdom, for which the ſame ſhall be entered; and ſuch Bonds ſo entered into, ſhall not be diſcharged or be delivered up until a Certificate ſhall be produced from the Chief Officer of Exciſe of the Port for which ſuch Spirits were entered, teſtifying the Landing thereof, and deſcribing the Number of the Caſks or other Package containing the Spirits, and the particular Marks of ſuch Caſks or Package, and the exact Quantity of Spirits landed; and alſo teſtifying that the Maſter, Mate, Purſer, or other Perſon, having the Charge of the Ship or Veſſel during the Voyage in which the ſaid Spirits were ſent Coaſtways, had made Oath before him that the ſaid Spirits, and every Part thereof, were fairly landed there; and that at the Time of landing they were of the ſame Quality as when ſhipped on board, and that no Part of ſuch Spirits had been wilfully or fraudulently diminiſhed, relanded, or unſhipped, ſince the ſame were put on board (which Oath the ſaid reſpective Officers of Exciſe are hereby impowered to adminiſter) and alſo teſtifying that the ſame Spirits, and every Part thereof, were really and truly, ſince their Arrival there, exported from thence to foreign Parts; and the Condition of all ſuch Coaſt Bonds ſhall be, to produce ſuch Certificate in ſix Months from the Date thereof; and ſuch Spirits ſo to be ſent Coaſtways, when landed at the Port for which they were entered, ſhall be, immediately on the landing thereof, put into a proper Warehouſe, and there continued until the ſame ſhall be exported, and ſhall be ſecured by the Perſon to whom they are ſent, and by the ſaid Chief Officer of Exciſe, by two different Locks and Keys, one of which ſaid Keys ſhall be kept by the ſaid Perſon, and the other by the ſaid Officer; which Warehouſe Locks and Keys ſhall be provided by the Perſons to whom the Spirits were ſent; and all Maſters, Commanders, and other Perſons, belonging to any Ship or Veſſel carrying Goods Coaſtways, who ſhall aſſiſt or connive at the fraudulent landing, embezzling, or diminiſhing any Spirits ſent Coaſtways, and all other Perſons aſſiſting or otherwiſe concerned in the unſhipping the ſame, or to whoſe Hands the ſame ſhall knowingly come, are hereby declared to be ſubject and liable to all the like Pains, Penalties, and Forfeitures, as are inflicted by any former Act or Acts of Parliament for enforcing the fair Exportation of Spirits to foreign Parts.

Bonds not to be diſcharged, till a Certificate, conditioned to be returned in ſix Months, be produced from the proper Officer of the landing the ſame accordingly,

and of Oath being made by the Maſter, that the ſame were fairly landed there, without any Fraud in the Quantity or Quality of the Spirits;

and Proof that the ſame have ſince been exported from thence to foreign Parts;

and the Spirits on their landing, are to be ſecured in a proper Warehouſe till exported.

Maſters, and others, concerned in the fraudulent Landing, or imbezzling Spirits ſent Coaſtways, are liable to Penalties.

XXVIII. And for the further Encouragement of the Exportation of Spirits made or drawn in *Great Britain* from Corn, Be it enacted by the Authority aforeſaid, That from and after the twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, there ſhall be a Bounty of three Pounds and twelve Shillings for every Tun of Spirits ſo drawn or made in *Great Britain* from Corn which ſhall be exported as Merchandize to Parts beyond the Seas; and upon Oath being made before any two or more of the Commiſſioners of Exciſe, or Juſtices of the Peace for the County or Place from whence any ſuch Spirits are intended to be exported, that the ſame were drawn and made in *Great Britain* from Corn under the Regulations of this Act, and not mixed with any other Materials, except what were neceſſary for rectifying the ſame; and that ſince the making thereof the ſame have been properly ſecured in a Warehouſe or Warehouſes according to the Directions of this Act; and

A Bounty of 3l. 12s. per Tun, is allowed on all Britiſh Spirits made from Corn, exported as Merchandize to foreign Parts; Oath being made of a due Conformity to the Regulations of this Act;

that

that the ſame are to be exported for Merchandize to be ſpent beyond the Seas; and upon producing a Certificate under the Hand or Hands of the Officer or Officers of Exciſe for the Port or Place where ſuch Spirits were ſhipped, of the Quantities ſo ſhipped, and that the ſame were ſhipped in the Preſence of ſuch Officer or Officers, the Diſtiller or Diſtillers ſhall be paid by the Commiſſioners of Exciſe, or their Collector for the Port or Place where ſuch Spirits ſhall be ſhipped, the ſaid Bounty of three Pounds twelve Shillings for every Tun of ſuch Spirits ſo ſhipped off; and ſo in proportion for any greater or leſs Quantity.

and a Certificate produced from the proper Officer of the Quantity ſhipped.

XXIX. And whereas Spirits ſhipped for Stores are frequently concealed from the Sight of the Officers of Exciſe, under Pretence of the ſame being put or placed beneath other Goods, which gives an Opportunity to defraud the Revenue; Be it therefore enacted by the Authority aforeſaid, That from and after the ſaid twenty-firſt Day of *January* one thouſand ſeven hundred and ſixty-two, all ſuch Spirits as ſhall be ſhipped for Stores ſhall, during the Time the Ship or Veſſel is or ſhall be within the Limits of any Port of this Kingdom, be openly ſtowed and kept ſo that the Officers of Exciſe may at any Time examine the ſame; on pain of forfeiting the double Duty of all ſuch Stores which ſhall not be ſo ſtowed and kept, or produced and ſhewn to the Officers of Exciſe; which ſaid double Duty ſhall be charged by the Officers of Exciſe for ſuch Stores which ſhall not be ſo ſtowed, and kept or produced and ſhewn, according to the Rate ſuch Spirits would have been charged with, if made for home Conſumption; and which Charge ſhall be paid by the Maſter of the Ship or Veſſel on board of which ſuch Stores were ſhipped: And when any Spirits made for Exportation ſhall be entered for Exportation to *Ireland*, or his Majeſty's Plantations in *America*, or to any other Parts beyond the Seas in *Europe*, or to any Parts beyond the Seas in *Africa*, the Exporter or Exporters thereof, when the whole Quantity of Spirits intended at that Time to be exported ſhall be ſhipped, ſhall immediately give and enter into ſuch and the like Bonds for the due and fair Exportation of ſuch Spirits, and produce ſuch Certificates within the reſpective Times, and make ſuch Proofs as were reſpectively required to be given, entered into, produced and made, by the ſaid herein in part recited Act of the thirty-third Year of the Reign of his ſaid late Majeſty King *George* the Second, on the Exportation of Spirits to the reſpective Places before-mentioned, in purſuance of the Directions of that Act; except only that the Penalty in every Bond ſo to be entered into in purſuance of this Act, ſhall be double the Value of the Spirits entered for Exportation, and double the Duties ſuch Spirits ought to have paid, if they had been made for home Conſumption; and until ſuch Bond ſhall be entered into by the Exporter or Exporters, the Diſtiller or Diſtillers from whoſe Warehouſe ſuch Spirits were ſent, ſhall be and are hereby charged for ſuch Quantity of Spirits ſo ſhipped for Exportation, with double the Duties ſuch Spirits would have been charged with if made for home Conſumption; and ſuch Charge ſhall not be diſcharged until ſuch Bond ſhall be entered into: And when any *Britiſh* made or foreign Spirits ſhall be entered for Exportation to any Parts beyond the Seas in *Aſia*, the Exporter or Exporters thereof, when the whole Quantity of Spirits intended at that Time to be exported ſhall be ſhipped, ſhall immediately give and enter into a Bond of the like Tenor and Condition, with the like Security, and make the like Proof as was required to be given, entered into, and made, by the ſaid herein in part recited Act, on the Exportation of Spirits to Parts beyond the Seas in *Africa*, in purſuance of the Directions of that Act; except only that the Penalty in every Bond ſo to be entered into in purſuance of this Act, ſhall be double the Value of the Spirits entered for Exportation, and double the Duties ſuch Spirits ought to have been charged with, if they had been made or uſed for home Conſumption; and until ſuch Bond ſhall be entered into by the Exporter or Exporters, the Diſtiller or Diſtillers from whoſe Warehouſe ſuch Spirits were ſent, ſhall be and are hereby charged for ſuch Quantity of Spirits ſo ſhipped for Exportation, with double the Duties ſuch Spirits would have been charged with, if made for home Conſumption; and ſuch Charge ſhall not be diſcharged until ſuch Bond ſhall be entered into; and alſo except that the Proof of the due Exportation of ſuch Spirits ſhall not be required to be made till the End of three Years from the Date of ſuch reſpective Bond; and all and every Perſon and Perſons authorized by the ſaid in part recited Act to adminiſter any Oath or Oaths in any ways relating to the due Exportation of Spirits under the Directions of that Act, ſhall be and are hereby impowered to adminiſter the like Oaths for the Purpoſes of this Act.

Spirits ſhipped for Stores, to be openly ſtowed, while the Veſſel is in Port, that the Officers may examine the ſame, on Forfeiture of double Duty;

to be paid by the Maſter.

On Entry of Spirits made for Exportation for Ireland, America, Africa, or Parts in Europe, like Bonds are to be given, Certificates produced, and Proofs made, as are required in ſimilar Caſes on Exportation of Spirits, by the recited Act of 33 Geo. 2.

excepting as to the Penalty, which is to be double the Value, and double the Duties; and till Bond is entered into by the Exporter, the Diſtiller is liable to the double Duties.

Bonds, &c. for Spirits entered for Aſia, to be of like Tenor and Condition with thoſe required by the recited Act for Spirits entered for Africa, except as to the Penalty;

and until Bond is entered into, the Diſtiller is liable to the Duties, &c.

Power of adminiſtering Oaths in theſe Caſes, the ſame as under the recited Act.

XXX. And it is hereby further enacted by the Authority aforeſaid, That if any Diſtiller or Diſtillers, or any other Perſon or Perſons, ſhall obſtruct, moleſt, let, or hinder any Officer of Exciſe in the due Execution of the Powers or Authorities, or any of them, given by this Act, all and every Perſon and Perſons ſo offending ſhall, for every ſuch Offence, forfeit and loſe the Sum of one hundred Pounds.

Penalty of obſtructing an Officer in the Execution of his Duty, 100 l.

XXXI. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Authorities, Directions, Rules, Methods, Penalties and Forfeitures, Clauſes, Matters and Things, which in and by an Act made in the twelfth Year of the Reign of King *Charles* the Second, (intituled, *An Act for taking away the Court of Wards and Liveries, and Tenures* in Capite, *and by Knights Service and Purveyance, and for ſettling a Revenue upon his Majeſty in lieu thereof*) or by any other Law now in force, relating to his Majeſty's Revenue of Exciſe upon Beer, Ale, or other Liquors, are provided, ſettled, or eſtabliſhed, for ſecuring, enforcing, managing, raiſing, levying, collecting, paying, mitigating, or recovering, adjudging, or aſcertaining the Duties or Penalties thereby granted, and for preventing, detecting, and puniſhing Frauds relating thereto, or in any wiſe relating to the due and fair Exportation of Spirits to foreign Parts (not otherwiſe altered by this Act) ſhall be exerciſed, practiſed, applied, uſed, impoſed, levied, recovered, and put in Execution, for the ſecuring, enforcing, managing, raiſing,

The Powers, Rules, Penalties, and Forfeitures, &c. in Act 12 Car. 2. or in any other Law of Exciſe now in force, extended to this Act.

raiſing, levying, collecting, paying, mitigating, adjudging, aſcertaining, and recovering the Duties and Penalties hereby granted, and for preventing, detecting, and puniſhing Frauds relating thereto, or in any wiſe relating to the due and fair Exportation of Spirits to foreign Parts; as fully and effectually to all Intents and Purpoſes, as if all and every the ſaid Powers, Authorities, Rules, Directions, Methods, Penalties and Forfeitures, Clauſes, Matters, and Things, were particularly repeated and again enacted in the Body of this preſent Act.

Recovery, Mitigation, and Application of Penalties, in general.

XXXII. And be it further enacted and declared by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures impoſed by this Act, ſhall be ſued for, levied, recovered, or mitigated, by ſuch Ways, Means, and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated by any Law or Laws of Exciſe (not otherwiſe directed by this Act) or by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland* reſpectively, and that one Moiety of every ſuch Fine, Penalty, or Forfeiture ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

General Iſſue.

XXXIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted for any Thing done by virtue or in purſuance of this Act; ſuch Perſon and Perſons ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, in his, her, or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her, or them, upon Demurrer, or otherwiſe, then ſuch Defendant or Defendants ſhall have treble Coſts awarded to him, her, or them, againſt any ſuch Plaintiff or Plaintiffs.

Treble Coſts.

CAP. VI.

An Act for the Importation of Salted Beef, Pork, and Butter into this Kingdom from *Ireland*, for a limited Time, for the Supply of his Majeſty's Ships, Tranſport and other Ships and Veſſels, in his Majeſty's immediate Service and Pay.

Preamble.

FOR the more eaſy victualling of his Majeſty's Ships, and Tranſport and other Ships and Veſſels, at this Time; Be it enacted, and it is hereby enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the twenty-fourth Day of *December* in this preſent Year one thouſand ſeven hundred and ſixty-one, it ſhall and may be lawful for the Commiſſioners for victualling his Majeſty's Navy, or for any Perſon or Perſons having an Authority under the Hands and Seals of any three or more of them, to import any Sort of Salted Beef, Pork, and Butter into this Kingdom from *Ireland*, to be applied for the ſole Uſe and Supply of ſuch Seamen, Marines, and other Forces, as ſhall be on board of his Majeſty's Ships, and Tranſport and other Ships and Veſſels, in his Majeſty's immediate Service and Pay, and to and for no other Uſe or Purpoſe whatſoever; and the ſaid Commiſſioners, and other Perſons authorized as aforeſaid, acting according to the true Intent and Meaning of this Act, ſhall be, and they are hereby, exempted from the Payment of all Subſidies, Cuſtoms, Rates, Duties, or other Impoſitions, and from all Penalties, Forfeitures, Payments, and Puniſhments for or upon account of importing or bringing of Salted Beef, Pork, and Butter into this Kingdom from *Ireland*, for the Uſes aforeſaid; any Act or Acts of Parliament to the contrary notwithſtanding: And the ſaid Commiſſioners ſhall take care that upon the Importation of ſuch Salted Beef, Pork, and Butter into this Kingdom from *Ireland*, the ſame, and every Part thereof, ſhall be depoſited in his Majeſty's Storehouſes at or neareſt the Port where the ſame ſhall be imported, there to be under the Care and Inſpection of the proper Officers having the Care of his Majeſty's Stores for victualling Ships and Veſſels in his Majeſty's Service, and ſhall be applied as is herein before directed; and the ſaid Commiſſioners ſhall cauſe an Account to be kept of all ſuch Salted Beef, Pork and Butter, and how the ſame is diſpoſed of.

Commiſſioners for victualling the Navy, and Perſons authorized by them, may import Salted Beef, Pork, and Butter from Ireland, for the Uſe of the Navy, Tranſport and other Veſſels in his Majeſty's Pay,

Duty-free, &c.

taking care that the ſame be depoſited in the King's Storehouſes, and applied accordingly;

and that an Account be kept thereof, and how the ſame is diſpoſed of.

II. Provided nevertheleſs, That if at any Time it ſhall happen that any of the ſaid Proviſions which ſhall be imported under the Authority of this Act, ſhall be, by the ſaid Commiſſioners, deemed unſerviceable, then it ſhall and may be lawful for the ſaid Commiſſioners, or any three or more of them, to order and direct any Perſon or Perſons they ſhall think proper to ſell the ſame, for the beſt Price or Prices that can be got; and ſuch Perſon or Perſons ſo authorized to ſell the ſame ſhall, and he and they is and are hereby required to give a Certificate or Certificates in Writing to the Purchaſer or Purchaſers thereof, expreſſing the Nature and Quantity of the Proviſions ſo ſold, the Marks of the Caſks, or other Packages, containing the ſame, and the Time of ſelling thereof; which Certificate or Certificates ſhall indemnify ſuch Purchaſer and Purchaſers from all Penalties, Forfeitures, and Puniſhments for or upon account of ſuch Salted Beef, Pork, or Butter ſo purchaſed by them as aforeſaid.

If any of the ſaid Proviſions ſhall be deemed unſerviceable, the Commiſſioners may authorize the ſame to be ſold;

the Seller giving a Certificate to the Purchaſer, of the Nature and Quantity thereof, &c. which ſhall indemnify the Purchaſer.

Limitation of Actions.

General Iſſue.

III. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the Defendant or Defendants, in any ſuch Action or Suit, ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon; and that the ſame

was

was done in purſuance, and by the Authority, of this Act: And if it ſhall appear to have been ſo done, the Jury ſhall find for the Defendant or Defendants; and if the Plaintiff ſhall be nonſuited, or diſcontinue his Action, after the Defendant or Defendants ſhall have appeared; or if Judgment ſhall be given, upon any Verdict or Demurrer, againſt the Plaintiff, the Defendant and Defendants ſhall and may recover treble Coſts, and have the like Remedy for the ſame, as any Defendant or Defendants hath or have in other Caſes by Law. Treb'e Coſts.

IV. And be it further enacted by the Authority aforeſaid, That this Act ſhall continue and be in force from the ſaid twenty-fourth Day of *December* in this preſent Year one thouſand ſeven hundred and ſixty-one, until the twenty-fourth Day of *December* which ſhall be in the Year of our Lord one thouſand ſeven hundred and ſixty-two, and no longer. This Act to be in force till 24 Dec. 1762.

CAP. VII.

An Act for enabling his Majeſty to raiſe a certain Sum of Money towards paying off and diſcharging the Debt of the Navy, and towards Naval Services, for the Year one thouſand ſeven hundred and ſixty-two.

Moſt Gracious Sovereign,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, for raiſing the Supply granted to your Majeſty, towards paying off and diſcharging the Debt of the Navy; and alſo towards raiſing the Supply granted to your Majeſty for Naval ſervices, in the Year one thouſand ſeven hundred and ſixty-two; have reſolved to give and grant unto your Majeſty the Sum of one million five hundred thouſand Pounds; and do therefore moſt humbly beſeech your Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty, by Warrant or Warrants under his Royal Sign Manual, to authorize and impower the Commiſſioners of his Majeſty's Treaſury now, or for the Time being, or any three or more of them, or the Lord High Treaſurer for the Time being, at any Time or Times before the fifth Day of *January* one thouſand ſeven hundred and ſixty-three, to cauſe or direct any Loans to be taken or received at his Majeſty's Exchequer, from any Perſon or Perſons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money, not exceeding, in Loans and Exchequer Bills together, in the Whole, the ſaid Sum of one million five hundred thouſand Pounds, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions, as in and by an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and ſixty-two*, are enacted and preſcribed concerning the Loans or Exchequer Bills to be taken or made in purſuance of the ſaid Act. Preamble. The Sum of 1,500,000l. granted; to be raiſed by Loans or Exchequer Bills, in like manner as Loans or Exchequer Bills authorized by the Land Tax of this Seſſion;

II. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt-mentioned Act, relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act, and alſo except as is herein after mentioned) ſhall be applied and extended to the Loans and Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame Loans or Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this Act. and all the Clauſes and Powers, &c. in the ſaid Act relating to the Loans or Exchequer Bills, are extended to this Act. Exception.

III. Provided always, and be it further enacted by the Authority aforeſaid, That no Exchequer Bill or Bills to be made out by virtue of this Act, ſhall, after the ſame hath or have been iſſued and paid at the Exchequer to the Treaſurer of his Majeſty's Navy for the Time being, and applied by him for the Purpoſes herein after-mentioned, be afterwards, at any Time before the twenty-ſixth Day of *March* one thouſand ſeven hundred and ſixty-three, received or taken, or paſs or be current to any Receiver or Collector in *Great Britain* of the Cuſtoms, Exciſe, or any Revenue, Supply, Aid, or Tax whatſoever, due or payable to his Majeſty, his Heirs, or Succeſſors, or at the Receipt of the Exchequer, from any ſuch Receiver or Collector, or from any other Perſon or Perſons, Bodies Politick or Corporate, otherwiſe, or on any other Account, than for the Diſcharge and Cancelling of ſuch Bills, in caſe the ſame ſhall be in due Courſe or Order of Payment before the ſaid twenty-ſixth Day of *March*; nor ſhall any ſuch Receiver or Collector exchange at any Time before the ſaid twenty-ſixth Day of *March*, for any Money of ſuch Revenues, Aids, Taxes, or Supplies, in his Hands, any Exchequer Bill or Bills which ſhall have been iſſued and applied as aforeſaid by virtue of this Act; nor ſhall any Action be maintained againſt any ſuch Receiver or Collector for neglecting or refuſing to exchange any ſuch Bill or Bills for ready Money, before the ſaid twenty-ſixth Day of *March*; any Thing in the ſaid Act made in this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſixty-two*, or this Act, contained to the contrary notwithſtanding. Exchequer Bills iſſued to the Treaſurer of the Navy, not to be received again in Payment of any of the publick Revenues, or exchanged before 26 March 1763.

The ſaid Loans or Exchequer Bills, and Intereſt, to be paid out of the firſt Supplies granted in the next Seſſion;

otherwiſe to be charged on, and payable out of, the Sinking Fund.

IV. And be it further enacted by the Authority aforeſaid, That all ſuch Loans or Exchequer Bills, together with the Intereſt, Premium, Rate, and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt Aids or Supplies which ſhall be granted in the next Seſſion of Parliament; and in caſe ſufficient Aids or Supplies for that Purpoſe ſhall not be granted before the fifth Day of *July* one thouſand ſeven hundred and ſixty-three, then all the ſaid Loans or Exchequer Bills, with the Intereſt, Premium, Rate, and Charges incident to or attending the ſame, ſhall be and are hereby charged and chargeable upon ſuch Monies as, at any Time or Times at or after the ſaid fifth Day of *July* one thouſand ſeven hundred and ſixty-three, ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling, and diſcharging ſuch Loans or Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the Whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Monies iſſued out of the Sinking Fund for that Purpoſe, to be replaced out of the firſt Supplies.

V. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Surpluſſes, Exceſſes, Overplus Monies, or other Revenues compoſing the Sinking Fund, ſhall, from Time to Time, be replaced by and out of the firſt Supplies to be then after granted in Parliament; any Thing herein contained to the contrary notwithſtanding.

Bank of England authorized to advance the ſaid Sum.

Act 5 & 6 W. & M. c. 20.

VI. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majeſty in like manner at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of one million five hundred thouſand Pounds; any Thing in an Act made in the fifth and ſixth Years of the Reign of King *William* and Queen *Mary*, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt* France, to the contrary thereof in any wiſe notwithſtanding.

The ſame to be applied, viz. 1,000,000l. towards diſcharging the Debt of the Navy;

and 500,000 l. towards Naval Services.

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Sum of one million five hundred thouſand Pounds, by this Act granted, ſhall be appropriated, and is hereby appropriated, for and towards the Uſes and Purpoſes herein after mentioned; that is to ſay, That out of the ſaid Sum there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million, towards paying off and diſcharging the Debt of the Navy; and any Sum or Sums of Money not exceeding five hundred thouſand Pounds, towards the Naval Services herein after mentioned; that is to ſay, Towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed, and towards Sea-ſervices in the Office of Ordnance, performed and to be performed, and towards defraying the Ordinary of his Majeſty's Navy, and Half-pay to Sea Officers, and towards maintaining nineteen thouſand and ſixty-one Marines; and towards the Buildings, Rebuildings, and Repairs of his Majeſty's Ships, for the Year one thouſand ſeven hundred and ſixty-two.

CAP. VIII.

An Act for granting to his Majeſty ſeveral Rates and Duties upon Windows, or Lights.

Moſt Gracious Sovereign,

Preamble, reciting Clauſes in the Acts of 20 Geo. 2. c. 3.

20 *Geo.* 2. *c.* 42. 21 *Geo.* 2. *c.* 10. and 31 Geo. 2, *c.* 22.

'WHEREAS by an Act made in the twentieth Year of the Reign of his late Majeſty, intituled, *An Act for repealing the ſeveral Rates and Duties upon Houſes, Windows, and Lights; and for granting to his Majeſty other Rates and Duties upon Houſes, Windows, or Lights; and for raiſing the Sum of four millions four hundred thouſand Pounds, by Annuities, to be charged on the ſaid Rates or Duties*; it was enacted, That there ſhould be charged, raiſed, levied, and paid unto his Majeſty, his Heirs and Succeſſors, the ſeveral Rates and Duties upon Houſes, Windows, or Lights, in the ſaid Act mentioned; which Act was explained, amended, and enforced by two other Acts, one made in the ſame Seſſion of Parliament, and the other in the twenty-firſt Year of the Reign of his ſaid late Majeſty: And whereas by an Act made in the thirty-firſt Year of the Reign of his ſaid late Majeſty, intituled, *An Act for granting to his Majeſty ſeveral Rates and Duties upon Offices and Penſions, and upon Houſes, and upon Windows or Lights; and for raiſing the Sum of five millions, by Annuities and a Lottery, to be charged on the ſaid Rates and Duties*; it was enacted, That there ſhould be charged, raiſed, levied, and paid unto his Majeſty, his Heirs and Succeſſors, the ſeveral additional Rates and Duties upon Houſes, Windows or Lights, in the ſaid Act mentioned: And whereas by an Act of this Seſſion of Parliament, the Annuities payable in reſpect of the Sum of twelve millions advanced upon the Credit of the ſaid Act, are charged upon the Fund commonly called *The Sinking Fund*; We, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Parliament aſſembled, towards making good the ſaid Annuities, or yearly Payments, ſo charged on the ſaid Fund, have reſolved to give and grant to your Majeſty the ſeveral Rates and Duties upon

'Windows or Lights herein after mentioned; and do moſt humbly beſeech your Majeſty, that it 'may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fifth Day of *April* one thouſand ſeven hundred and ſixty-two there ſhall be charged, raiſed, levied, and paid unto his Majeſty, his Heirs, and Succeſſors, the ſeveral Rates and Duties upon Windows, or Lights, herein after mentioned; that is to ſay,

The following Rates and Duties to take place from and after 5 April 1762, viz.

For every Window, or Light, in every Dwelling-houſe inhabited, or to be inhabited, within and throughout the whole Kingdom of *Great Britain*, which ſhall contain eight or nine Windows, or Lights, and no more, the yearly Sum of one Shilling for every Window, or Light, in ſuch Houſe.

1 s. upon every Window, or Light, in Houſes containing 8 or 9 Windows, and no more;

And for every Window, or Light, in every Dwelling-houſe as aforeſaid, which ſhall contain ten or eleven Windows, or Lights, and no more, the yearly Sum of ſix Pence for each Window, or Light, in ſuch Houſe; over and above, and by way of Addition to, the ſeveral and reſpective Duties chargeable thereupon, by virtue of former Acts of Parliament made in that Behalf.

6 d. additional on all containing 10 or 11, and no more;

And for every Window, or Light, in every Dwelling-houſe as aforeſaid, which ſhall contain twelve, thirteen, or fourteen Windows, or Lights, and no more, the yearly Sum of one Shilling for each Window, or Light, in ſuch Houſe; over and above, and by way of Addition to, the ſeveral and reſpective Duties chargeable thereupon, by virtue of former Acts of Parliament made in that Behalf.

1 s. additional on all containing 12, 13, or 14, and no more;

And for every Window, or Light, in every Dwelling-houſe as aforeſaid, which ſhall contain fifteen, ſixteen, ſeventeen, eighteen, or nineteen Windows, or Lights, and no more, the yearly Sum of three Pence for each Window, or Light, in ſuch Houſe; over and above, and by way of Addition to, the ſeveral and reſpective Duties chargeable thereupon, by virtue of former Acts of Parliament made in that Behalf.

3 d. additional on all containing 15, 16, 17, 18, or 19, and not more.

II. And be it enacted by the Authority aforeſaid, That the ſaid ſeveral Duties by this Act impoſed within and throughout the ſaid Kingdom of *Great Britain*, for and upon ſuch Windows or Lights as aforeſaid, ſhall be raiſed, levied and collected, and paid into his Majeſty's Exchequer, for the Purpoſes in this Act expreſſed, in ſuch and like Form and Manner, and with ſuch Allowances, and under ſuch Penalties, Forfeitures, and Diſabilities, and according to ſuch Rules, Methods, and Directions, as are preſcribed or appointed for raiſing, levying, collecting, and paying the Duties on Houſes, Windows, or Lights, in and by the ſaid ſeveral Acts of Parliament, made in the ſaid twentieth, twenty-firſt, and thirty-firſt Years of his late Majeſty's Reign, herein before mentioned; and all and every the Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters and Things, now in force, contained in the ſaid four ſeveral Acts of Parliament, or any of them, for the raiſing, levying, collecting, and paying the Rates and Duties thereby granted, ſhall be in full force, and be duly obſerved, practiſed, and put in execution, within and throughout the whole Kingdom of *Great Britain*, for raiſing, levying, collecting, and paying the ſeveral Rates and Duties upon Houſes, Windows, or Lights, by this Act granted, as fully and effectually, to all Intents and Purpoſes, as if the ſame, or the like Powers, Authorities, Rules, Directions, Penalties, Forfeitures, Clauſes, Matters and Things were particularly repeated and re-enacted in the Body of this preſent Act; and that all Monies ariſing by the ſaid Rates and Duties by this Act granted, the neceſſary Charges of raiſing and accounting for the ſame excepted, ſhall, from Time to Time, be paid into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, diſtinctly and apart from all other Branches of the publick Revenue, and ſhall be carried to and made Part of the Fund commonly called the *Sinking Fund*, towards making good the ſaid Annuities or yearly Payments, payable in reſpect of the ſaid Sum of twelve millions charged upon the ſaid Fund by an Act of this Seſſion of Parliament.

Duties of this Act to be raiſed and paid as the like Duties granted by the recited Acts of 20, 21, and 31 Geo. 2. are directed;

and the Powers, &c. in the ſaid Acts for thoſe Purpoſes, extended to this.

The Monies ariſing by theſe Duties to be paid into the Exchequer, ſeparate and apart from all other Branches of the Publick Revenues; and to be carried into the Sinking Fund.

III. And be it further enacted by the Authority aforeſaid, That the Commiſſioners authorized for putting in execution the four ſaid former Acts, or either of them, for all and every the reſpective Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places reſpectively, within *Great Britain*, ſhall meet together at the moſt uſual and common Place of Meeting within ſuch Counties, Shires, Stewartries, Ridings, Cities, Boroughs, Cinque Ports, Towns and Places reſpectively, within *Great Britain*, on or before the eighteenth Day of *April* one thouſand ſeven hundred and ſixty-two, and ſhall then divide themſelves to act in ſeparate Diſtricts, and proceed in the Execution of this preſent Act, for aſſeſſing, raiſing, levying, and collecting the Duties hereby granted, in ſuch and the ſame manner, to all Intents and Purpoſes, as is preſcribed by the four former Acts, or either of them, with reſpect to the Rates and Duties thereby impoſed.

Commiſſioners for the former Acts to meet on or before 18th April 1762, and proceed in the Execution of this Act.

IV. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, at any Time or Times, be ſued or proſecuted for any Thing by him or them done or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter, in Evidence, for his or their Defence; and if, upon the Trial, a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited; then ſuch Defendant or Defendants ſhall have treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

CAP.

CAP. IX.

An Act for charging certain Annuities granted in the Year one thouſand ſeven hundred and ſixty, on the Sinking Fund; and for carrying the Duties therein mentioned to the ſaid Fund; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, loſt, burnt, or otherwiſe deſtroyed.

Preamble, reciting Act 33 Geo. 2. c. 7.

'WHEREAS in purſuance of an Act of Parliament made in the thirty-third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for granting to his Majeſty ſeveral Duties upon Malt; and for raiſing the Sum of eight millions by way of Annuities and a Lottery, to be charged on the ſaid Duties; and to prevent the fraudulent obtaining of Allowances in the gauging of Corn making into Malt; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, loſt, burnt, or otherwiſe deſtroyed*; ſeveral Perſons, Bodies Politick or Corporate, have advanced and lent the Sum of eight millions, upon the Credit of the ſeveral Duties upon Malt, by the ſaid Act granted, for the Purchaſe of Annuities transferrable at the Bank of *England*, after the Rate of four Pounds *per Centum per Annum*, for the certain Term of twenty-one Years, and from the Expiration thereof, after the Rate of three Pounds *per Centum per Annum*, redeemable by Parliament: And whereas an additional Capital of three Pounds was by the ſaid Act directed to be added to every one hundred Pounds advanced towards the ſaid Sum of eight millions, amounting to two hundred and forty thouſand Pounds, to be attended with like Annuities, after the Rate of four Pounds *per Centum per Annum*, and three Pounds *per Centum per Annum* reſpectively: And whereas it is thought neceſſary that the ſaid principal Sum of eight millions, and likewiſe the ſaid additional Capital amounting to two hundred and forty thouſand Pounds, together with the Charges and Expences attending the ſame, ſhould be, with the Conſent of the Proprietors thereof, to be ſignified within the Time herein after mentioned, charged upon and paid out of the Fund commonly called *The Sinking Fund*; and that the ſeveral Duties upon Malt, which by the ſaid Act were made a Fund for Payment of the ſaid four Pounds *per Centum* Annuities, ſhould be carried to and made Part of the ſaid Fund, commonly called *The Sinking Fund*;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; and Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, the ſaid principal Sum of eight millions, borrowed on the Credit of the ſaid Act, and the ſaid additional Capital amounting to two hundred and forty thouſand Pounds, carrying an Intereſt after the Rate of four Pounds *per Centum per Annum*, for the ſaid Term of twenty-one Years, and from the Expiration thereof, an Intereſt after the Rate of three Pounds *per Centum per Annum*, together with the Charges and Expences attending the ſame, ſhall be charged upon and paid out of the Fund commonly called *The Sinking Fund*, until Redemption thereof by Parliament; any Thing in the ſaid Act made in the thirty-third Year of the Reign of his late Majeſty to the contrary thereof in any wiſe notwithſtanding.

The principal Sum of 8,000,000l. borrowed on the Credit of the recited Act; and the additional Capital of 240,000l. directed to be added thereto; are to be charged upon and payable out of the Sinking Fund.

II. And be it further enacted by the Authority aforeſaid, That ſuch Proprietors who ſhall not, on or before the twenty-firſt Day of *June* one thouſand ſeven hundred and ſixty-two, ſignify their Diſſent to the charging of their Annuities on the Sinking Fund, in Books to be opened at the Bank of *England* for that Purpoſe, ſhall be deemed and taken to aſſent thereto; any Thing to the contrary thereof in any wiſe notwithſtanding.

Proprietors who ſhall not ſignify their Diſſent by 21 June next, in Books to be opened at the Bank, deemed to aſſent thereto.

III. And be it further enacted by the Authority aforeſaid, That all the Monies which have ariſen ſince the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, or that ſhall or may hereafter ariſe, of the ſeveral Duties upon Malt, which were made a Fund for Payment of four Pounds *per Centum per Annum* at the Bank of *England*; and alſo of three Pounds *per Centum per Annum*, in manner above-mentioned, on eight millions borrowed by virtue of the ſaid Act, made in the thirty-third Year of the Reign of his ſaid late Majeſty, towards the Supply of the Year one thouſand ſeven hundred and ſixty, and on the additional Capital amounting to two hundred and forty thouſand Pounds; ſhall be carried to and made Part of the Fund commonly called *The Sinking Fund*, and the ſame ſhall be deemed and taken to be Part of the ſaid Sinking Fund, and ſhall be iſſued and applied to ſuch Uſes and Purpoſes as the ſeveral Exceſſes, Surpluſſes, or Overplus Monies, compoſing the ſaid Sinking Fund, are or may be iſſued and applied; any Thing in the ſaid Act of the thirty-third Year of the Reign of his ſaid late Majeſty to the contrary thereof in any wiſe notwithſtanding.

The Monies ariſen by the ſaid Duties ſince 5 Jan. laſt, or that ſhall hereafter ariſe thereby, to be carried into and made Part of the Sinking Fund; and to be iſſued accordingly.

Clauſe of Relief for Exchequer Bills, Lottery Tickets, Certificates, Annuity Orders, &c. loſt, burnt, or otherwiſe deſtroyed.

'IV. And whereas ſeveral Bills commonly called *Exchequer Bills*, ſeveral Tickets commonly called *Lottery Tickets*, ſeveral Orders and Certificates made forth in lieu of the ſaid Lottery Tickets, and likewiſe for Annuities of divers Kinds payable at or near the Receipt of his Majeſty's Exchequer, as alſo ſeveral Receipts of the Caſhiers of the Governor and Company of the Bank of *England*, or ſome of them, for Monies contributed there for the Purchaſe of Annuities transferrable in the Books of the ſaid Governor and Company, or for other Monies payable there in purſuance of Acts of Parliament, have, by Caſualty or Miſchance, been loſt, burnt, or otherwiſe deſtroyed; which

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'Exchequer Bills, Lottery Tickets, Certificates, Receipts, Annuity Orders, and other Orders of the 'reſpective Denominations aforeſaid, were made forth by and in purſuance of ſeveral Acts of Par-'liament in that Behalf;' Be it therefore enacted by the Authority aforeſaid, That in all Caſes where it ſhall appear, by Affidavit, to be made before any or either of the Barons of the Exchequer for the Time being (who ſhall interrogate the Deponent thereupon) to the Satisfaction of ſuch Baron or Barons, that any ſuch Exchequer Bills, or any ſuch Tickets, Certificates, Receipts, Annuity Orders, or other Orders as aforeſaid, before the firſt Day of *June* one thouſand ſeven hundred and ſixty-two, have been, are, or ſhall be loſt, burnt, or otherwiſe deſtroyed, or that there be good Reaſon to believe the ſame have been burnt, loſt, or otherwiſe deſtroyed, it ſhall and may be lawful for the reſpective Officers and Perſons appointed to iſſue or make forth ſuch Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, or other Orders, or to pay or diſcharge the ſame, or to iſſue any Monies due or payable thereupon, upon producing a Certificate from any or either of the ſaid Barons, of ſuch Affidavit made before him or them (which Affidavit the ſaid Barons, or any or either of them, is and are hereby authorized to take; and which Certificate he or they is or are hereby required to make and grant, without Fee or Reward); and on Security given to the ſaid reſpective Officers and Perſons to their good Liking, to indemnify them reſpectively againſt all other Perſons whatſoever, for or concerning the Monies ſpecified in or due upon ſuch reſpective Bill or Bills, Ticket or Tickets, Certificate or Certificates, Receipt or Receipts, Order or Orders, they the ſaid Perſons reſpectively ſhall, and are hereby required, to make forth Duplicates of the ſaid Bills, Tickets, Certificates, Receipts and Orders, at the Requeſt of the reſpective Owners, and to pay, ſatisfy, and diſcharge the ſame, and all ſuch Intereſt as is or ſhall be due on any of them carrying Intereſt, or to make forth Stock or transferrable Annuities in lieu of ſuch Receipts, as he or they ſhould have paid, ſatisfied, or diſcharged, or made forth on the ſaid original Bills, Tickets, Certificates, Receipts, Annuity Orders, or other Orders, if the ſame had been produced, and ſhall be allowed all ſuch Payments, Sum or Sums of Money, in their reſpective Accounts; and in all Caſes where the Signing of the Commiſſioners of his Majeſty's Treaſury, or the Lord High Treaſurer of *Great Britain* for the Time being, ſhall be neceſſary for making the ſaid Duplicates, or any of them, effectual for the Purpoſes aforeſaid, it ſhall and may be lawful to and for the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them, or the Lord High Treaſurer for the Time being, to ſign ſuch Duplicates accordingly.

CAP. X.

An Act for raiſing by Annuities, in manner therein mentioned, the Sum of twelve millions, to be charged on the Sinking Fund; and for applying the Surplus of certain Duties on Spirituous Liquors, and alſo the Monies ariſing from the Duties on Spirituous Liquors, granted by an Act of this Seſſion of Parliament.

Moſt Gracious Sovereign,

'WE, your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain*, in Par-'liament aſſembled, towards raiſing the neceſſary Supplies to defray your Majeſty's publick 'Expences, have freely reſolved to give and grant unto your Majeſty the Sum of twelve millions, to 'be raiſed by Annuities, in ſuch Manner and Form as is herein after directed; and do therefore moſt 'humbly beſeech your Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That for or towards raiſing the ſaid Sum of twelve millions, it ſhall and may be lawful to and for the ſeveral Perſons, Natives or Foreigners, and Bodies Politick or Corporate, who, in purſuance of the Reſolution of the Commons of *Great Britain* in Parliament aſſembled, have, in Books opened at the Bank of *England* for that Purpoſe, ſubſcribed and agreed to contribute to the Payment of the ſaid Sum of twelve millions, and who have, in purſuance of the ſaid Reſolution, depoſited with or paid to the Caſhier or Caſhiers of the Governor and Company of the Bank of *England* for the Time being, the Sum of fifteen Pounds *per Centum*, in part of the Sums by them ſubſcribed reſpectively, to advance and pay unto the ſaid Caſhier or Caſhiers, who is and are hereby appointed the Receiver or Receivers of ſuch Contributions (without any further or other Warrant to be ſued for, had, or obtained in that Behalf) the Remainder of the ſeveral Sums ſo ſubſcribed, at or before the reſpective Days or Times, and in the Proportions, in this Act limited in that Behalf.

Preamble.

The Sum of 12,000,000 l. granted to be raiſed by Annuities.

Natives or Foreigners, who, in purſuance of a Reſolution of the Commons, have ſubſcribed towards the ſaid Sum,

and have depoſited 15 l. per Cent. in Part of their Subſcriptions,

may pay the Remainder, at the Days, and in the Proportions, following;

'II. And whereas it is intended that every Contributor to the ſaid twelve millions ſhall, for every 'one hundred Pounds contributed, be intitled to an Annuity, transferrable at the Bank of *England*, 'after the Rate of four Pounds *per Centum per Annum*, for nineteen Years, and then to ſtand reduced 'to three Pounds *per Centum per Annum*, redeemable by Parliament; and alſo to an Annuity, tranſ-'ferrable at the Bank of *England*, of one Pound *per Centum per Annum*, to continue irredeemable for 'a certain Term of ninety-eight Years, and then to ceaſe; and that every ſuch Contributor ſhall, 'for every Sum of eighty Pounds *per Centum* paid in to the Caſhiers of the Bank of *England*, upon 'account of his Share in the ſaid Annuities, after the Rate of four Pounds *per Centum per Annum*, 'be intitled to one hundred Pounds Capital in the ſaid Stock of four Pounds *per Centum* Annuities;

'and for every Sum of twenty Pounds paid in like manner, upon account of his Share in the ſaid 'Annuities of one Pound *per Centum*, ſhall be intitled to an Annuity of one Pound, to continue for 'a certain Term of ninety-eight Years, in manner above mentioned;' Be it enacted by the Authority aforeſaid, That all ſuch Contributors who have ſo made ſuch Depoſit of fifteen Pounds *per Centum*, in part of the Sums by them ſeverally ſubſcribed, as a Security for their making their future Payments, ſhall make the ſame accordingly, at or before the reſpective Times or Days, and in the Proportions, herein after limited and appointed on that Behalf; that is to ſay, In reſpect of their proportionable Share of the Sum of nine millions ſix hundred thouſand Pounds, to be attended with the ſaid four Pounds *per Centum* Annuities for nineteen Years, and afterwards to be reduced to three Pounds *per Centum* Annuities as aforeſaid, the further Sum of ten Pounds *per Centum*, being Part of the ſaid Sum ſo remaining, on or before the tenth Day of *February* one thouſand ſeven hundred and ſixty-two; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-third Day of *March* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-firſt Day of *April* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-ſixth Day of *May* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the twenty-third Day of *June* then next following; the further Sum of fifteen Pounds *per Centum*, other Part thereof, on or before the eighteenth Day of *Auguſt* then next following; the further Sum of ten Pounds *per Centum*, other Part thereof, on or before the ſeventeenth Day of *September* then next following; and the remaining Sum of ten Pounds *per Centum*, on or before the twentieth Day of *October* then next following: And in reſpect of their proportionable Share of the Sum of two millions four hundred thouſand Pounds, to be attended with the Annuity of one Pound *per Centum* for ninety-eight Years, the further Sum of twenty-five Pounds *per Centum*, being Part of the Sum ſo remaining, on or before the tenth Day of *March* one thouſand ſeven hundred and ſixty-two; the further Sum of thirty Pounds *per Centum*, other Part thereof, on or before the twelfth Day of *May* then next following; and the remaining Sum of thirty Pounds *per Centum*, on or before the twenty-firſt Day of *July* then next following.

viz. in reſpect of the Sum of 9,600,000 l. the further Sum of 10 l. by 10 Feb.

10 l. by 23 March,

10 l. by 21 April,
10 l. by 26 May,
10 l. by 23 June,

15 l. by 18 Auguſt,
10 l. by 17 Sept.
and the remaining 10 l. by 20 Oct.
And in reſpect of the Sum of 2,400,000 l. the further Sum of 25 l. by 10 March,
30 l. by 12 May,
30 l. by 21 July,

III. And be it further enacted by the Authority aforeſaid, That the ſeveral Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns, ſhall be intitled for and upon every Sum of eighty Pounds by them reſpectively advanced and paid towards the ſaid Sum of nine millions ſix hundred thouſand Pounds, to one hundred Pounds Capital Stock at the Bank of *England*, and to an Annuity after the Rate of four Pounds *per Centum per Annum*, during the Term of nineteen Years; and after the Expiration thereof, to an Annuity of three Pounds *per Centum per Annum*, and no more, for and upon every one hundred Pounds of ſuch Capital Stock; which ſaid Annuity of four Pounds *per Centum per Annum*, ſhall commence and be computed from the fifth Day of *January* one thouſand ſeven hundred and ſixty-two; and from and immediately after the Expiration of the ſaid Term of nineteen Years, there ſhall be paid, inſtead and in lieu of ſuch Annuity, an Annuity of three Pounds *per Centum per Annum*, and no more: And that the ſaid ſeveral Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall alſo be intitled, for and upon every Sum of twenty Pounds by them reſpectively advanced and paid towards the ſaid Sum of two millions four hundred thouſand Pounds, to an Annuity after the Rate of one Pound for a certain Term of ninety-eight Years; which ſaid Annuity of one Pound ſhall commence and be computed from the fifth Day of *January* one thouſand ſeven hundred and ſixty-two; and the ſaid reſpective Annuities ſhall be paid by half-yearly Payments, in even and equal Portions, on the fifth Day of *July*, and the fifth Day of *January*, in each Year.

Subſcribers, for every 80 l. advanced towards the ſaid Sum of 9,600,000 l. are intitled to 100 l. Capital, and an Annuity thereupon of 4 l. per Cent. for 19 Years; and after the Expiration of that Term, to 3 l. per Cent. to commence on 5 Jan. 1781.

And for every 20 l. advanced towards the ſaid Sum of 2,400,000 l. are intitled to an Annuity of 1 l. for 98 Years, to commence on 5 Jan. 1762.

Annuities to be paid half-yearly, viz. on 5 July, and 5 Jan.

IV. And be it further enacted by the Authority aforeſaid, That all ſuch Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns reſpectively, paying in the Whole of the Sums by them reſpectively ſubſcribed towards the ſaid Sum of nine millions ſix hundred thouſand Pounds, on or before the eighteenth Day of *September* one thouſand ſeven hundred and ſixty-two; or paying in the Whole of the Sums by them reſpectively ſubſcribed towards the ſaid Sum of two millions four hundred thouſand Pounds, on or before the thirteenth Day of *May* one thouſand ſeven hundred and ſixty-two; ſhall be intitled to an Allowance of ſo much Money as the Intereſt of the Sum ſo compleating their Contribution, on or before the ſaid eighteenth Day of *September*, or the ſaid thirteenth Day of *May*, reſpectively, after the Rate of three Pounds *per Centum per Annum*, ſhall amount unto, from the Day of compleating ſuch Contribution to the twentieth Day of *October* then next following, in reſpect of the Monies paid towards the ſaid Sum of nine millions ſix hundred thouſand Pounds; and unto the twenty-firſt Day of *July* then next following, in reſpect of the Monies paid towards the ſaid Sum of two millions four hundred thouſand Pounds; ſuch Allowances reſpectively to be paid by the ſaid Caſhier or Caſhiers out of the Monies contributed towards the ſaid Sum of twelve millions, as ſoon as ſuch reſpective Subſcribers or Contributors, their Executors, Adminiſtrators, Succeſſors, and Aſſigns ſhall have compleated ſuch Payments.

Subſcribers paying in the Whole of their Subſcriptions towards the ſaid Sum of 9,600,000 l. by 18 Sept.
and towards the ſaid Sum of 2,400,000 l. by 13 May 1762,
are intitled to an Intereſt of 3 l. per Cent. from the Times of compleating their Payments to 20 Oct. in reſpect of the ſaid Sum of 9,600,000 l. and to 21 July, in reſpect of the ſaid Sum of 2,400,000 l.

V. And be it further enacted, That all the Annuities aforeſaid ſhall be transferrable at the Bank of *England*.

Annuities transferrable at the Bank.

VI. And be it further enacted by the Authority aforeſaid, That the Caſhier or Caſhiers of the Governor and Company of the Bank of *England*, who ſhall have received, or ſhall receive, any Part of the ſaid Contributions towards the ſaid Sum of twelve millions, ſhall give a Receipt or Receipts in Writing to every ſuch Contributor for all ſuch Sums; and that the Receipts to be given ſhall be aſſignable

Caſhiers to give Receipts for the Sums paid in;

aſſignable by Indorſement thereupon made, at any Time before the fifth Day of *December* one thouſand ſeven hundred and ſixty-two, and no longer. — the ſame made aſſignable before 5 Dec. 1762.

VII. Provided always, That ſuch Caſhier or Caſhiers ſhall give Security to the good Liking of any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, for duly anſwering and paying into the Receipt of his Majeſty's Exchequer, for the publick Uſe, all the Monies which they have already received, and ſhall hereafter receive, from Time to Time, of and for the ſaid Sum of twelve millions, and for accounting duly for the ſame, and for Performance of the Truſt hereby in them repoſed; and ſhall, from Time to Time, pay all ſuch Monies as ſoon as he or they ſhall receive the ſame, or any Part thereof, or within five Days afterwards at the fartheſt, and ſhall account for the ſame in the Exchequer, according to the due Courſe thereof, deducting ſuch Sums as ſhall have been paid by him or them in purſuance of this Act; for which Sums ſo paid Allowance ſhall be made in his or their Accounts. Caſhiers to give Security: Monies to be paid over by them into the Exchequer.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, to iſſue and apply, from Time to Time, all ſuch Sums of Money as ſhall be ſo paid into the Receipt of his Majeſty's Exchequer, by the ſaid Caſhier or Caſhiers, to ſuch Services as ſhall then have been voted by the Commons of *Great Britain* in this preſent Seſſion of Parliament. The Monies to be applied by the Treaſury to the Services voted by Parliament.

IX. And be it further enacted by the Authority aforeſaid, That in the Office of the Accomptant General of the Governor and Company of the Bank of *England* for the Time being, a Book or Books ſhall be provided and kept, in which the Names of the Contributors ſhall be fairly entered; which Book or Books the ſaid reſpective Contributors, their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall and may, from Time to Time, and at all ſeaſonable Times, reſort to, and inſpect without any Fee or Charge; and that the ſaid Accomptant General ſhall, on or before the fifth Day of *July* one thouſand ſeven hundred and ſixty-four, tranſmit an atteſted Duplicate fairly written on Paper of the ſaid Book or Books, into the Office of the Auditor of the Receipt of his Majeſty's Exchequer, there to remain for ever. Books to be provided at the Bank for entering Contributors Names; to be inſpected gratis. Duplicate thereof to be tranſmitted into the Auditor's Office of the Exchequer.

X. And be it further enacted by the Authority aforeſaid, That ſuch Contributors duly paying the whole Sum or Sums ſubſcribed, at or before the reſpective Times in this Act limited in that Behalf, and their reſpective Executors, Adminiſtrators, Succeſſors and Aſſigns, ſhall have, receive, and enjoy, and be intitled, by virtue of this Act, to have, receive, and enjoy their proportionable Share of the Annuities by this Act granted, in reſpect of the Sum ſo ſubſcribed, out of the Monies appropriated by this Act for Payment thereof; and ſhall have good and ſure Intereſts and Eſtates therein; ſubject nevertheleſs to Redemption as is herein after-mentioned, concerning the ſaid Annuities of three Pounds *per Centum*, according to the ſeveral Proviſions in this Act contained; and that all the Annuities by this Act granted, ſhall be free from all Taxes, Charges, and Impoſitions whatſoever. Contributors duly paying their Subſcriptions, are intitled to a proportional Share of the Annuities;

XI. Provided always, That in caſe any ſuch Contributors who have already depoſited with, or ſhall hereafter pay to the ſaid Caſhier or Caſhiers any Sum or Sums of Money, at the Times and in the Manner before-mentioned, in Part of the Sum or Sums ſo by them reſpectively ſubſcribed; or the reſpective Executors, Adminiſtrators, Succeſſors or Aſſigns, ſhall not advance and pay to the ſaid Caſhier or Caſhiers the Reſidue of the Sum or Sums ſo ſubſcribed, at the Times and in the Manner before-mentioned; then, and in every ſuch Caſe, ſo much of the reſpective Sum or Sums ſo ſubſcribed as ſhall have been actually paid in Part thereof, to the ſaid Caſhier or Caſhiers, ſhall be forfeited for the Benefit of the Publick, and all Right and Title to any Annuity whatſoever in reſpect thereof ſhall be extinguiſhed; any Thing in this Act contained to the contrary thereof in any wiſe notwithſtanding. but not making good their Payments within the Times limited, they forfeit what they ſhall have paid in.

XII. And be it further enacted by the Authority aforeſaid, That as ſoon as any Contributors, their Executors, Adminiſtrators, Succeſſors or Aſſigns, ſhall have compleated their Payments of the whole Sum payable by them reſpectively, towards the ſaid Sum of nine millions ſix hundred thouſand Pounds, and two millions four hundred thouſand Pounds, reſpectively; the principal Sum or Sums ſo by them ſubſcribed and paid reſpectively, ſhall forthwith be, in the Books of the Bank of *England*, placed to the Credit of ſuch reſpective Contributors, their Executors, Adminiſtrators, Succeſſors and Aſſigns, compleating ſuch Payments reſpectively; and the Perſons to whoſe Credit ſuch principal Sums ſhall be ſo placed, their reſpective Executors, Adminiſtrators, Succeſſors or Aſſigns, ſhall and may have Power to aſſign and tranſfer the ſame, or any Part, Share, or Proportion thereof, to any other Perſon or Perſons, Body or Bodies Politick or Corporate whatſoever, in the Books of the Bank of *England*; and ſuch Sums ſhall carry the reſpective Annuities herein before-mentioned, and ſhall be taken and deemed to be Stock tranſferrable, according to the true Intent and Meaning of this Act. Contributors compleating their Payments, are to have Credit in the Books of the Bank for the Money ſo paid; which may be tranſferred, and made Stock of.

XIII. And be it further enacted by the Authority aforeſaid, That the ſeveral Annuities which by this Act are granted and made payable, in reſpect of the Sum of twelve millions, until Redemption thereof by Parliament, in manner herein mentioned, ſhall be charged and chargeable upon, and payable out of, the Monies which ſhall from Time to Time ariſe, and be remaining in the Receipt of his Majeſty's Exchequer, of or for the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*; and the ſaid Surpluſſes, Exceſſes, Overplus Monies, and other Revenues, are hereby appropriated for that Purpoſe accordingly. Annuities charged on the Sinking Fund.

XIV. And, for the more eaſy and ſure Payment of all the Annuities eſtabliſhed by this Act, Be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and Bank to employ a chief Caſhier, and Accomptant

General, for the Purpoſes of this Act.

and their Succeſſors, ſhall, from Time to Time, during the Continuance of the ſaid Annuities, after the Rate of four Pounds for every one hundred Pounds capital Stock, and until the ſaid Annuities, after the Rate of three Pounds for every ſuch one hundred Pounds capital Stock, ſhall be redeemed, and until the ſaid Annuities for the certain Term of ninety-eight Years ſhall be determined, appoint and employ one or more ſufficient Perſon or Perſon within their Office in the City of *London*, to be their chief or firſt Caſhier or Caſhiers, and one other ſufficient Perſon within the ſame Office, to be their Accomptant General; and that ſo much of the Monies by this Act appropriated for this Purpoſe, as ſhall be ſufficient, from Time to Time, to anſwer the ſaid ſeveral and reſpective Annuities, and other Payments herein directed to be made out of the ſaid Monies, ſhall, by Order of the Commiſſioners of the Treaſury, or any three or more of them, or the High Treaſurer for the Time being, without any further or other Warrant to be ſued for, had, and obtained, in that Behalf, from Time to Time, at the reſpective Days of Payment in this Act appointed for Payment thereof, be iſſued and paid at the ſaid Receipt of Exchequer, to the ſaid firſt or chief Caſhier or Caſhiers of the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, for the Time being, by way of Impreſt, and upon Account, for the Payment of the ſaid ſeveral and reſpective Annuities, payable by virtue of this Act; and that ſuch Caſhier or Caſhiers, to whom the ſaid Money ſhall from Time to Time be iſſued, ſhall, from Time to Time, without Delay, pay the ſame accordingly, and render his or their Accounts thereof according to the due Courſe of the Exchequer.

Treaſury to iſſue Monies upon Account, for Payment of the Annuities, to the ſaid Caſhier;

who is to pay the ſame accordingly, and account with the Exchequer.

Accomptant General to examine all Receipts and Payments of the Caſhier, with the Vouchers.

XV. And be it further enacted by the Authority aforeſaid, That the ſaid Accomptant General for the Time being ſhall, from Time to Time, inſpect and examine all Receipts and Payments of the ſaid Caſhier or Caſhiers, and the Vouchers relating thereto, in order to prevent any Fraud, Negligence, or Delay; and that all Perſons who ſhall be intitled to any of the Annuities hereby granted, and all Perſons lawfully claiming under them, ſhall be poſſeſſed thereof as of a Perſonal Eſtate, which ſhall not be deſcendible to Heirs, nor liable to any Foreign Attachment by the Cuſtom of *London*, or otherwiſe; any Law, Statute, or Cuſtom to the contrary notwithſtanding.

Annuities deemed a Perſonal Eſtate.

Annuities with reſpect to the ſaid Sum of 9,600,000 l. are made one Joint Stock, transferrable at the Bank, with thoſe granted by the Act of 33 Geo. 2. c. 7. 2 Geo. 3. c. 9.

XVI. And be it further enacted by the Authority aforeſaid, That all the Monies to which any Perſon or Perſons ſhall become intitled by virtue of this Act, in reſpect of any Sum advanced or contributed towards the ſaid Sum of nine millions ſix hundred thouſand Pounds, on which the ſaid Annuities of four Pounds, or of three Pounds *per Centum per Annum* ſhall be attending, ſhall be added to, and made one Joint Stock of transferrable Annuities at the Bank of *England*, with the Annuities granted by an Act made in the thirty-third Year of the Reign of his late Majeſty King *George* the Second; and which by an Act made in this preſent Seſſion of Parliament, intituled, *An Act for charging certain Annuities granted in the Year one thouſand ſeven hundred and ſixty, on the Sinking Fund; and for carrying the Duties therein mentioned to the ſaid Fund; and for making forth Duplicates of Exchequer Bills, Tickets, Certificates, Receipts, Annuity Orders, and other Orders, loſt, burnt, or otherwiſe deſtroyed*; are charged upon and made payable out of the Sinking Fund; and alſo with ſuch other four Pounds *per Centum* Annuities transferrable at the Bank of *England*, as ſhall, by any other Act of this preſent Seſſion of Parliament, be charged upon, and made payable out of, the Sinking Fund; ſubject nevertheleſs to Redemption by Parliament, in ſuch Manner, and upon ſuch Notice, as in the ſaid Act made in the thirty-third Year of his late Majeſty's Reign is directed, with reſpect to the Redemption of the Annuities thereby granted; and that all and every Perſon and Perſons, and Corporations whatſoever, in proportion to the Money to which he, ſhe, or they, ſhall become intitled as aforeſaid, by virtue of this Act, ſhall have, and be deemed to have, a proportional Intereſt and Share in the ſaid joint Stock of Annuities.

Subject to Redemption by Parliament.

Books to be kept at the Accomptant General's Office for entering all Aſſignments and Tranſfers.

Method of transferring.

XVII. And be it further enacted by the Authority aforeſaid, That Books ſhall be conſtantly kept by the ſaid Accomptant General for the Time being, wherein all Aſſignments or Transfers of all Sums advanced or contributed towards the ſaid Sum of nine millions ſix hundred thouſand Pounds, and two millions four hundred thouſand Pounds reſpectively, ſhall, at all ſeaſonable Times, be entered and regiſtered; which Entry ſhall be conceived in proper Words for that Purpoſe, and ſhall be ſigned by the Parties making ſuch Aſſignments or Transfers; or if ſuch Parties be abſent, by their reſpective Attorney or Attornies thereunto lawfully authorized, in Writing, under his or their Hand and Seal, or Hands and Seals, to be atteſted by two or more credible Witneſſes; and that the ſeveral Perſons to whom ſuch Transfers ſhall be made, ſhall reſpectively underwrite their Acceptance thereof; and that no other Method of aſſigning and transferring the ſaid Annuities, or any Part thereof, or any Intereſt therein, ſhall be good or available in Law.

Shares or Intereſt in either of the ſaid Stocks may be deviſed by Will;

in Default of ſuch Tranſfer or Deviſe, Executors, &c. intitled thereto.

Tranſfers to be without Stamps.

XVIII. Provided alſo, That all Perſons poſſeſſed of any Share or Intereſt in either of the ſaid Stocks of Annuities, or any Eſtate or Intereſt therein, may deviſe the ſame by Will, in Writing, atteſted by two or more credible Witneſſes; but that no Payment ſhall be made upon any ſuch Deviſe, till ſo much of the ſaid Will as relates to ſuch Share, Eſtate, or Intereſt, in the ſaid Stocks of Annuities, be entered in the ſaid Office; and that, in Default of ſuch Tranſfer or Deviſe, ſuch Share, Eſtate, or Intereſt, in the ſaid Stocks of Annuities, ſhall go to the Executors, Adminiſtrators, Succeſſors and Aſſigns; and that no Stamp Duties whatſoever ſhall be charged on any of the ſaid Transfers; any Law or Statute to the contrary notwithſtanding.

Treaſury impowered to diſcharge all incident Charges attending the Execution of this Act;

and to ſettle the Allow-

XIX. Provided always, and be it enacted by the Authority aforeſaid, That out of the Monies ariſing from the Contributions towards raiſing the ſaid Sum of twelve millions, any three or more of the Commiſſioners of the Treaſury, or the High Treaſurer for the Time being, ſhall have Power to diſcharge all ſuch incident Charges as ſhall neceſſarily attend the Execution of this Act, in ſuch Manner as to them ſhall ſeem juſt and reaſonable; and alſo to ſettle and appoint ſuch Allowances as

ſhall

ſhall be thought proper, for the Service, Pains, and Labour, of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for, the ſaid Contributions; and alſo ſhall have Power to make, out of the Sinking Fund, ſuch further Allowances as ſhall be judged reaſonable, for the Service, Pains, and Labour, of the ſaid Caſhier or Caſhiers, for receiving, paying, and accounting for, the ſaid Annuities, payable by virtue of this Act; and alſo for the Service, Pains and Labour, of the ſaid Accomptant General, for performing the Truſt repoſed in him by this Act; all which Allowances to be made as aforeſaid, in reſpect to the Service, Pains and Labour, of any Officer or Officers of the ſaid Governor and Company, ſhall be for the Uſe and Benefit of the ſaid Governor and Company, and at their Diſpoſal only.

Allowances for the Caſhiers, and other Officers, and Accomptant General; the ſame to be at the Diſpoſal, &c. of the Governor and Company of the Bank.

XX. Provided always, and be it further enacted by the Authority aforeſaid, That the ſaid Governor and Company of the Bank of *England*, and their Succeſſors, notwithſtanding the Redemption of all or any of their own Funds, in purſuance of the Acts for eſtabliſhing the ſame, or any of them, ſhall continue a Corporation for the Purpoſes of this Act, till all the Annuities payable in reſpect of the ſaid Sum of nine millions ſix hundred thouſand Pounds, ſhall be redeemed by Parliament as aforeſaid, and until the ſaid Annuities, attending the ſaid Sum of two millions four hundred thouſand Pounds, for the ſaid Term of ninety-eight Years, ſhall be determined; and that the ſaid Governor and Company of the Bank of *England*, or any Member thereof, ſhall not incur any Diſability, for or by reaſon of their doing any Matter or Thing in purſuance of this Act.

Bank to continue a Corporation, notwithſtanding the Redemption of their own Funds, till the ſaid Annuities ſhall be redeemed and determined.

XXI. And be it further enacted, That no Fee, Reward, or Gratuity whatſoever, ſhall be demanded or taken of any of his Majeſty's Subjects, for receiving or paying the ſaid Contribution-monies, or any of them, or for any Tallies or Receipts concerning the ſame, or for iſſuing the Monies for paying the ſaid ſeveral Annuities, or any of them, or for any Transfer of any Sum great or ſmall to be made in purſuance of this Act; upon pain that any Offender, or Perſon offending, by taking or demanding any ſuch Fee or Reward, or Gratuity, ſhall forfeit the Sum of twenty Pounds to the Party aggrieved, with full Coſts of Suit; to be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Protection, Privilege, or Wager of Law, Injunction, or Order of Reſtraint, or any more than one Imparlance, ſhall be granted or allowed.

No Fee to be taken or demanded for receiving or paying the Contribution monies; or paying, &c. the ſeveral Annuities, &c. on Penalty of 20 l. and full Coſts of Suit.

'XXII. And whereas by an Act made in the ſixteenth Year of the Reign of his late Majeſty King 'George the Second, intituled, *An Act for repealing certain Duties upon Spirituous Liquors, and on Li-* 'cences for retailing the ſame, and for laying other Duties on Spirituous Liquors, and on Licences to retail 'the ſaid Liquors; certain Rates and Duties were laid upon Spirituous Liquors: And whereas by 'another Act made in the ſame Seſſion of Parliament, intituled, *An Act for raiſing, by Annuities and* 'a Lottery in Manner therein mentioned, the Sum of one million eight hundred thouſand Pounds, at three 'Pounds per Centum per Annum, *for the Service of the Year one thouſand ſeven hundred and forty-three*, 'the ſaid Rates and Duties upon Spirituous Liquors were charged with, and made ſubject and liable 'to, the Payment of the Annuities, after the Rate of three Pounds *per Centum per Annum*, tranſ-'ferrable at the Bank of *England*, which by the ſaid Act were granted, in reſpect of the principal Sum 'of one million eight hundred thouſand Pounds, advanced upon the Credit of the ſaid Rates and 'Duties; and the Surplus or Remainder of the Monies ariſing by the ſaid Rates and Duties, after 'ſatisfying, or reſerving Money ſufficient to ſatisfy, the ſaid ſeveral and reſpective Annuities, and 'all Arrears thereof, was by the ſaid Act reſerved for the Diſpoſition of Parliament: And whereas by 'an Act made in the ſeventeenth Year of his ſaid late Majeſty's Reign, intituled, *An Act for grant-* 'ing to his Majeſty the Surplus or Remainder of the Monies ariſen, or to ariſe, by the Duties on Spiritu-'ous Liquors, granted by an Act of the laſt Seſſion of Parliament, and for explaining and amending the 'ſaid Act in relation to the Retailers of ſuch Liquors; and for eſtabliſhing an Agreement with the United 'Company of Merchants of England trading to the East-Indies; the ſaid Surplus or Remainder was 'charged with, and made ſubject and liable to, the Payment of an Annuity or yearly Sum of thirty 'thouſand Pounds to the United Company of Merchants of *England* trading to the *Eaſt-Indies*, in 'manner therein mentioned: And whereas by another Act made in the ſame Seſſion of Parliament, 'intituled, *An Act for raiſing by Annuities and a Lottery, in manner therein mentioned, the Sum of one million* 'eight hundred thouſand Pounds at three Pounds per Centum per Annum, *for the Service of the Year one* 'thouſand ſeven hundred and forty-four, the ſaid Surplus or Remainder, after paying or reſerving ſufficient 'to pay to the United Company of Merchants of *England* trading to the *Eaſt-Indies*, the ſaid Annuity 'or yearly Payment of thirty thouſand Pounds, was charged with, and made ſubject and liable to, 'the Payment of the Annuities transferrable at the Bank of *England*, which by the ſaid Act were 'granted, in reſpect of the principal Sum of one million eight hundred thouſand Pounds, advanced 'upon the Credit of the ſaid Surplus or Remainder; and the Surplus or Remainder of the Monies 'ariſing by the ſaid Rates and Duties, after ſatisfying, or reſerving Money ſufficient to ſatisfy, all 'the ſaid ſeveral or reſpective Annuities, and all Arrears thereof, was, by the ſaid laſt-mentioned 'Act, reſerved for the Diſpoſition of Parliament: And whereas by an Act made in the nineteenth 'Year of his ſaid late Majeſty's Reign, intituled, *An Act for granting to his Majeſty ſeveral Rates and* 'Duties upon Glaſs, and upon Spirituous Liquors; and for raiſing a certain Sum of Money by Annuities, 'and a Lottery, to be charged on the ſaid Rates and Duties; and for obviating ſome Doubts about making out 'Orders at the Exchequer for the Monies advanced upon the Credit of the Salt Duties, granted and conti-'nued to his Majeſty by an Act of the laſt Seſſion of Parliament; certain Rates and Duties were laid 'upon Glaſs and upon Spirituous Liquors, and the ſaid Rates and Duties were by the ſaid Act charged 'with, and made ſubject and liable to, the Payment of the Annuities transferrable at the Bank of

Recital of Clauſe in Act 16 Geo. 2. c. 8. concerning Spirituous Liquors, &c.

Lottery Act of 16 Geo. 2. c. 8.

Spirituous Liquors of 17 Geo. 2. c. 17.

Lottery Act of 17 Geo. 2. c. 18.

Glaſs and Spirituous Liquors of 19 Geo. 2. c. 12.

'*England*, which by the ſaid Act were granted in reſpect of the principal Sum of three millions, 'advanced upon the Credit of the ſaid Rates and Duties; and were alſo charged with, and made 'ſubject and liable to, the Payment of the yearly Sum of forty-five thouſand Pounds, for anſwer- 'ing and paying the Annuities for Lives, payable at the Exchequer, granted by the ſaid Act; and 'the Surplus or Remainder of the Monies ariſing by the ſaid Rates and Duties, after ſatisfying or reſerv- 'ing Money ſufficient to ſatisfy all the ſaid ſeveral and reſpective Annuities, was by the ſaid Act reſerved 'for the Diſpoſition of Parliament: And whereas by an Act made in the twenty-fourth Year of his

Spirituous Liquors of 24 Geo. 2, c. 40.

'ſaid late Majeſty's Reign, intituled, *An Act for granting to his Majeſty an additional Duty upon Spi- 'rituous Liquors, and upon Licences for retailing the ſame; and for repealing the Act of the twentieth Year 'of his preſent Majeſty's Reign, intituled*, An Act for granting a Duty to his Majeſty to be paid by 'Diſtillers upon Licences to be taken out by them for retailing Spirituous Liquors; *and for the more 'effectually reſtraining the retailing of diſtilled Spirituous Liquors; and for allowing a Drawback upon 'the Exportation of* Britiſh *made Spirits; and that the Pariſh of Saint* Mary le Bon, *in the County of* Middleſex, *ſhall be under the Inſpection of the Head Office of Exciſe*; certain additional Rates and 'Duties were laid upon Spirituous Liquors, and the ſaid Rates and Duties were, by the ſaid Act made

Annuity Act of 25 Geo. 2, c. 27.

'ſubject and liable to the ſame Uſes and Purpoſes as the then ſubſiſting Duties on Spirituous Liquors 'were at that Time liable and appropriated unto: And whereas by an Act made in the twenty-fifth Year 'of his ſaid late Majeſty's Regin, intituled, *An Act for converting the ſeveral Annuities therein mentioned 'into ſeveral Joint Stocks of Annuities, transferrable at the Bank of* England, *to be charged on the Sinking 'Fund, and alſo for conſolidating the ſeveral other Annuities therein mentioned, into ſeveral Joint Stocks of An- 'nuities, transferrable at the* South Sea Houſe; all the ſaid ſeveral and reſpective Annuities transferrable 'at the Bank of *England*, herein before-mentioned to have been charged upon any of the ſeveral Rates 'and Duties upon Spirituous Liquors, were, from the Time in the ſaid Act mentioned, charged upon, 'and directed to be paid out of, the Sinking Fund; and ſuch of the ſaid Rates and Duties upon Spiritu- 'ous Liquors as had been granted and appropriated by the ſeveral and reſpective Acts, in the ſaid laſt- 'mentioned Act before recited; that is to ſay, By the Acts which have been herein before mentioned to 'have been made in the ſixteenth, ſeventeenth, and nineteenth Years of his ſaid late Majeſty's Reign, 'for Payment of the ſaid ſeveral and reſpective Annuities transferrable at the Bank of *England*, as 'aforeſaid, were directed to be carried to, and made Part of, the ſaid Sinking Fund, after reſerving 'ſufficient to pay the Annuities for Lives at the Exchequer, and other Charges and Incumbrances 'charged on the ſaid Rates and Duties: And whereas the Rates and Duties on Spirituous Liquors 'granted by the ſaid Act of the twenty-fourth Year of his ſaid late Majeſty's Reign, not being by 'the ſaid Act of the twenty-fourth Year of his ſaid late Majeſty's Reign, directed to be carried to, 'and made Part of, the Sinking Fund, ſtill remained ſubject and liable, in common with the former 'Rates and Duties on Spirituous Liquors, to the Payment of ſuch Charges and Incumbrances ori- 'ginally charged upon the ſaid Rates and Duties on Spirituous Liquors, as had not been by virtue 'of the ſaid Act of the twenty-fifth Year of the Reign of his ſaid late Majeſty transferred to the 'Sinking Fund; that is to ſay, To the Payment of the Annuity of thirty thouſand Pounds to the '*Eaſt-India* Company; and alſo to the yearly Payment of forty-five thouſand Pounds, for anſwer- 'ing and paying certain Annuities for Lives, payable at the Exchequer; and the Surplus of the ſaid 'Rates and Duties granted by the Act of the twenty-fourth Year of the Reign of his ſaid late Ma- 'jeſty, ſtill remained, by virtue of the ſeveral Acts herein before recited, reſerved for the Diſpoſi- 'tion of Parliament: And whereas by an Act of the thirty-third Year of the Reign of his ſaid

Spirituous Liquors of 33 Geo. 2. c. 9.

'late Majeſty, intituled, *An Act for preventing the exceſſive Uſe of Spirituous Liquors, by laying addi- 'tional Duties thereon; for ſhortening the Prohibition of making Low Wines and Spirits from Wheat, 'Barley, Malt, or other Grain, and from Meal, Flour and Bran; for encouraging the Exportation of* Britiſh *made Spirits; and for more effectually ſecuring the Duties payable upon Spirits; and preventing 'the fraudulent Relanding or Importation thereof*; certain farther additional Rates and Duties were 'laid on Spirituous Liquors, and were, by the ſaid Act, directed to be appropriated and applied to 'the ſame Uſes and Purpoſes as the then ſubſiſting Duties on Spirituous Liquors were, at that 'Time applicable and appropriated unto; ſo that as well the Surplus or Remainder of the Monies 'ariſen or to ariſe from the ſaid Rates and Duties upon Spirituous Liquors granted by the ſaid Act 'of the twenty-fourth Year of the Reign of his ſaid late Majeſty, as from thoſe granted by the 'ſaid Act of the thirty-third Year of his ſaid late Majeſty, after ſatisfying the ſaid Annuities or 'yearly Payments of thirty thouſand Pounds, and forty-five thouſand Pounds, to the Payment of 'which all the Duties on Spirituous Liquors, granted by the ſeveral Acts herein before-mentioned, 'ſtand in the firſt Place liable and appropriated, do, by virtue of the ſaid ſeveral Acts, ſtand reſerved 'for the Diſpoſition of Parliament: And whereas the Annuities payable by virtue of this Act in 'reſpect of the Sum of twelve millions, are hereby charged upon, and directed to be paid out of, the 'Sinking Fund;' Be it therefore enacted by the Authority aforeſaid, That from and after the fifth

Surplus of the Monies ariſing by the Duties on Spirituous Liquors, granted by the recited Acts of 24 and 33 Geo. 2. after paying the Annuity of 30,000l. to the India Company; and 45,000l. for Annuities for Lives payable at the

Day of *January* one thouſand ſeven hundred and ſixty-two, the Surplus or Remainder of the Monies which ſhall, from Time to Time, ariſe by the ſaid Rates and Duties upon Spirituous Liquors granted by the ſaid Acts of the twenty-fourth and thirty-third Years of his ſaid late Majeſty's Reign, after paying or reſerving, from Time to Time at the Receipt of his Majeſty's Exchequer, Money ſufficient to ſa- tisfy and pay the ſaid Annuity of thirty thouſand Pounds, payable as aforeſaid to the United Com- pany of Merchants of *England* trading to the *Eaſt-Indies*, and alſo the ſaid yearly Payment of forty- five thouſand Pounds for anſwering the ſaid Annuities for Lives, payable at the Exchequer, ſhall be

carried

carried to, and made Part of, the Sinking Fund, towards making good the Intereſt or Annuities charged by this Act on the ſaid Fund. Exchequer, to be carried into the Sinking Fund.

XXIII. And be it further enacted by the Authority aforeſaid, That the Monies which ſhall, from Time to Time, ariſe and be remaining in the Receipt of his Majeſty's Exchequer, of the additional Rates and Duties on Spirituous Liquors, granted to his Majeſty by an Act of this preſent Seſſion of Parliament, intituled, *An Act for more effectually preventing the exceſſive Uſe of Spirituous Liquors for home Conſumption, by laying additional Duties upon Spirits made in* Great Britain, *or imported into the ſame; and for better regulating and encouraging the Exportation of* Britiſh *made Spirits; and for ſecuring the Payment of the Duties upon Spirituous Liquors*; be alſo carried to, and made Part of, the Sinking Fund, towards making good the Intereſt or Annuities charged by this Act on the ſaid Fund. Monies ariſing in the Exchequer by the additional Duties on Spirituous Liquors, granted by an Act of this Seſſion, to be carried into the Sinking Fund.

XXIV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted for any Thing done by virtue or in purſuance of this Act, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, in his or their Defence or Defences: And if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her or them, upon Demurrer, or otherwiſe, then ſuch Defendant or Defendants ſhall have treble Coſts awarded to him, her or them, againſt any ſuch Plaintiff or Plaintiffs. General Iſſue. Treble Coſts.

CAP. XI.

An Act for puniſhing Mutiny and Deſertion; and for the better Payment of the Army and their Quarters. *EXP.*

CAP. XII.

An Act for the Regulation of his Majeſty's Marine Forces while on ſhore. *Refer to* 1 *Geo.* 3. *c.* 8. *and ſee* 4 *Geo.* 3. *c.* 8.

CAP. XIII.

An Act for appointing Commiſſioners for putting in Execution an Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſixty-two.*

CAP. XIV.

An Act to prevent vexatious Proceedings againſt Brewers, Victuallers, and others, with reſpect to the Prices of Beer and Ale; for better ſecuring the Revenue upon Strong Beer and Ale, by preventing fraudulent mixing thereof; to repeal ſo much of an Act made in the firſt Year of the Reign of his preſent Majeſty, as extends certain Proviſions relative to the Exportation of Spirituous Liquors to the Exportation of Strong Beer and Ale; and for the more effectual preventing the Re-landing of Beer, Ale, Cyder, and Mum, ſhipped for Exportation as Merchandize.

'WHEREAS Brewers, Inn-keepers, Victuallers, or other Retailers of Strong Beer or Ale, have been threatened with, and may be ſubject to, vexatious Proſecutions for advancing, or having advanced, the Price of Strong Beer or Ale, however juſtly and reaſonably: Now, in order to prevent ſuch vexatious Proceedings, may it pleaſe your moſt Excellent Majeſty, that it may be enacted;' And be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Brewer, Innkeeper, Victualler, or other Retailer of Strong Beer or Ale, ſhall, at any Time hereafter, be ſued, impleaded, or moleſted by Indictment, Information, popular Action, or otherwiſe, for advancing, or having advanced, the Price of Strong Beer or Ale in a reaſonable Degree; any Law or Statute to the contrary notwithſtanding. Preamble. The Price of Strong Beer and Ale may be reaſonably advanced, without ſubjecting the Vender to Proſecution.

'II. And whereas the mixing Strong Beer, Ale, or Strong Worts, with Small Beer or Small Worts, or with Water, either by the Brewer, after the Gauge thereof hath been taken, or by the Victualler, after ſuch Strong Beer, Ale, or Strong Worts, ſhall be ſold and delivered to him or her, is greatly detrimental to his Majeſty's Revenue, and is an Impoſition upon the Conſumer, and hinders the Sale of genuine Strong Beer and Ale; and the Proviſions already eſtabliſhed by Law are found to be inſufficient to prevent the ſame:' For Remedy thereof, and for the more effectual Prevention of ſuch Frauds; Be it hereby enacted by the Authority aforeſaid, That from and after the paſſing of this Act, if any common or other Brewer, Innkeeper, Victualler, or Retailer of Beer or Ale, ſhall mix, or cauſe or ſuffer to be mixed, in any Veſſel, Tub, Meaſure, or otherwiſe howſoever, any Strong Beer, Ale, or Strong Worts, with any Small Beer or Small Worts, or with Water, after the Gauge of ſuch Strong Beer, Ale, or Strong Worts, ſhall have been taken by an Officer of Exciſe, every ſuch Perſon ſo offending, for every ſuch Offence, ſhall reſpectively forfeit and loſe the Sum of fifty Pounds. 50 l. Penalty on fraudulently mixing Strong Beer, Ale, or Strong Worts, with other Liquors.

'III.

Recital of Clauſe in Act 1 Geo. 3. c. 7.

'III. And whereas by a Clauſe in an Act of Parliament paſſed in the firſt Year of the Reign of his preſent Majeſty, intituled, *An Act for granting to his Majeſty an additional Duty upon Strong Beer and Ale; and for raiſing the Sum of twelve millions by way of Annuities, and a Lottery, to be charged on the ſaid Duty; and for further encouraging the Exportation of Strong Beer and Ale*; it was provided and enacted, That all the Rules, Regulations, Directions, Powers, Penalties, Forfeitures, Clauſes, Matters and Things, which, by an Act made in the then laſt Seſſion of Parliament (intituled, *An Act for preventing the exceſſive Uſe of Spirituous Liquors by laying additional Duties thereon; for ſhortening the Prohibition of making Low Wines and Spirits from Wheat, Barley, Malt, or other Grain, and from Meal, Flour, and Bran; for encouraging the Exportation of* Britiſh *made Spirits, and for more effectually ſecuring the Duties payable upon Spirits, and preventing the fraudulent Re-landing or Importation thereof*) were provided, ſettled, eſtabliſhed, and inflicted, for and in reſpect to the paying and allowing the Drawback and Bounty thereby granted upon Spirits exported as Merchandize, and for preventing, detecting, and puniſhing Frauds and Abuſes in the Re-landing the ſame, and all other Frauds and Abuſes previous to the Shipping, or relating to the Exportation of ſuch Spirits, and the obtaining ſuch Drawback and Bounty, not otherwiſe thereby altered, ſhould, except ſuch Parts as relate to the Size of the Caſks, and Burthen of the Ships or Veſſels, be exerciſed, practiſed, applied, levied, recovered, and put in Execution, for paying and allowing the Drawback and Bounty thereby granted upon Beer and Ale, and for preventing, detecting, and puniſhing Frauds and Abuſes in the Re-landing ſuch Beer or Ale, and all other Frauds and Abuſes previous to the Shipping, or relating to the Exportation thereof, and the obtaining of the ſaid Drawback and Bounty, as fully and effectually, to all Intents and Purpoſes, as if all and every the ſaid Rules, Regulations, Directions, Powers, Penalties, Forfeitures, Clauſes Matters, and Things were particularly repeated, and again re-enacted, in the Body of the ſaid recited Act: And whereas it is found by Experience, that the like Rules, Regulations and Directions, which are eſtabliſhed for enforcing the due Exportation of Spirits, are not neceſſary to enforce the due Exportation of Strong Beer or Ale, but are found to be inconvenient;' Be it therefore enacted and declared by the Authority aforeſaid, That, from and after the paſſing of this Act, the ſaid recited Clauſe, and every Article, Matter, and Thing therein contained, ſhall be and are hereby repealed, and made null and void.

The recited Clauſe repealed.

Proviſion in Act 1 Will. & Mary, *Seſſ.* 1. c. 22.

'IV. And whereas the Proviſion eſtabliſhed by an Act of Parliament made in the firſt Year of the Reign of their late Majeſties King *William* and Queen *Mary*, intituled, *An Act for the Exportation of Beer, Ale, Cyder and Mum; for preventing the Re-landing the ſaid Liquors ſhipped in any Veſſel for Exportation, as Merchandize*; extends only to the re-landing ſuch Liquors within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*: And whereas it is neceſſary that the ſaid Proviſion ſhould be amended and enforced, and extended to all Parts of *Great Britain*;' Be it therefore enacted by the Authority aforeſaid, That from and after the twenty-fourth of *June* one thouſand ſeven hundred and ſixty-two, if any Merchant or Maſter of any Ship or Veſſel, or other Perſon, ſhall cauſe or ſuffer any of the ſaid Liquors, which ſhall be ſhipped for Exportation as Merchandize, to be unſhipped, unladen, or laid on Land, or put into any other Ship or Veſſel within the Kingdom of *Great Britain*, he, ſhe, or they ſhall forfeit the ſame, together with the Caſks and Package containing the ſame, and alſo the Sum of fifty Pounds for every Caſk of ſuch reſpective Liquor he, ſhe, or they ſhall ſo unduly unſhip, unlade, or lay on Land, or put on board any other Ship or Veſſel; which ſaid reſpective Liquors ſo unduly unſhipped, unladen, or laid on Land, or put on board any other Ship or Veſſel, ſhall and may be ſeized by any Officer or Officers of the Cuſtoms or Exciſe.

All Beer, Ale, Cyder, and Mum, which ſhall be re-landed, &c. after being ſhipped for Exportation, is to be forfeited, with 50l. for every Caſk thereof.

Recovery and Application of Penalties.

V. And be it further enacted and declared by the Authority aforeſaid, That all Fines, Penalties, and Forfeitures impoſed by this Act, ſhall be ſued for, levied, recovered, or mitigated by ſuch Ways, Means and Methods, as any Fine, Penalty, or Forfeiture is or may be recovered or mitigated by any Law or Laws of Exciſe, or other Duties, under the Management of the Commiſſioners of Exciſe, or by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, or in the Court of *Exchequer* in *Scotland* reſpectively; and that one Moiety of every ſuch Fine, Penalty or Forfeiture, ſhall be to his Majeſty, his Heirs and Succeſſors, and the other Moiety to him or them who ſhall diſcover, inform, or ſue for the ſame.

General Iſſue.

VI. And be it hereby further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall be ſued, moleſted, or proſecuted for any Thing done by virtue or in purſuance of this Act, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give this Act and the Special Matter in Evidence, in his or their Defence or Defences; and if afterwards a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall diſcontinue his, her, or their Action or Actions, or be nonſuited, or Judgment ſhall be given againſt him, her, or them, upon Demurrer, or otherwiſe; then ſuch Defendant or Defendants ſhall have treble Coſts awarded to him, her, or them, againſt ſuch Plaintiff or Plaintiffs.

Treble Coſts.

CAP.

CAP. XV.

An Act for the better ſupplying the Cities of *London* and *Weſtminſter* with Fiſh, and to reduce the preſent exorbitant Price thereof; and to protect and encourage Fiſhermen.

Laws concerning Fiſh refer to 13 *Ed.* 1. c. 47. 1 *El.* c. 17. 5 *El.* c. 5. 3 *Jac.* 1. c. 12. 30 *Car.* 2. c. 9.

10 & 11 *W.* 3. c. 24 & 25. 4 *Ann.* c. 15. §. 12. 4 & 5 *Ann.* c. 21. 9 *Ann.* c. 26. 1 *Geo.* 1. c. 18. 2 *Geo.* 2. c. 19. 9 *Geo.* 2. c. 33. 23 *Geo.* 2. c. 24. 26 *Geo.* 2. c. 9. 29 *Geo.* 2. c. 23 & 39. 30 *Geo.* 2. c. 21 & 30. 33 *Geo.* 2. c. 27.

Preamble.

'WHEREAS the better ſupplying the Cities of *London* and *Weſtminſter* with Fiſh, and encouraging Fiſhermen and others to employ themſelves in fiſhing on the Sea Coaſts, and in the navigable Rivers, of *Great Britain*, will tend to reduce the preſent exorbitant Price of Fiſh: 'May it therefore pleaſe your Majeſty, that it may be enacted;' And be it enacted by the King's moſt Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, it ſhall be lawful for any Perſon, although not brought up in the Trade of a Fiſhmonger, to buy (ſubject to and under the Reſtrictions herein after contained) at any Market, Sea Coaſt, Creek, Port, Haven, Bank of any River, or Place, in *Great Britain*, any Fiſh in Seaſon, which ſhall not be unſizeable, or under the Dimenſions the ſame reſpectively, by the Laws now in force, are allowed to be ſent to the City of *London*, paying the uſual and accuſtomed Dues at the Places where any ſuch Fiſh ſhall be ſo purchaſed; and afterwards to ſell again all ſuch Fiſh in public or fixed Shops, Stalls, or Houſes in any other Market in *Great Britain*, where Fiſh or Fleſh are or uſually have been ſold, in manner by this Act preſcribed, paying only the uſual Stallage or Market Dues paid at every ſuch Market, without incurring any Penalty or Forfeiture; any Law, Statute, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding.

General Licence to any Perſon, tho' not a Fiſhmonger, to buy at any Market, Sea Coaſt, or River, &c. any Fiſh in Seaſon, and ſizeable; paying the accuſtomed Dues at the Place of Purchaſe; and to ſell the ſame again in any Fiſh or Fleſh Market, paying the uſual Market Dues;

II. Provided always, and be it enacted by the Authority aforeſaid, That nothing herein before contained ſhall extend, or be conſtrued or taken to extend, to permit, impower, or authorize any Perſon or Perſons to ſell, or expoſe to or for Sale, any Fiſh in *Covent Garden* Market, or in any of the Precincts thereof, in the County of *Middleſex*.

Covent Garden Market, and the Precincts thereof, excepted.

III. And be it further enacted by the Authority aforeſaid, That no Fiſh allowed to be bought as aforeſaid, ſhall be ſold again by the firſt Purchaſer thereof, or any of his or her Agents or Servants, before ſuch Fiſh ſhall have been conveyed by Land Carriage, or otherwiſe, to the Cities of *London* or *Weſtminſter*, or ſuch other Places in *Great Britain*, as the Proprietor or Proprietors thereof ſhall think fit, from Time to Time, to conſign the ſame to; under pain that every one who ſhall offend in the Premiſſes ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Pounds, to be recovered and applied in manner herein after mentioned.

Such Fiſh not to be reſold by the firſt Purchaſer, before the ſame ſhall be brought to London or Weſtminſter, or to where conſigned, under Penalty of 20 l.

IV. And be it further enacted by the Authority aforeſaid, That all ſuch Fiſh, allowed to be purchaſed as aforeſaid, ſhall be permitted to be, from Time to Time, ſent and conveyed to the Place or Places to which the Proprietor or Proprietors thereof ſhall think fit to conſign the ſame, without being ſubject or liable to be ſtopped in any City, Market Town or Place, in order to be ſold or expoſed to Sale there, under pretence of any Cuſtom or Uſage whatſoever.

and to be conveyed to the Places conſigned, without being liable to be ſtopped, and expoſed to Sale on the Way.

V. And, for the more expeditious Conveyance of Fiſh by Land Carriage, be it alſo enacted by the Authority aforeſaid, That every Carriage which ſhall be uſed for the Conveyance of ſuch Fiſh as aforeſaid, ſhall only carry Fiſh, allowed to be bought as aforeſaid, therein, with the neceſſary Package and Implements which ſhall belong to ſuch Carriage; and ſhall be marked on the Outſide *Fiſh Machine Only*; and ſhall have the Name or Names, and Place or Places of Abode, of the reſpective Owner or Owners thereof, entered at the Office of the Commiſſioners for licenſing Hackney Coaches; and for every ſuch Entry, only one Shilling ſhall be paid to the Clerk there; and the ſaid Commiſſioners are hereby required to receive every ſuch reſpective Entry, and to cauſe the ſame to be regiſtered in the ſaid Office; and afterwards the reſpective Number of every ſuch reſpective Carriage ſhall be marked on ſome conſpicuous Part of the Outſide thereof, in large Figures, painted, or elſe ſhall be put on Lead or other Metal, and ſhall be fixed in the Front, or on one of the Shafts, or ſome other conſpicuous Part of every ſuch reſpective Carriage; and that no Fiſh Carriage ſhall be deemed or taken to be a Common Stage Waggon, Wain, or Cart: And if any one ſhall neglect to comply with and perform what is herein before directed, touching the marking, regiſtering, numbering, and keeping the Number of every ſuch reſpective Carriage on ſome Part thereof, and ſhall be convicted of any ſuch Neglect, in manner herein after-mentioned, he ſhall forfeit and pay, for every ſuch Neglect, the Sum of forty Shillings; to be levied, recovered, and applied as herein after is directed.

Carriages employed in the Service are to carry Fiſh only, and to be marked on the Outſide, *Fiſh Machine Only*; and are to be entered at the Office for licenſing Hackney Coaches, paying 1 s. for the regiſtering; and numbered, on Penalty of 40 s. and are not liable to be deemed Common Stage Waggons, &c.

VI. And be it further enacted by the Authority aforeſaid, That every ſuch Fiſh Carriage numbered and marked as aforeſaid ſhall be permitted to travel, paſs, or be drawn on any Turnpike Road, by any Number of Horſes in Pairs not exceeding four, or by any ſingle Horſe, or by any Number of Horſes at Length not exceeding three, although the Fellies of the Wheels of any ſuch Fiſh Carriage ſhall not be of the Breadth or Gauge of nine Inches from Side to Side; and that every ſuch Fiſh Carriage ſhall only pay the like Toll, at every Turnpike-gate or Bar through which every ſuch Fiſh Carriage ſhall paſs, as Poſt Chaiſes, or other Chaiſes, drawn by a like Number of Horſes, or by a ſingle Horſe, by the Laws now in force, are ſubject and liable to pay there.

They ſhall be permitted to travel with 4 Horſes in Pairs, or with 1 Horſe; or 3 Horſes in Length; tho' with narrow Wheels; and ſhall only pay the like Toll as Poſt Chaiſes, &c. drawn by a like Number of Horſes;

VII.

and ſhall be allowed to travel on Sundays and Holydays; as ſhall alſo the returned Horſes of ſuch Carriages;

VII. And be it alſo enacted by the Authority aforeſaid, That every ſuch Fiſh Carriage as aforeſaid ſhall be allowed to travel, paſs, and be drawn on *Sundays* and Holydays, on any Road, whether laden or returning empty; and that the Horſe or Horſes which ſhall return from drawing any ſuch Fiſh Carriage, although rode on by any Driver of any ſuch Fiſh Carriage, or drawing back any empty Fiſh Carriage, ſhall alſo be allowed to paſs on *Sundays* and Holydays on any Road, without any Driver of any ſuch Fiſh Carriage, or the Rider on any ſuch Horſe as aforeſaid, incurring any Penalty for ſo travelling therewith.

and neither Carriages or Horſes, if returning empty, ſhall be liable to pay Toll;

VIII. Provided always, and be it enacted by the Authority aforeſaid, That no Toll ſhall at any Time be paid for any ſuch Fiſh Carriage returning without Fiſh, or for any Horſe or Horſes which ſhall draw the ſame back empty, for paſſing on any Turnpike Road, or through any Turnpike-gate or Bar, or for any Horſe or Horſes returning from drawing any ſuch Fiſh Carriage laden as aforeſaid, although ſuch Horſe or Horſes, or any of them, ſhall be rode on by any Driver of any ſuch Fiſh Carriage, and although ſuch Horſe or Horſes ſhall not draw back any ſuch empty Fiſh Carriage.

and if any Game, or other Thing beſides Fiſh, and the neceſſary Implements of the Carriage, be put therein for Conveyance, the Perſon putting in the ſame ſhall forfeit 5 l.

IX. And be it further enacted by the Authority aforeſaid, That if any Perſon ſhall put any Game, or any other Thing except Fiſh as aforeſaid, and the Baſkets and other neceſſary Package in which the ſame ſhall be packed, and the neceſſary Implements of every ſuch Fiſh Carriage, into any ſuch Fiſh Carriage to be conveyed thereby; every Perſon, other than the Driver of any ſuch Fiſh Carriage, who ſhall ſo put any Game, or other Thing than Fiſh, and the Baſkets and other neceſſary Package and Implements as aforeſaid, into any ſuch Fiſh Carriage, and to be thereby conveyed, ſhall, on being convicted thereof in manner herein after mentioned, forfeit and pay for every ſuch Offence the Sum of five Pounds, to be levied, recovered, and applied in manner herein after ſpecified: And if

and if the Driver ſhall take up, or ſuffer any Paſſenger, Game, or other Thing, to be carried therein, he ſhall forfeit 40 s. and on Non-payment, ſhall be committed, and kept to hard Labour, for any Time not exceeding one Month.

the Driver of any ſuch Fiſh Carriage ſhall take up, or ſuffer any Paſſenger, Game, or other Thing except Fiſh, and the Baſkets and other neceſſary Package and Implements as aforeſaid, to be at any Time carried or conveyed in or by any ſuch Fiſh Carriage; every Driver of every ſuch Fiſh Carriage, who ſhall ſo offend in the Premiſſes, and be thereof convicted in manner herein after mentioned, ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Shillings, to be recovered and applied in manner herein after mentioned: And if, on the Conviction of any Driver of any ſuch Fiſh Carriage, the Sum forfeited ſhall not be forthwith paid, the Juſtice or Juſtices before whom any ſuch Driver of any ſuch Fiſh Carriage ſhall be convicted, ſhall, by Warrant under his Hand and Seal, or their Hands and Seals, commit every ſuch Driver of any ſuch Fiſh Carriage, who ſhall be ſo as aforeſaid convicted, to the Houſe of Correction of the County, City, or Place in which the Offence for which any ſuch Driver was convicted, or where any ſuch Driver ſhall be apprehended, there to remain and be kept to hard Labour for any Time not exceeding one Month, as any Juſtice or Juſtices ſhall order, unleſs the Money forfeited ſhall be ſooner paid.

If Bulk ſhall be broke of any Fiſh Carriage conſigned for the London Markets, &c. before being brought within the Bills of Mortality, or Sale made of the Fiſh before they are expoſed in the ſaid Markets, the Offender ſhall forfeit 10 l.

X. And be it further enacted by the Authority aforeſaid, That if the Owner or any other Perſon who ſhall have the Care or Conduct of any ſuch Fiſh Carriage as aforeſaid, which after the paſſing this Act ſhall be loaded with Fiſh as aforeſaid, and conſigned for the Supply of the Cities of *London* or *Weſtminſter*, ſhall break Bulk before the ſame ſhall have been brought within the Weekly Bills of Mortality, or ſell, or expoſe to Sale, any of the Fiſh which ſhall be loaded in any ſuch Fiſh Carriage, before the ſame ſhall have been brought to the Cities of *London* or *Weſtminſter*, or within the Weekly Bills of Mortality, and expoſed there to or for Sale in manner herein after directed, he, ſhe, or they, who ſhall ſo offend in the Premiſſes, ſhall, on being thereof convicted in manner herein after mentioned, forfeit and pay for every ſuch Offence the Sum of ten Pounds, to be levied, recovered, and applied in manner herein after mentioned.

The Fiſh, after being ſo brought up, is to be forthwith ſorted, and expoſed to Sale in ſome publick Market the next Morning, Sundays excepted; and until ſuch Fiſh is ſo expoſed, no Part thereof is to be ſold by Retail, on Penalty of 10 l.

XI. And be it alſo enacted by the Authority aforeſaid, That all Fiſh as aforeſaid which ſhall be brought by Land Carriage to the Cities of *London* or *Weſtminſter*, or to any other Place within the Weekly Bills of Mortality, ſhall, with all convenient Speed after the ſame ſhall be ſo brought there, be ſorted, and, the next Morning at fartheſt after the ſame ſhall be ſo brought there, ſhall be openly and publickly offered and expoſed to Sale in ſome publick Market or Markets within the Weekly Bills of Mortality (except ſuch next Day ſhall happen to be a *Sunday*, and in ſuch Caſe, then on *Monday* Morning next following) and that, until ſuch Fiſh as aforeſaid ſhall be ſo expoſed to Sale in ſome publick Market or Markets as aforeſaid, no Part thereof ſhall be ſold, or offered to or for Sale, by Retail; upon pain that every Perſon who ſhall offend in the Premiſſes, and ſhall be thereof convicted in manner herein after-mentioned, ſhall forfeit and pay, for every ſuch Offence, the Sum of ten Pounds, to be levied, recovered, and applied in manner herein after mentioned.

but Mackrell brought up by ſuch Carriages may be ſold on Sundays.

XII. Provided always, and be it enacted, That nothing in this Act contained ſhall be conſtrued to prohibit the ſelling any Mackrell, which ſhall be brought by any ſuch Fiſh Carriage as aforeſaid, before or after Divine Service on a *Sunday*.

All Contracts made for Fiſh, except for Salmon and Lobſters, are vacated after 1 May 1762, and the Parties diſcharged from the Penalties of their Contracts; and Perſons contracting after the ſaid Time for buying up Fiſh, other than Salmon and Lob-

XIII. And be it likewiſe enacted by the Authority aforeſaid, That all Contracts made by or with any Perſon or Perſons for any Fiſh, except Salmon and Lobſters, from and after the firſt Day of *May* one thouſand ſeven hundred and ſixty-two, ſhall be and are hereby declared to be void, ſo far as the ſame ſhall relate to, or be intended to take Effect at any Time ſubſequent to, the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two; and the Party and Parties to every ſuch Contract and Contracts is and are hereby reſpectively diſcharged from all Penalties and Forfeitures he or they may incur by reaſon of the Non-performance of any ſuch Contract or Contracts: And if, from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, any Perſon or Perſons ſhall enter into or make any Contract or Contracts for buying up any Fiſh, except Salmon and Lobſters,

before the ſame ſhall be firſt brought to an open Market, or ſome uſual Place for the Sale of Fiſh, and before the ſame ſhall be there expoſed in the ordinary Manner, and for the uſual Time Fiſh ſhall be there expoſed for publick Sale, every ſuch Contract and Contracts is and are hereby declared to be abſolutely void, and every Party thereto ſhall forfeit and pay, for every ſuch Contract which he or ſhe ſhall be a Party to, or concerned in, on being convicted thereof in manner herein after-mentioned, the Sum of fifty Pounds, to be recovered, levied, and applied, in manner herein after-mentioned.

ſters, before the ſame ſhall be firſt brought to Market, and duly expoſed to Sale there,

forfeit 50 l. and the Contract is declared void:

XIV. Provided always, and be it alſo enacted by the Authority aforeſaid, That after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, no Contract or Agreement which ſhall be made or entered into for the buying of any Salmon or Lobſters which ſhall be taken in any River, or in any of the Seas, or on any of the Sea Coaſts of *Great Britain*, ſhall be or continue in force for any longer Time than for one Year, to be computed from the Date of every ſuch reſpective Contract or Agreement which ſhall be entered into in Writing; and if not entered into in Writing, then only for one Year, to be computed from the Time of the making or entering into every ſuch Parol Contract or Agreement reſpectively.

And after 1 May 1762, no Contract for Britiſh Salmon and Lobſters ſhall be in force longer than 1 Year;

and the like Rule is to take place with reſpect to any Parol Contracts.

XV. And be it likewiſe enacted by the Authority aforeſaid, That no Perſon or Perſons ſhall, at any Time after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, employ or be employed by any other Perſon or Perſons in buying, or to buy, in or at any Market in the City of *London*, or in the City of *Weſtminſter*, or elſewhere within the Weekly Bills of Mortality, any Fiſh which ſhall be brought there to be ſold, to be divided by Lots or in Shares amongſt any Fiſhmongers or other Perſons, in order to be afterwards put to Sale again, or ſold by Retail; nor ſhall any Fiſhmonger, or other Perſon, at any Time after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, buy in any Market in *London*, or in the ſaid City of *Weſtminſter*, or elſewhere within the Weekly Bills of Mortality, any Fiſh, but what ſhall be for his own Sale or Uſe only; upon pain that every Perſon who ſhall be convicted of any ſuch Offence, in manner hereby directed, ſhall forfeit and pay the Sum of twenty Pounds for every ſuch Offence, to be levied, recovered, and applied in the manner herein after directed.

After 1 May 1762, no Perſon may employ, or be employed in buying at the Markets of London or Weſtminſter, &c. Fiſh brought there for Sale, to be afterwards divided amongſt Fiſhmongers, or others, to be ſold;

nor may any Perſon buy in the ſaid Markets any Fiſh but what ſhall be for his own Sale or Uſe, on Penalty of 20 l.

XVI. And be it further enacted by the Authority aforeſaid, That if any Proprietor of Fiſh, or any Saleſman or Perſon intruſted or employed to ſell any Fiſh in any publick Market, ſhall refuſe to ſell, or ſhall enter into any Agreement or Confederacy not to ſell, to or for the Uſe of any particular Perſon or Perſons, any Fiſh which ſhall be brought or expoſed to or for Sale at or in any ſuch publick Market; then, and in every ſuch Caſe, every Perſon who ſhall ſo offend in the ſaid Premiſſes, and ſhall be thereof convicted in the Manner by this Act directed, ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Pounds, to be levied, recovered, and applied in manner hereby directed.

No Saleſman or other Perſon may refuſe to ſell, or enter into an Agreement not to ſell to or for any particular Perſon's Uſe, any Fiſh expoſed to Sale at a publick Market, on Penalty of 20 l.

XVII. And be it further enacted by the Authority aforeſaid, That all Fiſh of any of the reſpective Sorts herein after ſpecified, which, after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, ſhall be brought for Sale to the Cities of *London* or *Weſtminſter*, or within the Weekly Bills of Mortality, ſhall be openly and publickly expoſed for Sale at the firſt Hand; and ſhall be ſold in no greater Number or Quantity of Fiſh in any one Lot or Parcel, or by any greater Weight of Fiſh in any one Lot or Parcel, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock, or in any other Market within the Weekly Bills of Mortality, than herein after is directed and preſcribed touching the ſame reſpectively; and that every Lot or Parcel of ſuch Fiſh as aforeſaid, ſhall conſiſt only of one Sort of Fiſh, and ſhall not be compoſed of two or more different Sorts of Fiſh; that is to ſay,

And all Fiſh of the reſpective Sorts ſpecified in the Act, brought after 1 May 1762, for Sale to the London Market, ſhall be openly ſold at the firſt Hand, and in no greater Number or Quantity in a Lot than is preſcribed;

and every Lot is to conſiſt of one Sort of Fiſh only.

All freſh Salmon, Sturgeon, large freſh Cod, Skait, Pike, Turbot, Bret, Brill, Pearl, Kingſton, Ling, and Dorys, by the ſingle Fiſh; all Half freſh Cod, not exceeding two in any one Lot; all Quarter freſh Cod, not exceeding four in any one Lot; all Mullets, Cole Fiſh, Salmon Trout, and other Trout, not exceeding two in any one Lot; all ſmall Cod, not exceeding twenty-four in any one Lot; in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding eight in any one Lot:

The Species of Fiſh, and Number and Quantity thereof allowed to be ſold in a Lot at Billingſgate, or other Markets.

All ſmall Pike, not exceeding ſix in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding four in any one Lot:

All large Haddock, not exceeding four in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding two in any one Lot:

All ſmall Haddock, not exceeding twenty-four in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding eight in any one Lot:

All Perch, above ſix Inches long from the Eye to the Fork of the Tail thereof, not exceeding twelve in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding eight in any one Lot:

All Carp, Gurnet, Tench, and Sea Baſs, not exceeding ſix in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding four in any one Lot:

All Thornbacks, not exceeding two in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding one in any one Lot:

All large Soals, not exceeding four Pair in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding two Pair in any one Lot:

All ſmall Soals, not exceeding eight Pair in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding four Pair in any one Lot:

All Mackrell, Whitings, Whiting Pouts, Plaice, Dabbs, Herrings, Pilchards, Garb Fiſh, Flounders and Maids, not exceeding ſixty in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding thirty in any one Lot:

All Smelts, not exceeding fifty-two in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding twenty-ſix in any one Lot:

All Eels, not exceeding twenty Pounds Weight in any one Lot, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding ten Pounds Weight in any one Lot, unleſs any ſingle Fiſh ſhall exceed that Weight:

All large Lobſters and Crabs, not exceeding, of either Sort, in any one Lot, twenty, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding ten of either Sort in any one Lot:

All ſmall Lobſters and Crabs, not exceeding, of either Sort, in any one Lot, forty, in *Billingſgate* Market, or within one hundred and fifty Yards of *Billingſgate* Dock; and, in any other Market within the Weekly Bills of Mortality, not exceeding twenty of either Sort in any one Lot:

None of the ſaid ſeveral Species of Fiſh may be bought or ſold at the firſt Hand in the ſaid Markets in a greater Number or Quantity in a Lot, than is preſcribed, nor more than one Sort of Fiſh in a Lot, be ſold, or offered for Sale, on Penalty of 5 l.

And if any Perſon or Perſons ſhall ſell or buy any of the Fiſh aforeſaid, at the firſt Hand, in any Market or Markets in the City of *London*, or within one hundred and fifty Yards of *Billingſgate* Dock, or in any Market in the City of *Weſtminſter*, or within the Weekly Bills of Mortality, in any Lot or Parcel, containing any greater Number of any Sort of Fiſh as aforeſaid in any ſuch Lot or Parcel, or any greater Weight of Eels in any Lot or Parcel, than is herein before directed and appointed to be ſold in any one Lot or Parcel; or if any one ſhall ſell, or offer for Sale, in any ſuch Lot or Parcel, more than one Sort of any of the Fiſh herein before ſpecified; he, ſhe, or they, who ſhall ſo offend in the Premiſſes, and be convicted of any ſuch Offence in manner herein after mentioned, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, to be levied, recovered, and applied in manner herein after directed.

but a ſmaller Number of any of the ſaid Fiſh, than a Lot conſiſts of, if it contains more than one; and alſo a leſſer Weight of Eels than makes one Lot, may be ſold or expoſed to Sale in the ſaid Markets.

XVIII. Provided always, That, notwithſtanding any Thing herein before contained, it ſhall be lawful for any Perſon to expoſe to or for Sale, and to ſell in *Billingſgate* Market, or in any other Market within the Weekly Bills of Mortality, any of the ſaid herein before-mentioned reſpective Sorts of Fiſh, where more than one is to be contained in any Lot as aforeſaid, in any ſmaller Number; or any Eels by any leſſer Weight than herein before is preſcribed for the ſelling, in any one Lot, any of the ſaid reſpective Sorts of Fiſh herein before ſpecified.

No Fiſh may be ſold again, or expoſed to Sale the ſame Day, in the ſame Market where it was before ſold, on Penalty of 10 l. but the Buyer may ſell the ſame, whilſt ſound and wholeſome, in any other Place.

XIX. And be it further enacted by the Authority aforeſaid, That no Perſon or Perſons, from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, ſhall a ſecond Time ſell or expoſe to or for Sale in *Billingſgate* Market, or within the Space of one hundred and fifty Yards from *Billingſgate* Dock, or in any other Market in the City of *London*, or within the Weekly Bills of Mortality, any Fiſh which, in the ſame Day, ſhall have been before ſold in the ſame Market; but any Buyer of Fiſh in any of the ſaid Markets may ſell the ſame again, while ſound and wholeſome, in any other Place or Places whatſoever, any Law, Cuſtom, or Uſage to the contrary thereof in any wiſe notwithſtanding; upon pain that every one who ſhall offend in the Premiſſes, and ſhall be thereof convicted in manner hereby preſcribed, ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Pounds, to be levied, recovered, and applied in manner herein after mentioned.

Before any Fiſh, to be ſold at the firſt Hand in any of the ſaid Markets, be expoſed to Sale, an Account of the Sorts, and Quantity of each, in large legible Characters, is to be put up at the Fiſh Stand,

the Number of Flounders, Plaice, Dabbs, excepted;

and alſo of Mackrell, Maids, Herrings, and Pilchards; and if any other Fiſh of the Sorts mentioned in the Act be

XX. And be it further enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, no Perſon ſhall ſell, or expoſe to or for Sale, at the firſt Hand, in any Market in the Cities of *London* or *Weſtminſter*, or within the Limits of the Weekly Bills of Mortality, any of the ſeveral Sorts of Fiſh herein before ſpecified, before he, ſhe, or they ſhall have, from Time to Time, firſt placed or put up, in ſome conſpicuous Manner, on or over the Form, Bench, Stall, or Place, at which he or ſhe ſhall intend to offer or expoſe for Sale, or ſhall offer or expoſe for Sale any of ſuch Fiſh in any ſuch Market, a true Particular or Account, and in a large, fair, and legible Character, and either wrote or printed, diſtinguiſhing therein the ſeveral Species or Sorts of all ſuch Fiſh as aforeſaid, and the Quantity of every Sort thereof reſpectively which he, ſhe, or they ſhall then have, or have been intruſted with or employed to ſell in any ſuch Market, except as to the Number of Flounders, Plaice, Dabbs, Mackrell, Maids, Herrings and Pilchards, which ſhall be brought to any ſuch Market for Sale: And if, at any Time of the Morning or Day in which any ſuch Account ſhall have been ſo placed up, and before the Market of that Day ſhall be ended or over, any other Fiſh of the Species or Sorts herein before mentioned, except as before excepted, ſhall be brought or ſent to any ſuch Market as aforeſaid to be ſold, the Perſon who ſhall be employed

employed or intruſted to ſell the ſame, before he or ſhe ſhall ſell, or offer or expoſe to or for Sale, all or any of ſuch other Fiſh, ſhall add a true Account or Particular thereof to the Account before put up, if he or ſhe had before put up any ſuch Account, and if not, ſhall put up ſuch Account thereof as is herein before directed; and the Party or Parties hereby directed to put up ſuch Account and Accounts as aforeſaid, ſhall take care that every ſuch Account and Accounts ſhall continue up, where the ſame ſhall have been firſt placed, until all the Fiſh ſpecified therein ſhall be ſold, or the Market of the Day ſhall be over or ended, without being defaced or obliterated; upon pain that every one who ſhall neglect to put up any ſuch Account, or ſhall not continue up ſuch Account as hereby is directed, during the Time ſuch Account ought to continue up, and ſhall be convicted in manner herein after preſcribed of any ſuch Offence, ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, to be levied, recovered, and applied, in the Manner herein after mentioned; and that every Perſon who ſhall be convicted, in manner herein after directed, of wilfully taking down, defacing, obliterating, or altering, or cauſing to be taken down, defaced, obliterated, or altered, any ſuch Account hereby directed to be placed up as aforeſaid, at any Time whilſt the ſame, according to the Intent of this Act, ought to continue up, ſhall for every ſuch laſt-mentioned Offence, forfeit and pay the Sum of forty Shillings, to be levied, recovered, and applied, in manner herein after-mentioned.

brought for Sale, before the Market of the Day is over, they are likewiſe to be added to the Account, before they are expoſed to Sale; and the ſaid Accounts are to be kept up, undefaced, till all the Fiſh be ſold, or the Market be over;

on Penalty of 5l.

or if any Perſon before ſuch Time ſhall wilfully take down, deface, or alter, the Accounts ſo put up, or cauſe the ſame to be done, he forfeits 40s.

XXI. And be it further enacted by the Authority aforeſaid, That no Fiſherman, Mariner, or other Perſon, who ſhall be employed on Board any Fiſhing Ship, Sloop, Smack, Veſſel, or Boat ſhall, after her Arrival from Fiſhing, wilfully deſtroy, or throw or caſt away any Fiſh, which any ſuch Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, ſhall have brought from Sea, or caught in any navigable River, that is not unwholeſome, periſhed, or unmarketable, except Sprats, which ſhall remain unſold when the Market, to which the ſame ſhall be ſent for Sale, ſhall be ended; and if any ſuch Fiſherman, Mariner, or other Perſon, ſhall offend in the Premiſſes, and be therefore convicted in manner herein after preſcribed, every ſuch Fiſherman, Mariner, or other Perſon, who ſhall be ſo convicted, ſhall be committed to the Houſe of Correction of the County, City, or Place, in which any ſuch Offender ſhall be convicted or apprehended, there to remain and be kept to hard Labour for any Time not exceeding two Months, nor leſs than one Week, as the Juſtice or Juſtices, before whom any ſuch Offender ſhall be convicted, ſhall order.

No Fiſherman, &c. after the Arrival of his Veſſel from Fiſhing, may deſtroy, or caſt away, any of the Fiſh, not being unwholeſome, periſhed, or unmarketable, remaining unſold after Market is over;

on Penalty of being committed, and kept to hard Labour for any Time not exceeding 2 Months, nor leſs than 1 Week.

XXII. And be it alſo enacted by the Authority aforeſaid, That from and after the paſſing of this Act, all and every the Perſon and Perſons within the four Degrees or Deſcriptions herein after ſpecified, who ſhall be employed in the Fiſheries of theſe Kingdoms, ſhall be freed and exempted from being impreſſed into the Service of his Majeſty, his Heirs or Succeſſors, other than and except in the Caſes herein after excepted; that is to ſay, Firſt, every Maſter who ſhall have the Care or Conduct of any Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, which ſhall be employed in the Fiſhery on any of the Sea Coaſts of *Great Britain*, or in any of the navigable Rivers within *Great Britain*; and who, or ſome Owner of which Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, ſhall have, or within ſix Calendar Months before the applying for any Protection, as herein after is allowed, ſhall have had, one or more Apprentice or Apprentices, under the Age of ſixteen Years each, bound to him, or to any ſuch Owner as aforeſaid, for a Term not leſs than five Years; and which Apprentice or Apprentices, in purſuance of ſuch Binding, actually ſhall be, or have been, in the Service of ſuch Maſter or Owner, in the Buſineſs of a Fiſherman: Secondly, Every ſuch Apprentice, not exceeding the Number of four Apprentices to every ſuch Maſter or Owner as aforeſaid of any Fiſhing Ship, Sloop, Smack, or Veſſel, of or above the Burthen of thirty Tuns; and not exceeding the Number of two Apprentices to every ſuch Maſter or Owner as aforeſaid, of any Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, under the ſaid Burthen of thirty Tuns, during the Time every ſuch reſpective Apprentice as aforeſaid ſhall continue as an Apprentice in the actual Service, of ſuch his Maſter only, or of his Repreſentatives or Aſſigns, in the Buſineſs of a Fiſherman, and in no other Service, and until the reſpective Age of twenty Years of every ſuch Apprentice who ſhall ſo long continue in the Fiſhing Trade: Thirdly, One Mariner, beſides the Maſter and his Apprentice or Apprentices as aforeſaid, who ſhall be employed to navigate or fiſh, in any Fiſhing Ship, Sloop, Smack, or Veſſel, of the Burthen of ten Tuns or upwards, on any Parts of the Sea Coaſts of *Great Britain*, during the Time ſuch Mariner ſhall continue and be ſo actually and truly employed in the ſaid Fiſhing Service: And, fourthly, any Landman who ſhall enter on Board any ſuch Fiſhing Ship, Sloop, Smack, or Veſſel, of the Burthen of ten Tuns or upwards, and be actually employed in navigating or fiſhing therein on any Part of the Sea Coaſts of *Great Britain* for and during the Space of two Years, to be computed from the Time of his firſt going to Sea, employed as aforeſaid in any ſuch Fiſhing Ship, Sloop, Smack, or Veſſel, of the Burthen of ten Tuns or upwards, as aforeſaid, and to the End of any Fiſhing Voyage he may then be engaged in, and if he ſhall continue and be ſo long really and truly employed in ſuch Service. Sea Coaſt, during his Continuance in ſuch Service. 4thly, Any Landman entering, and employed on Board ſuch Veſſel, for 2 Years from to the End of the Voyage then engaged in, if he ſo long continue in ſuch Service.

All Perſons coming under the four following Deſcriptions, employed in the Fiſheries of theſe Kingdoms, are exempted from being impreſſed into the King's Service, viz. 1ſt, Maſters of Fiſhing Veſſels, who, either themſelves or their Owners, have, or within 6 Months before applying for a Protection, ſhall have had, one or more Apprentices, under 16 Years of Age, bound for 5 Years, and employed in the Buſineſs of Fiſhing; 2dly, All ſuch Apprentices, not exceeding 4 to every Maſter or Owner of a Fiſhing Veſſel of 30 Tuns Burthen, or upwards; and 2 to every Veſſel under 30 Tuns; during the Time of their Apprenticeſhip, and till the Age of 20 Years, they continuing for the Time in the Buſineſs of Fiſhing only; 3dly, one Mariner, beſides the Maſter and Apprentices, to every Fiſhing Veſſel of 10 Tuns Burthen, or upwards, employed on the high Sea firſt going to Sea, and

XXIII. And to ſecure to the ſeveral Perſons herein before deſcribed, the Benefit intended for them reſpectively by this Act, and to puniſh the Perſons who ſhall act contrary to the true Intent and Meaning hereof, Be it further enacted by the Authority aforeſaid, That on an Affidavit ſworn before ſome Juſtice or Juſtices of the Peace, making out that the Perſon or Perſons named and deſcribed in ſuch Affidavit come, or is or are within ſome or one of the Deſcriptions herein before ſpecified, and inſerting therein the Tunnage of every ſuch Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, and the Port or Place to which ſhe belongs, and the Name and Deſcription of every ſuch Maſter, and the Age of every ſuch Apprentice, and the Term for which every ſuch Apprentice ſhall be bound, and

On Affidavit being made before ſome Juſtice, and laid before the Admiralty, that the Perſons therein named and deſcribed, come within ſome or one of the above Deſcriptions, inſerting the Tunnage of the Veſ-

ſel, and Port ſhe belongs to; the Name and Deſcription of the Maſter; the Age of every ſuch Apprentice, and Term he is bound for, with the Date of his Indenture; and the Name, Age, and Deſcription of every ſuch Mariner and Landman, with the Time of ſuch Landman's firſt going to Sea) the Admiralty ſhall thereupon, unleſs they ſuſpect the Truth of ſuch Affidavit, which in ſuch Caſe they are directed to enquire into) grant, without any Fee, a ſeparate

the Date of his Indenture, and the Name, Age, and Deſcription, of every ſuch Mariner and Landman reſpectively, and the Time of every ſuch Landman's firſt going to Sea, being offered to the Lord High Admiral of *Great Britain*, or to the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or left at the Office of Admiralty, the ſaid Lord High Admiral, or Commiſſioners of the Admiralty for the Time being, is and are hereby directed and required, with all convenient Speed after every ſuch Affidavit ſhall be tendered to him or them, or left at the Admiralty Office (unleſs he or they ſhall have reaſonable Cauſe to ſuſpect the Truth of any ſuch Affidavit, and in every ſuch Caſe he and they is and are hereby directed to cauſe Enquiry to be made into the Truth of the Matters contained in every ſuch Affidavit) from Time to Time, to grant a ſeparate Protection to every ſuch Perſon as aforeſaid reſpectively, during Time he is allowed by this Act to be protected, and without any Fee or Reward to be paid or taken for the ſame; and every Perſon who ſhall be impreſſed contrary to the Intent of this Act, ſhall, on producing the Protection which ſhall have been granted to him in purſuance of this Act to the commanding Officer, who ſhall have in his Cuſtody, or under his Care, any ſuch impreſſed Perſon as aforeſaid, be forthwith diſcharged and releaſed by ſuch commanding Officer.

Protection to every ſuch Perſon; on producing whereof, they are to be forthwith releaſed, if impreſſed.

If any ſuch protected Perſon ſhall be impreſſed, except in the Caſe of Invaſion, or imminent Danger thereof, and on producing, or offering to produce, his Protection, the commanding Officer ſhall not examine, or ſhall withhold ſuch Protection, and not releaſe him; or if, being carried on Board any of the King's Ships, the commanding Officer there ſhall not diſcharge him on ſuch Protection being produced; or if taken away from him, on tendering to him an Affidavit made before ſome Juſtice, that ſuch Protection was granted, and in Force, and was taken away, when he was impreſſed; or if any commanding Officer, or any of the Crew under him, ſhall take away, or detain, ſuch Protection; the Offender in any of the ſaid Caſes, ſhall forfeit 20l. to the Party impreſſed, not being an Apprentice, and if an Apprentice, then to his Maſter.

XXIV. And be it further enacted by the Authority aforeſaid, That if, during the Continuance of any Protection which ſhall be granted under this Act, any Perſon who ſhall be thereby protected ſhall be impreſſed to ſerve his Majeſty, his Heirs, or Succeſſors, other than and except in the caſe of an actual Invaſion of theſe Kingdoms, or imminent Danger thereof, and ſignified by ſome Order of his Majeſty, or his Heirs, or of his or their Privy Council, to the Lord High Admiral, or to the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being; and on producing the Protection which ſhall have been ſo granted to him, to the commanding Officer of the Party or Gang who ſhall impreſs any ſuch Perſon protected as aforeſaid; or if offering to produce the ſame for the Inſpection of ſuch the commanding Officer, any ſuch commanding Officer ſhall refuſe or neglect to ſee or examine ſuch Protection, or ſhall detain the ſame Protection from the Party entitled thereto, and ſhall not forthwith diſcharge the Party who ſhall be ſo impreſſed; or if the Party ſo impreſſed ſhall be carried on Board any Ship or Veſſel of or in the Service of his Majeſty, his Heirs or Succeſſors, and the Captain, or any Officer, who ſhall have the Command on Board any ſuch Ship or Veſſel of or in the Service of his Majeſty, his Heirs, or Succeſſors, ſhall not, on any ſuch Protection granted as aforeſaid being produced or tendered to him; or if ſuch Protection ſhall have been taken away from the Party to whom it was ſo granted, at or after his having been ſo impreſſed; then, if on an Affidavit being made before ſome Juſtice or Juſtices of the Peace that ſuch Protection was ſo granted, and continues in Force, and was taken away from the Party to whom the ſame was ſo granted, either at or after the Time he was impreſſed, and being tendered to the Captain or Officer who ſhall have the Command on Board any ſuch Ship or Veſſel as aforeſaid, ſuch Captain or Officer having the Command as aforeſaid, ſhall not forthwith diſcharge the Party who ſhall have been ſo impreſſed and brought on Shipboard as aforeſaid; or if any Captain or Officer having Command as aforeſaid, or any of the Crew or Company under him, ſhall take away or detain any ſuch Protection granted as aforeſaid; then every Perſon, who in any of the ſaid Caſes ſhall ſo offend, except in the Caſes herein before excepted, ſhall reſpectively forfeit and pay to the Party impreſſed, if not an Apprentice, and if an Apprentice, then to the reſpective Maſter of every ſuch Apprentice, the Sum of twenty Pounds, to be recovered and levied in like manner as other Forfeitures incurred by this Act are herein after directed to be recovered and levied.

The Maſter or Owner of any Fiſhing Veſſel, knowingly harbouring, &c. a Deſerter from the King's Service, forfeits 20l.

XXV. And be it further enacted by the Authority aforeſaid, That if any Maſter or Owner of any ſuch Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, ſhall knowingly harbour, entertain or employ, in any ſuch Fiſhing Ship, Sloop, Smack, Veſſel, or Boat, any Seaman or Landman, who ſhall have deſerted from his Majeſty's Service; every ſuch Maſter or Owner as aforeſaid, on being convicted of any ſuch Offence in manner herein after-mentioned, ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Pounds, to be levied, recovered, and applied, in manner herein after ſpecified.

Juſtices are impowered to hear and determine all Offences committed againſt this Act within their reſpective Juriſdictions; and the Pecuniary Penalties, where the Time is not otherwiſe limited, are to be paid in 24 Hours;

XXVI. And be it further enacted by the Authority aforeſaid, That all Juſtices of the Peace, within their reſpective Juriſdictions, ſhall hear and determine all Offences committed againſt the true Intent of this Act; and that all pecuniary Penalties and Forfeitures inflicted and made payable by this Act, whereof the Time for Payment is not herein before directed, ſhall be paid within twenty-four Hours after the Conviction of the Offender, either by his or her Confeſſion, or by the Oath of one or more credible Witneſs or Witneſſes; which Oath every Juſtice, within his reſpective Juriſdiction, is hereby authorized and required to adminiſter; and that any Juſtice or Juſtices, within his or their reſpective Juriſdiction, may iſſue a Warrant under his Hand and Seal, or their Hands and Seals reſpectively, directed to any Peace Officer within their reſpective Juriſdiction, to levy the ſame by Diſtreſs of the Goods and Chattels of the reſpective Perſon and Perſons who ſhall be ſo convicted, and which ſhall be found within the Juriſdiction of any ſuch Juſtice or Juſtices; and if within five Days from any ſuch Diſtreſs being taken, the Money forfeited ſhall not be paid, together with the Coſts of ſuch Diſtreſs, the Goods ſo diſtrained ſhall be appraiſed and ſold, rendering the Overplus, if any, after deducting the Penalty or Forfeiture, and the Coſts and Charges of the Diſtreſs and Sale, to the Owner or Owners thereof; which Charges ſhall be aſcertained by ſome Juſtice or Juſtices of the County, City, Riding, Diviſion, or Place, in which the Offender or Offenders ſhall have been convicted; and if ſufficient Diſtreſs cannot at any Time be found, whereby the Money which ſhall be forfeited

and may be levied by Diſtreſs and Sale,

together with all Charges, as aſcertained by a Juſtice;

and for Want of ſufficient Diſtreſs,

by

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by any Offender or Offenders againſt this Act (other than the Driver of any Fiſh Carriage as aforeſaid) can be levied on his, her, or their Goods and Chattels, then, and in every ſuch caſe, on Proof thereof upon Oath before ſome Juſtice or Juſtices, within whoſe reſpective Juriſdiction any ſuch Offender or Offenders ſhall reſide or be, ſuch Juſtice or Juſtices ſhall, on the Application of any Proſecutor or Proſecutors of any ſuch Offender or Offenders, iſſue a Warrant under the Hand and Seal, or Hands and Seals, of any ſuch Juſtice or Juſtices, directed to ſome Peace Officer or Officers, to apprehend any ſuch Offender or Offenders, if he, ſhe, or they can be found, and to convey and commit every ſuch Offender and Offenders to the Houſe of Correction of the County, City, or Place, where any ſuch Offender or Offenders ſhall be found and apprehended, there to remain and be kept to hard Labour for any Time not exceeding two Months, as any ſuch Juſtice or Juſtices ſhall order, unleſs the Money which ſhall be forfeited by ſuch Offender or Offenders ſhall be ſooner paid.

(except in the Caſe of the Driver of a Fiſh Carriage)

the Offender, on the Application of the Proſecutor, ſhall be committed to hard Labour, for any Time not exceeding two Months,

unleſs the Forfeiture be ſooner paid.

XXVII. Provided always, and it is hereby enacted, That no Perſon ſhall ſuffer any Puniſhment for any Offence committed againſt this Act, unleſs the Proſecution for the ſame be commenced within three calendar Months after ſuch Offence committed; and that where any Perſon ſhall ſuffer Imprisonment, purſuant to this Act, for any Offence contrary thereto, in default of Payment of any Penalty hereby impoſed, ſuch Perſon ſhall not be liable afterwards to pay ſuch Penalty.

Proſecutions to be commenced within 3 Months after the Offence;

and Perſons ſuffering Imprisonment for any Offence, are not liable to pay the Penalty.

XXVIII. Provided always, and be it enacted by the Authority aforeſaid, That if any Perſon who ſhall contract for Fiſh contrary to the Intent of this Act, ſhall, before Information ſhall be made againſt him for having ſo contracted for the ſame, inform againſt any other Party who ſhall have entered into any ſuch Contract, and the Party or Parties who ſhall be ſo informed againſt ſhall afterwards, on any ſuch Information, be duly convicted of any ſuch Offence in manner herein preſcribed, then, and in every ſuch caſe, the Perſon who ſhall have ſo informed againſt and proſecuted to Conviction any ſuch other Perſon as aforeſaid, ſhall be acquitted and releaſed from all Penalty and Forfeiture which the Party ſo informing had incurred by having entered into, or been a Party to, any ſuch Contract, and ſhall be intitled to and have one Moiety of the Penalty which ſhall be forfeited by reaſon of the Conviction of the Party informed againſt.

Any of the Parties concerned in contracting for Fiſh, contrary to this Act, giving the firſt Information againſt, and convicting others,

is indemnified himſelf,

and intitled to a Moiety of the Penalty.

XXIX. And be it further enacted by the Authority aforeſaid, That if it ſhall be made out, by the Oath of any credible Perſon or Perſons, to the Satisfaction of any Juſtice or Juſtices of the Peace, that any one, within the Juriſdiction of any ſuch Juſtice or Juſtices, is likely to give or offer material Evidence on behalf of the Proſecutor of any Offender or Offenders againſt the true Intent and Meaning of this Act, or on behalf of the Perſon or Perſons accuſed, and will not voluntarily appear before ſuch Juſtice or Juſtices, and be examined, and give his, her, or their Evidence concerning the Premiſſes, every ſuch Juſtice or Juſtices is and are hereby authorized and required to iſſue his or their Summons, to convene every ſuch Witneſs and Witneſſes before any ſuch Juſtice or Juſtices, at ſuch ſeaſonable Time as in ſuch Summons ſhall be fixed; and if any Perſon ſo ſummoned ſhall neglect or refuſe to appear at the Time by ſuch Summons appointed, and no juſt Cauſe ſhall be offered for ſuch Neglect or Refuſal, then, after Proof by Oath of ſuch Summons having been duly ſerved upon the Party or Parties ſo ſummoned, every ſuch Juſtice and Juſtices is and are hereby authorized and required to iſſue his or their Warrant under his Hand and Seal, or their Hands and Seals, to bring every ſuch Witneſs or Witneſſes before any ſuch Juſtice or Juſtices; and, on the Appearance of any ſuch Witneſs or Witneſſes before any ſuch Juſtice or Juſtices, every ſuch Juſtice or Juſtices is and are hereby authorized and impowered to examine, upon Oath, every ſuch Witneſs; and if any ſuch Witneſs on his or her Appearance, or on being brought before ſuch Juſtice or Juſtices, ſhall refuſe to be examined, on Oath, concerning the Premiſſes, without offering any juſt Cauſe for ſuch Refuſal, any ſuch Juſtice or Juſtices, within the Limits of his or their Juriſdiction, may, by Warrant under his Hand and Seal, or their Hands and Seals, commit any Perſon or Perſons ſo refuſing to be examined to the public Priſon of the County, Riding, Diviſion, City, Liberty, or Place, in which the Perſon, or Perſons ſo refuſing to be examined ſhall be, there to remain for any Time not exceeding fourteen Days, nor leſs than three Days, as any ſuch Juſtice or Juſtices ſhall direct.

Evidences may be ſummoned, and examined on Oath, on Behalf of the Proſecutor againſt Offenders;

And on their Non-appearance, without Cauſe ſhewn, or Refuſal, Warrants ſhall be iſſued againſt them;

and on their refuſing to be examined,

may be committed for any Time not exceeding 14 Days, nor leſs than 3.

XXX. And be it alſo enacted by the Authority aforeſaid, That in caſe any Perſon againſt whom a Warrant ſhall be iſſued by any Juſtice or Juſtices of the Peace for any Offence againſt this Act, ſhall go into, reſide, or be, in any other County, Riding, Diviſion, City, Liberty, Town, or Place, out of the Juriſdiction of the Juſtice or Juſtices who ſhall have granted any ſuch Warrant or Warrants as aforeſaid, it ſhall and may be lawful for any Juſtice or Juſtices of the Peace of the County, Riding, Diviſion, City, Liberty, Town or Place, into which ſuch Offender or Offenders againſt this Act ſhall go or be, to indorſe his or their Name or Names on ſuch Warrant (Proof being firſt made, on Oath, of ſuch Warrant having been ſigned by ſuch other Juſtice or Juſtices) and every Warrant ſo indorſed ſhall be ſufficient Authority to all Perſons to execute ſuch Warrant in ſuch other County, Riding, Diviſion, City, Liberty, Town, or Place, out of the Juriſdiction of the Juſtice or Juſtices who firſt granted ſuch Warrant; and every ſuch Juſtice and Juſtices reſpectively, as the Caſe ſhall happen, after indorſing any ſuch Warrant as aforeſaid, may, on the Offender or Offenders therein named being apprehended and brought before any ſuch Juſtice or Juſtices within his or their reſpective Juriſdictions, hear and determine the Matter of the Complaint contained in every ſuch Warrant, in the ſame Manner as if ſuch Complaint had originally aroſe within the Juriſdiction of ſuch Juſtice or Juſtices who ſhall have ſo backed any ſuch Warrant; or may direct the Offender or Offenders to be carried before a Juſtice or Juſtices within whoſe Juriſdiction the Offence was committed, there to be dealt with according to Law.

Offender eſcaping out of the Juriſdiction of the Juſtice granting a Warrant againſt him,

the Juſtice for the County where he ſhall eſcape to, may back ſuch Warrant, Proof being made of the original ſigning thereof;

and may hear and determine the Matter of Complaint,

as if it had originally aroſe within his Juriſdiction;

or he may return the Offender to his original County, to be dealt with according to Law.

XXXI. And

One Moiety of all Forfeitures, not otherwiſe appropriated, ſhall go to the Proſecutor,

and the other to Greenwich Hoſpital.

XXXI. And be it further enacted by the Authority aforeſaid, That one Moiety of all Money which ſhall be forfeited for any Offence which ſhall be committed againſt this Act (and not herein otherwiſe appropriated) ſhall, when recovered, go and be paid to the Perſon or Perſons who ſhall proſecute to Conviction any ſuch Offender or Offenders, and the other Moiety thereof ſhall go and be paid to the Treaſurer of *Greenwich* Hoſpital for the Time being, for the Benefit of the ſame Hoſpital.

Perſons aggrieved by the Order or Determination of any Juſtice, may appeal to the next Quarter Seſſion,

giving 8 Days Notice to the Parties, and Security to proſecute ſuch Appeal with Effect;

and if there be not Time to give ſuch Notice, Appeal may then be made to the the ſubſequent Seſſion; and the Juſtices are then to determine the ſame, and award Coſts; to be levied together with the Money adjudged to be forfeited, by Diſtreſs and Sale, on the Party if Diſtreſs can be found, and if not, then on his Security.

XXXII. Provided alſo, and be it further enacted, That it ſhall be lawful for any Perſon or Perſons who ſhall think him, her, or themſelves aggrieved by any Order or Determination of any Juſtice or Juſtices of the Peace, upon account of any Offence committed, or ſuppoſed to be committed, againſt this Act, to appeal to the General or Quarter Seſſion of the Peace which ſhall be held for the County, City, Riding, Diviſion, or Place, where any ſuch Offence ſhall have been committed, next after the Conviction of any Offender or Offenders for any Offence committed againſt this Act; the Perſon or Perſons ſo appealing firſt giving Security in double the Sum forfeited, before ſuch Juſtice or Juſtices, to proſecute ſuch Appeal with Effect, and to abide by the Order or Orders which ſhall be made on ſuch Appeal, and giving eight Days Notice in Writing of his, her, or their Intention to appeal, to the Party or Parties on whoſe Proſecution any ſuch Conviction ſhall be made, if there ſhall be ſo many Days within the Time of ſuch Conviction and ſuch General or Quarter Seſſion; and, if not, then the Party or Parties who ſhall deem him, her, or themſelves aggrieved by any ſuch Conviction, ſhall and may be at Liberty to appeal to the next General or Quarter Seſſion but one which ſhall be held next after any ſuch Conviction for the County, City, or Place, where any ſuch Conviction ſhall be made; and the Juſtices in their ſaid General or Quarter Seſſion are hereby authorized and required to hear and determine the Matter of every ſuch Appeal, and to make ſuch Order therein, and to award ſuch Coſts, as to them ſhall appear juſt, and to cauſe to be levied, under the Order of any ſuch Seſſion, the Coſts which ſhall be awarded, together with ſuch Money as any ſuch Court of Seſſion, on the hearing of any ſuch Appeal, ſhall adjudge to be forfeited, by Diſtreſs and Sale of the Goods and Chattles of the Perſon or Perſons who ſhall refuſe to pay ſuch Coſts and Money forfeited; and if ſufficient Goods or Chattles of any ſuch Offender or Offenders cannot be met with to ſatisfy ſuch Coſts and Money forfeited, then by Diſtreſs and Sale of the Goods and Chattles of the Perſon or Perſons who ſhall have become Surety or Sureties as aforeſaid for the Party or Parties who ſhall have ſo appealed.

No Order or Proceedings of Juſtices may be vacated for Want of Form; or removed by Certiorari, &c. nor Order of the Court of Seſſion be appealed from.

XXXIII. Provided likewiſe, and be it alſo enacted, That no Order or Proceedings to be made or had by or before any Juſtice of the Peace in relation to the Premiſſes, ſhall be quaſhed or vacated for Want of Form only; and that the Order which ſhall be made in the Premiſſes by the Juſtices at their General or Quarter Seſſion of the Peace as aforeſaid, ſhall be final; and that no Proceedings of any ſuch Juſtice or Juſtices out of Seſſion, or in their ſaid General or Quarter Seſſion, in purſuance of this Act, ſhall be removeable by *Certiorari*, Letters of Advocation or of Suſpenſion, or otherwiſe.

Limitation of Actions.

XXXIV. And be it enacted by the Authority aforeſaid, That if any Action or Suit ſhall be brought or commenced againſt any Perſon or Perſons, for any Thing which ſhall be done in purſuance of this Act, every ſuch Action or Suit ſhall be brought and commenced within the Space of ſix Calendar Months next after any ſuch Cauſe of Action ſhall have accrued, and not afterwards; and ſhall be brought, laid, and tried in the County, City, or Place, in which the Cauſe of Action ſhall have ariſen, and not elſewhere; and that the Defendant and Defendants in every ſuch Action and Suit may

General Iſſue,

plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be commenced within the Time before limited, or ſhall be laid or brought in any other County, City, or Place, than where the Cauſe of Action ſhall have ariſen; then, and in any of ſuch Caſes, the Jury ſhall find a Verdict for the Defendant or Defendants; and upon ſuch Verdict, or if the Plaintiff or Plaintiffs in any ſuch Action or Suit ſhall become nonſuit, or diſcontinue, his, her, or their Action, after the Defendant or Defendants therein ſhall have appeared, or if, on any Demurrer, Judgment ſhall be given for the Defendant or Defendants; then, and in any of the ſaid Caſes, every ſuch Defendant

Treble Coſts,

or Defendants ſhall have and recover treble Coſts, and ſhall be intitled to purſue and take ſuch Remedy for recovering of the ſame, as any Defendant or Defendants hath or have to recover his or their Coſts in other Caſes by Law.

Proviſions in the Act touching the Sale or buying of Fiſh within the Bills of Mortality, and Penalties for Non-obſervance thereof, are extended to the Pariſh of St. Mary le Bone in Middleſex.

XXXV. And be it further enacted by the Authority aforeſaid, That all the Proviſions and Regulations herein before contained and enacted, with reſpect to the Places within the Weekly Bills of Mortality, touching the Sale of buying of Fiſh, and all Penalties for the Non-obſervance thereof, ſhall extend, and be conſtrued to extend, to the Pariſh of Saint *Mary le Bone* in the ſaid County of *Middleſex*, and ſhall in like manner to all Intents and Purpoſes take place, and be in force, with reſpect to the ſaid Pariſh of Saint *Mary le Bone*.

The Prohibitory Clauſes in this Act againſt Contracts, are not to extend to thoſe made, or to be made, with regard to Salt or dried Fiſh, Oyſters, Carp, or Tench.

XXXVI. Provided further, and it is hereby alſo enacted and declared by the Authority aforeſaid, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to make void any Contract already made, or to prevent any Contract from being made, after the ſaid firſt Day of *May* one thouſand ſeven hundred and ſixty-two, by or with any Perſon or Perſons, in regard to Salt or dried Fiſh, Oyſters, Carp, or Tench, or any of them.

XXXVII. Provided always, and it is hereby further enacted and declared by the Authority aforeſaid, That no Juſtice or Juſtices of the Peace ſhall receive any Information againſt any Perſon or Perſons, by reaſon of being a Party to, or concerned in, any Contract for buying up Fiſh to be ſold again contrary to the Intent of this Act; but that all Money which ſhall be payable or forfeited by reaſon of any ſuch Contract being made or entered into, ſhall be recoverable only, together with double Coſts of Suit, by the Perſon who ſhall inform and ſue for the ſame in one of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Wager of Law, or Protection, ſhall be allowed; and one Moiety of the Money ſo forfeited ſhall, when recovered, go and be paid to the Treaſurer of *Greenwich* Hoſpital for the Time being, for the Benefit of the ſame Hoſpital, and the other Moiety thereof to the Perſon or Perſons who ſhall inform for and recover the ſame.

No Information may be received by a Juſtice againſt any Perſon, for being concerned in any Contract for buying up Fiſh to be ſold again contrary to this Act; but the Penalty for entering into ſuch Contract ſhall be recoverable only, with Double Coſt, in one of the Courts at Weſtminſter; one Moiety to go to Greenwich Hoſpital, and the other to the Proſecutor.

CAP. XVI.

An Act for the Encouragement of Seamen, and the more ſpeedy and effectual Manning his Majeſty's Navy.

Preamble.

'WHEREAS the King of *Spain* has lately been induced, without any Provocation on his Majeſty's Part, in effect to declare War againſt his Majeſty; which has neceſſarily engaged his Majeſty in actual War with the ſaid King of *Spain*, in Defence of his Subjects, and the Rights and Poſſeſſions of his Crown: And whereas his Majeſty has been pleaſed to notify the ſame by Proclamation, and a public Declaration thereof, on the ſecond Day of *January* in the Year of our Lord one thouſand ſeven hundred and ſixty-two: Now, for the better carrying on the ſaid War with Vigour; and for the Encouragement of the Officers and Seamen of his Majeſty's Ships of War, and the Officers and Seamen of all other *Britiſh* Ships and Veſſels, having Commiſſions and Letters of Marque, and for inducing all *Britiſh* Seamen who may be in any foreign Service to return into this Kingdom, and become ſerviceable to his Majeſty; and for the more effectual ſecuring and extending the Trade of his Majeſty's Subjects;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Flag Officers, Commanders, and other Officers, Seamen, Marines, and Soldiers, on Board every Ship and Veſſel of War in his Majeſty's Pay, ſhall have the ſole Intereſt and Property of and in all and every Ship, Veſſel, Goods, and Merchandizes, which they ſhall take, from and after the ſecond Day of *January* one thouſand ſeven hundred and ſixty-two, during the Continuance of this War againſt *Spain*, (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty in *Great Britain*, or in his Majeſty's Plantations in *America*, or elſewhere) to be divided in ſuch Proportions, and after ſuch Manner, as his Majeſty, his Heirs, and Succeſſors, ſhall think fit to order and direct by Proclamation or Proclamations hereafter to be iſſued for thoſe Purpoſes.

For former Laws concerning Seamen, refer to 2 R. 2. c. 4. 5 El. c. 5. 7 & 8 W. 3. c. 21. 8 & 9 W. 3. c. 23. 9 & 10 W. 3. c. 41. 2 Ann. c. 6. 4 & 5 Ann. c. 19. 10 Ann. c. 17. 1 Geo. 1. c. 25. 8 Geo. 1. c. 24. 1 Geo. 2. ſt. 2. c. 9. 1 Geo. 2. c. 14. 2 Geo. 2. c. 7 & 36. 6 Geo. 2. c. 25. 8 Geo. 2. c. 29. 11 Geo. 2. c. 30. 13 Geo. 2. c. 3, 4, & 17. 14 Geo. 2. c. 38. 17 Geo. 2. c. 34. 18 Geo. 2. c. 31. 20 Geo. 2. c. 38. 22 Geo. 2. c. 52. 24 Geo. 2. c. 47. 28 Geo. 2. c. 16. 32 Geo. 2. c. 25. 33 Geo. 2. c. 29.

The Officers and Men on Board the King's Ships, are intitled to the ſole Property of ſuch Captures of the Enemy's Veſſels and Effects, during the War with Spain, as ſhall be made after 2 Jan. 1762, and be adjudged lawful Prize; to be divided among them as his Majeſty, by Proclamation, ſhall direct.

II. And be it further enacted by the Authority aforeſaid, That any Ship or Ships, Veſſel or Veſſels, Arms, Ammunition, Stores of War, Goods and Merchandizes whatſoever, with all their Furniture, Tackle, or Apparel, taken, or to be taken, during the preſent War with *Spain*, by or with any private Owner or Owners, Ship or Veſſel, according to any Commiſſion or Letter of Marque to be granted as herein after is directed by the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being, or any three or more of them, or any Perſon or Perſons by him or them impowered and appointed (being firſt adjudged lawful Prize in any of his Majeſty's Courts of Admiralty as aforeſaid) ſhall wholly and entirely belong to, and be divided between and among the Owner and Owners of ſuch Ship or Veſſel, and the ſeveral Perſons who ſhall be on Board the ſame, and be aiding and aſſiſting to the taking thereof, in ſuch Share and Proportions as ſhall be agreed on with the Owner or Owners of ſuch Ship or Veſſel as ſhall be the Captor thereof, their Agents or Factors, as the proper Goods and Chattles of ſuch Owner or Owners, and the Perſons that ſhall be thus intitled thereto by virtue of ſuch Agreements among themſelves; and that neither his Majeſty, his Heirs, or Succeſſors, or any Admiral, Vice Admiral, Governor, or other Perſon commiſſioned by, or claiming under, his Majeſty, his Heirs, or Succeſſors, or any Perſon or Perſons whatſoever, other than the Owner or Owners of ſuch Ship or Veſſel, being the Captain of ſuch Prize Ship or Veſſel, Arms, Ammunition, Stores of War, Goods, and Merchandizes, and the Perſon claiming under him or them, ſhall be intitled to any Part or Share thereof (except as to the Cuſtoms and Duties) any Cuſtom, Statute, or other Law to the contrary notwithſtanding.

And all Veſſels, Arms, Ammunition, Stores of War, Goods, and Merchandizes, taken by private Ships duly licenſed, being firſt adjudged lawful Prize, ſhall belong wholly to the Captors and their Owners, to be divided as by Agreement among themſelves; paying only the accuſtomable Duties.

'III. And whereas by an Act made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the Encouragement of Seamen and the more ſpeedy and effectual Manning his Majeſty's Navy*, ſeveral Proviſions and Regulations were eſtabliſhed for the better carrying on the ſalutary Purpoſes by the ſaid Act intended in the Proſecution of the War againſt *France*: And whereas by another Act made in the thirty-ſecond Year of his ſaid late Majeſty's Reign, intituled, *An Act to explain and amend an Act made in the twenty-ninth Year of his preſent Majeſty's Reign, intituled*, An Act for the Encouragement of Seamen, and the more ſpeedy and effectual Manning his Majeſty's Navy; *and for the better preventing of Pyracies and Robberies by Crews*

The Proviſions and Regulations in Act 29 Geo 2. as explained and amended by Act 32 Geo. 2. c. 25.

of

'*of private Ships of War*; the ſaid Act made in the twenty-ninth Year of the Reign of his ſaid late 'Majeſty was explained and amended, and ſeveral further Proviſions and Regulations were eſtabliſhed 'to continue during the War with *France*;' Be it therefore enacted by the Authority aforeſaid,

reſpecting the granting Commiſſions, or Letters of Marque; the Perſons acting, and the Captures made, under Authority thereof;

That the ſeveral Regulations and Proviſions reſpecting the Grant of Commiſſions or Letters of Marque, the Perſons acting, and the Captures made, under the Authority of ſuch Commiſſions or Letters of Marque, and all other Clauſes, Proviſoes, Matters and Things contained in the ſaid Act made in the twenty-ninth Year of the Reign of his ſaid late Majeſty, as the ſame were explained and amended by the ſaid recited Act of the thirty-ſecond Year of his ſaid late Majeſty's Reign; and alſo all Clauſes, Proviſoes, Matters and Things contained in the ſaid laſt-mentioned Act of the thirty-ſecond Year of the Reign of his ſaid late Majeſty, ſhall extend, and be conſtrued and deemed to extend, to the Grant of Commiſſions or Letters of Marque to the Perſons acting, and the Captures made, under the Authority of ſuch Commiſſions or Letters of Marque, and all other Matters or Things whatſoever in reſpect of the ſame, during the Continuance of the preſent War with *Spain*, as fully, amply, and effectually, to all Intents and Purpoſes, as if the ſame Regulations, Proviſions, Clauſes, Proviſoes, Matters and Things had been particularly repeated and re-enacted in this Act.

and alſo the Clauſes and Proviſoes in the laſt mentioned Act; are extended to the Grant of Commiſſions, or Letters of Marque, &c. under this Act:

And the Proviſions and Regulations in Act 33 Geo. 2. c. 19. reſpecting Prize and Bounty Monies,

IV. And be it further enacted by the Authority aforeſaid, That the ſeveral Proviſions and Regulations reſpecting any Prize or Bounty Monies, contained in an Act of the thirty-third Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for the more effectual ſecuring the Payment of ſuch Prize and Bounty Monies as were appropriated to the Uſe of* Greenwich Hoſpital *by an Act made in the twenty-ninth Year of the Reign of his preſent Majeſty, intituled*, An Act for the Encouragement of Seamen, and the more ſpeedy and effectual manning his Majeſty's Navy, ſhall be in full Force with regard to any Prizes to be made during the Continuance of the preſent War with *Spain*, or any Bounty Money to be paid in reſpect of ſuch Prizes.

are to be in force during the preſent War with Spain.

CAP. XVII.

An Act for Relief of the Vaſſals of the ſeveral Eſtates which are or may be annexed to the Crown, by virtue of an Act paſſed in the twenty-fifth Year of the Reign of his late Majeſty, and for carrying the Purpoſes of the ſaid Act more effectually into Execution; and for enforcing and carrying into Execution ſo much of an Act, paſſed in the firſt Year of the Reign of his preſent Majeſty, as relates to the paying and diſcharging the Wadſetts affecting the Eſtate of *Lovat*.

Preamble, reciting Clauſes in Act 25 Geo. 2. c. 41.

'WHEREAS by an Act made in the twenty-fifth Year of the Reign of his late Majeſty King 'George the Second, intituled, *An Act for annexing certain forfeited Eſtates in* Scotland *to the 'Crown unalienably; and for making Satisfaction to the lawful Creditors thereupon; and to eſtabliſh a 'Method for managing the ſame; and applying the Rents and Profits thereof, for the better civilizing and 'improving the Highlands of* Scotland, *and preventing Diſorders there for the future*; it is, among other 'Things, enacted, That the Lands and Heretages which became forfeited to his late Majeſty by the 'Attainder of *Simon* late Lord *Lovat*; *John Drummond*, taking upon himſelf the Stile or Title of 'Lord *John Drummond*, Brother to *James Drummond*, taking upon himſelf the Title of Duke of '*Perth*; *George* late Earl of *Cromarty*; and *Archibald Mac Donald*, Son of *Coll Mac Donald* of *Barriſ-'dale*; and alſo the Barony of *Strowan*; and all other Lands and Hereditaments which formerly 'belonged to *Alexander Robertſon* of *Strowan*, and became forfeited to the Crown, by Decree or Sen-'tence of Forfeiture paſſed in the Parliament of *Scotland* in the Year one thouſand ſix hundred and 'ninety, ſhall, from and after the twenty-fifth Day of *December* one thouſand ſeven hundred and 'fifty-two, be annexed to the Imperial Crown of this Realm, and ſhall be and remain for ever un-'alienable from the ſame; and it is thereby enacted, That it ſhall be lawful to and for his Majeſty, 'his Heirs and Succeſſors, by Commiſſion under the Privy Seal of *Scotland*, to authorize and impower 'ſuch Perſon or Perſons as his Majeſty, his Heirs and Succeſſors ſhall think fit, from Time to 'Time, to be Commiſſioners and Truſtees for managing the ſaid Eſtates, and applying the Produce 'thereof for the Ends and Purpoſes appointed by the ſaid Act: And whereas his late Majeſty, by his 'Commiſſion dated the twentieth of *March* one thouſand ſeven hundred and fifty-five, did authorize 'and impower the Perſons therein mentioned to be Truſtees and Commiſſioners for managing the 'ſaid annexed Eſtates; and which Commiſſion was paſſed under the Privy Seal of *Scotland* the tenth 'Day of *May* in the ſaid Year one thouſand ſeven hundred and fifty-five; and his preſent Majeſty, 'by his Commiſſion dated the twenty-fifth Day of *July* in the Year one thouſand ſeven hundred and 'ſixty-one, did alſo authorize and impower the Perſons therein named to be Truſtees and Commiſ-'ſioners for managing the ſaid annexed Eſtates; and which Commiſſion alſo was paſſed under the 'Privy Seal of *Scotland* upon the third Day of *Auguſt* in the ſaid Year one thouſand ſeven hundred 'and ſixty-one: And whereas there are many ſmall Vaſſals, who, before the Forfeiture of the ſaid 'Eſtates, held their Lands and other Heretages of the aforeſaid attainted Perſons and their Prede-'ceſſors reſpectively, and who now hold the ſame of his Majeſty, his Heirs and Succeſſors: And 'whereas it would be a very grievous Burden upon the ſaid Vaſſals to make up the Titles and Inſeoft-'ments of their ſeveral Lands, by Precepts from the *Chancery*, or by Charters under the Great Seal

'of

'of *Scotland*, and to be ſubjected to the Expences attending the ſame, as required by Law in Lands 'holden of the Crown;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to his Majeſty, his Heirs and Succeſſors, to authorize and impower the Commiſſioners and Truſtees for managing the ſaid Eſtates, named or to be named by his Majeſty, his Heirs and Succeſſors, in purſuance of the Act above recited, to receive Reſignations, and grant new Charters containing Precepts of *Saſine*, and alſo to grant all other Charters, Precepts of *Clare Conſtat*, and other Writings whatſoever, neceſſary or competent for compleating the Titles of the foreſaid Vaſſals, their Heirs, and ſingular Succeſſors, in their Lands and other Heretages reſpectively, to be holden Feu or Blench of his Majeſty, his Heirs and Succeſſors, in the ſame Way and Manner as the ſaid Lands and Heretages are now holden, or may be holden, of his Majeſty; and which Charters, Precepts of *Saſine*, and Precepts of *Clare Conſtat*, to be granted by ſuch Commiſſioners and Truſtees, are hereby declared to be as valid and effectual to the ſaid Vaſſals, their Heirs, and ſingular Succeſſors, for compleating their Infeoffments in their Lands and Heretages aforeſaid, as if the ſaid Infeoffments had proceeded upon Charters and Precepts under the Seal appointed by the Treaty of Union to be kept in *Scotland*, in place of the Great Seal, or upon Precepts from *Chancery*; any Thing in the Law and Practice of *Scotland* to the contrary notwithſtanding.

The King may impower Commiſſioners and Truſtees nominated for the ſaid forfeited Eſtates, to receive Reſignations, and grant new Charters, &c. for compleating the Titles of the Vaſſals;

and the Charters, &c. ſo granted are declared to be valid;

II. And be it enacted by the Authority aforeſaid, That all ſuch Charters, Precepts of *Seaſine*, and Precepts of *Clare Conſtat*, to be granted by the ſaid Commiſſioners and Truſtees, ſhall, before Delivery thereof to the Vaſſals, be duly entered and recorded in a Book to be kept for that Purpoſe; and that the ſaid Vaſſals ſhall be liable to pay, and be chargeable with the ſame Compoſitions for their Entries, as are in uſe to be paid in the Court of *Exchequer* by his Majeſty's other Vaſſals, to be applied by the ſaid Commiſſioners and Truſtees for the ſame Uſes and Purpoſes as the other Rents, Profits, and Caſualties of the ſaid annexed Eſtates, and ſhall further be liable to pay to the Writer, Agent, or other Officers of the ſaid Commiſſioners and Truſtees, employed in expeding the aforeſaid Titles, ſuch moderate Fees as the ſaid Commiſſioners and Truſtees ſhall aſcertain, by a Table to be made by them for that Purpoſe.

and are to be entered on Record, before Delivery to the Vaſſals,

who are to pay the uſual Compoſitions,

(to be applied to the Purpoſes of the Truſt)

and moderate Fees for expeding the Titles.

III. Provided always, That it ſhall and may be competent to the Vaſſals of the ſaid Eſtates, their Heirs, and ſingular Succeſſors, or any of them, if they ſhall think fit, to make up their Titles to their reſpective Lands, by Precepts from the *Chancery*, or Charters under the Great Seal, in the ſame Way and Manner as is competent to the other Vaſſals of the Crown; and that ſuch Titles only, and no other, ſhall be deemed and taken to be a Freehold Qualification, and to intitle the Vaſſals of the ſaid Eſtates to be inrolled amongſt the Freeholders, and to vote in the Election of a Member to ſerve in Parliament for the County, Shire, or Stewartry where their Lands lie; any Thing in this Act to the contrary notwithſtanding.

The Vaſſals may make up their Titles by Precepts from the Chancery, or Charters under the Great Seal;

which ſhall be deemed a Freehold Qualification, and intitle them to vote in the Election of Members.

'IV. And whereas by the Act of the twenty-fifth Year of his late Majeſty, in part above recited, 'it is provided, That no Perſon ſhall be capable of taking or enjoying, directly or indirectly, any 'Lands or Tenements, other than Mines and Fiſhings, by virtue of any Leaſe or Leaſes to be granted 'by the ſaid Commiſſioners of greater annual Rent than twenty Pounds at the utmoſt: And whereas 'the Reaſon for excepting Mines and Fiſhings from the above Proviſoe, does equally apply to Woods 'and Mills;' Be it enacted by the Authority aforeſaid, That it ſhall and may be lawful to the Commiſſioners and Truſtees named, or to be named, by his Majeſty, his Heirs and Succeſſors, for managing the ſaid Eſtates, to grant Leaſes of Woods and of Mills, with the Milln Lands uſually let with the ſame, for ſuch yearly Rent as can be obtained for the ſame, though exceeding twenty Pounds Sterling; any Thing in the ſaid Act to the contrary notwithſtanding.

Clauſe in Act 25 Geo. 2. c. 41.

The Commiſſioners and Truſtees may grant Leaſes of Woods and Mills, with the Milln Lands uſually let therewith, though the Rent exceed 20 l. per Ann.

'V. And whereas by an Act made in the firſt Year of his preſent Majeſty's Reign, intituled, *An 'Act for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein mentioned; 'and for further appropriating the Supplies granted in this Seſſion of Parliament; and for exempting any 'Annuities or Sums of Money granted or to be granted to the Royal Family, from Payment of Taxes*; certain 'Aids or Supplies granted to his Majeſty, are thereby appropriated for and towards the ſeveral Uſes 'and Purpoſes therein expreſſed; and particularly it is thereby enacted, That out of all or any of the 'Aids or Supplies therein mentioned, there ſhall and may be iſſued and applied any Sum or Sums of 'Money not exceeding thirty-eight thouſand five hundred and fifty-three Pounds twelve Shillings 'and one Penny and three Fourths of a Penny, upon Account, for paying and diſcharging the Debts 'and Wadſet Sums, with the neceſſary Expences attending the Payment of the ſame, claimed and 'ſuſtained upon the Lands and Eſtate which became forfeited to the Crown by the Attainder of 'Simon late Lord *Lovat*, or ſo much of the ſaid Debts and Sums as ſhall be remaining unſatisfied, 'according to the ſeveral Decrees in that Behalf reſpectively made by the Lords of Seſſion in *Scot-'land*, and purſuant to the Act of the twenty-fifth Year of the Reign of his late Majeſty King 'George the Second above recited; and for the better and more eaſy Payment of the ſaid Debts and 'Wadſett Sums, it is thereby enacted, That it ſhall and may be lawful for the Commiſſioners of his 'Majeſty's Treaſury, or any three or more of them, to iſſue, or cauſe to be iſſued, in ſuch Proportions as they ſhall think fit, to either or both of the Banks of *Scotland*, at *Edinburgh*, a Sum not 'exceeding thirty-eight thouſand five hundred and fifty-three Pounds twelve Shillings and one Penny 'three Fourths of a Penny, to be applied in paying and diſcharging the ſaid Debts and Sums, with 'the neceſſary Expence attending the Payment of the ſame; and the ſeveral Creditors, whoſe Claims 'have been ſuſtained upon the ſaid Lands and Eſtates as aforeſaid, are thereby directed and required

Recital of Clauſes in Act 1 Geo. 3. c. 19.

and in Act 25 Geo. 2. c. 41.

'on or before the fifth Day of *July* one thouſand ſeven hundred and ſixty-one, to produce, or cauſe 'to be produced, in his Majeſty's Court of Exchequer in *Scotland*, the Decree or Decrees of the 'Court of Seſſion, ſuſtaining the ſaid Claims; and, upon producing of every ſuch Decree or De-'crees, the Barons of the ſaid Court of Exchequer are thereby impowered and required to make out 'Debentures or Certificates, under their Hands, for the ſeveral Sums of Money which ſhall appear 'to be due by and under the ſaid Decrees reſpectively; and the ſeveral Sums contained in the ſaid 'Debentures or Certificates are directed to be paid, at Sight, by the ſaid Bank or Banks, out of the 'Money aforeſaid, to the Perſon or Perſons intitled by the ſaid Debentures to receive the ſame: Pro-'vided always, That if the Decree or Decrees, ſuſtaining the Claim or Claims of any Creditor or 'Creditors aforeſaid, ſhall not be produced in his Majeſty's ſaid Court of Exchequer, on or before 'the fifth Day of *July* one thouſand ſeven hundred and ſixty-one, as aforeſaid, ſuch Claim or Claims 'ſhall not carry any farther Intereſt after the ſaid firſt Day of *July* one thouſand ſeven hundred and 'ſixty-one: And whereas, in purſuance of the Act laſt above recited, the Sum of thirty-ſeven thou-'ſand three hundred and forty-eight Pounds nine Shillings and five Pence, was iſſued by the Com-'miſſioners of his Majeſty's Treaſury, and lodged in the Royal Bank of *Scotland* at *Edinburgh*, pre-'ceding the ſaid fifth Day of *July* one thouſand ſeven hundred and ſixty-one, for paying and diſ-'charging the Debts and Wadſet Sums aforeſaid, and has, in part, been applied in paying and diſ-'charging the ſeveral Creditors upon the ſaid Eſtate, who produced the Decrees of the Court of Seſ-'ſion, ſuſtaining their ſeveral Claims in the ſaid Court of Exchequer, according to the Directions of 'the aforeſaid Statute: And whereas the Wadſetters upon the ſaid Eſtate whoſe Claims have been 'ſuſtained for their ſeveral Wadſet Sums, by Decrees of the ſaid Court of Seſſion, are in Poſſeſſion 'and Receipt of the Rents and Profits of the Lands wadſetted to them reſpectively, for Payment of 'their ſeveral Wadſett Sums, and cannot be removed from that Poſſeſſion until their Wadſetts are 'redeemed by Payment or Conſignation of their ſeveral Wadſet Sums, according to the Order of 'Redemption preſcribed in their ſeveral Wadſet Rights, whereby the Truſtees and Commiſſioners 'for managing the ſaid annexed Eſtates, are kept out of the Poſſeſſion and Receipt of the Rents and 'Profits of the ſaid Wadſett Lands, and, in the mean Time, the Money provided by Parliament, 'and lodged in the ſaid Bank for diſcharging theſe Wadſets, remains a dead Stock bearing no Intereſt: 'And whereas the proſecuting of ſeparate Declarators of Redemption, and removing againſt each of 'the ſaid Wadſetters, would be attended with great Delay, and unneceſſary Expence to the Pub-'lick;' Be it therefore enacted by the Authority aforeſaid, That one Action of Declarator of Re-demption, containing a Concluſion of removing, may be brought before the Court of Seſſion, in the Name of his Majeſty's Advocate, againſt the whole Wadſetters upon the ſaid Eſtate, which may and ſhall be ſerved againſt the Defendants under the general Deſcription of *The Wadſetters upon the Eſtate of* Lovat, by one edictal Citation upon Oath, thirty Days Notice to be affixed on the Walls of the Inner and Outer Houſe of the ſaid Court of Seſſion, where the Rolls of Cauſes in that Court are uſually affixed, concluding to have it found and declared, That the Lodgement of the Sums aforeſaid in the Royal Bank at *Edinburgh*, for paying and diſcharging their ſeveral Wadſett Sums, is and ſhall be deemed and taken to be a legal and proper Conſignation of their ſeveral Wadſett Sums, to all In-tents and Purpoſes, as if the Order of Redemption preſcribed in their ſeveral Wadſett Rights had been complied with and followed out againſt each of them ſeparately; and that the Lands and other Heretages wadſetted to them reſpectively, ſhall be held, deemed, and taken to be redeemed, and out quit from them, their Heirs and Succeſſors reſpectively; and they and their Tenants, Servants, and other Dependants, be removed from the Poſſeſſion of the ſaid Lands and other Heretages wadſetted to them as aforeſaid, at the reſpective Terms of Removing ſpecified in their ſeveral Wadſett Rights, and Decrees of the Court of Seſſion ſuſtaining their Claims, or at ſuch other Term or Terms as to the ſaid Court ſhall ſeem juſt, ſo as that the ſaid Commiſſioners and Truſtees, and their Tenants, may have free Acceſs to enter to the Poſſeſſion of the ſaid Wadſett Lands in Time coming; and the ſaid Court of Seſſion is hereby authorized and required to proceed in the aforeſaid Action in a ſum-mary Manner, without abiding the Courſe of any Roll, and to give the like Decree or Decrees therein as would have been competent in Law in a ſeparate Action of Declarator and Removing againſt each of the ſaid Wadſetters, proceeding upon the Order of Redemption laid down and preſcribed in their ſeveral Wadſet Rights.

One Action of Declarator of Redemption, containing a Concluſion of removing, may be brought in the Name of the King's Advocate, againſt the whole Wadſetters upon the Eſtate of Lovat, the Lodgement of the Money in the Bank at Edinburgh, for paying off the Wadſett Sums, being deemed a legal Conſignation thereof; and the Lands to be thereupon redeemed, and the Occupiers re-moved,

and the Commiſſioners and Truſtees, and their Tenants, to enter into Poſſeſſion:

The Court to proceed in the ſaid Action in a ſummary Way.

'VI. And whereas it may happen that ſome of the ſaid Wadſetters may not be duly veſted and 'ſeized in the ſaid Wadſett Lands, ſo as to be enabled to diſcharge and renounce their Wadſett Right 'in a habile and proper Manner;' Be it therefore enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for all and every Perſon or Perſons having Right to ſuch Wadſetts, and to the Decrees of the Court of Seſſion ſuſtaining the ſame, to compleat their Titles in the Wadſett Lands reſpectively, by obtaining Charters, Precepts of *Clare Conſtat*, or other Warrants for Infeoff-ment, from the ſaid Commiſſioners and Truſtees, in the ſame Way and Manner, and upon Payment of the ſame Fees, as by this Act is made competent to the Vaſſals of the ſaid annexed Eſtates.

Wadſetters may compleat their Titles, by obtaining Charters, &c. from the Commiſſioners,

paying the uſual Fees;

VII. And be it enacted by the Authority aforeſaid, That upon compleating ſuch Titles, and grant-ing the proper Diſcharges and Renounciations of the ſaid Wadſett Rights, or of any of them, and producing the ſame before the Barons of the ſaid Court of *Exchequer*, together with the Decree or Decrees of the Court of Seſſion ſuſtaining the Claim or Claims of ſuch Wadſetter or Wadſetters, the Barons of the ſaid Court of *Exchequer*, or any three or more of them, ſhall, and they are hereby im-powered and required, to make out Debentures or Certificates for the ſeveral Sums of Money which

and upon compleating the ſame; and granting Diſcharges; and pro-ducing the ſame to the Barons of the Exchequer, with Decrees of the Court ſuſtaining the Claims;

ſhall

ſhall appear to be due by and under the ſaid Decrees reſpectively, in the ſame Form, and to be iſſued, delivered, and paid to the ſaid Wadſetters, or others in their Name, in the ſame Way and Manner as is provided for and directed by the Act above recited, with reſpect to the Payment of the other Creditors upon the ſaid Eſtate; and the ſaid Debentures or Certificates ſhall be to the ſaid Royal Bank at *Edinburgh* ſufficient Diſcharges for ſuch Payment.

the Barons ſhall make out Debentures for the Money due;

which ſhall be Diſcharges to the Bank.

VIII. And be it further enacted by the Authority aforeſaid, That the whole Proviſions of this Act touching the Entry of the Vaſſals of the annexed Eſtates aforeſaid to their reſpective Lands and Heretages, ſhall extend to the Vaſſals of all ſuch other Eſtates as now are, or may be, annexed to the Imperial Crown of this Realm, in purſuance of the aforeſaid Act of the twenty-fifth Year of his late Majeſty's Reign, from and after the Time that ſuch other Eſtates ſhall become ſubject to the Adminiſtration and Management of the Commiſſioners and Truſtees appointed, or to be appointed, by his Majeſty, his Heirs and Succeſſors, in purſuance of the ſaid Act; and that in all Caſes, and ſo often as it ſhall happen, that Proviſion ſhall be made by Parliament for paying and diſcharging the Wadſetts affecting any ſuch other Eſtate which now is, or hereafter may be, annexed to the Crown in purſuance of the aforeſaid Act, the like Action againſt the Wadſetters of each Eſtate reſpectively ſhall be competent to his Majeſty's Advocate, and ſhall proceed in the ſame Form and Manner, and to the ſame Effect; and that the like Method of compleating the Titles of the Wadſetters upon ſuch other Eſtates, and of renouncing and diſcharging the ſame, ſhall be competent to them, and take place in the ſame Form and Manner as herein is above provided with reſpect to the Wadſetters of the Eſtate of *Lovat*.

The Proviſions touching the Entry of the Vaſſals of the ſaid annexed Eſtates, ſhall extend to all ſuch other Eſtates as are, or may be, annexed to the Crown, in purſuance of Act 25 Geo. 2. &c.

and the like Action ſhall be competent, in like Caſes, againſt the Wadſetters of ſuch Eſtates; and they ſhall have like Method of compleating their Titles, and of renouncing the ſame.

CAP. XVIII.

An Act for rendering more effectual an Act made in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for providing a publick Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea*, with regard to the making Experiments of Propoſals made for diſcovering the Longitude.

Preamble, recting Clauſes in Act 12 Anne, ſt. 2. c. 15.

'WHEREAS by an Act of Parliament made in the twelfth Year of the Reign of her late Majeſty Queen *Anne*, intituled, *An Act for providing a publick Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea*, the Commiſſioners therein named, or any five or more of them, have full Power to hear and receive any Propoſal or Propoſals that ſhall be made to them for diſcovering the ſaid Longitude; and in caſe the ſaid Commiſſioners, or any five or more of them, ſhall be ſo far ſatisfied of the Probability of any ſuch Diſcovery, as to think it proper to make Experiment thereof, they ſhall certify the ſame, under their Hands and Seals, to the Commiſſioners of the Navy for the Time being, together with the Perſons Names who are Authors of ſuch Propoſals; and upon producing ſuch Certificate, the ſaid Commiſſioners are thereby authorized and required to make out a Bill or Bills for any ſuch Sum or Sums of Money, not exceeding two thouſand Pounds, as the ſaid Commiſſioners for the Diſcovery of the ſaid Longitude, or any five or more of them, ſhall think neceſſary for making the Experiments, payable by the Treaſurer of the Navy; which Sum or Sums the Treaſurer of the Navy is, by the ſaid Act, required to pay immediately to ſuch Perſon or Perſons as ſhall be appointed by the ſaid Commiſſioners to make thoſe Experiments, out of any Money that ſhall be in his Hands unapplied for the Uſe of the Navy: And whereas, for a due and ſufficient Encouragement to any ſuch Perſon or Perſons as ſhall diſcover a proper Method for finding the ſaid Longitude, it is likewiſe enacted by the ſaid Act, That the firſt Author or Authors, Diſcoverer or Diſcoverers, of any ſuch Method, his or their Executors, Adminiſtrators or Aſſigns, ſhall be intitled to and have ſuch Reward as in the ſaid Act is particularly mentioned: And whereas by another Act of Parliament made in the fourteenth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act for ſurveying the Chief Ports and Head Lands on the Coaſts of* Great Britain *and* Ireland, *and the Iſlands and Plantations thereto belonging, in order to the more exact Determination of the Longitude and Latitude thereof*, it was enacted, That the ſaid Commiſſioners for diſcovering the ſaid Longitude, or any five or more of them, ſhould have full Power to apply ſuch Part of the ſaid Sum of two thouſand Pounds, mentioned in the ſaid firſt recited Act, as had not then been laid out in Experiments, as they ſhould think neceſſary for the making ſuch Survey, and determining the Longitude and Latitude of the Chief Ports and Head Lands on the Coaſts of *Great Britain* and *Ireland*, and the Iſlands and Plantations thereto belonging; and that ſuch Sum or Sums, Part of the ſaid two thouſand Pounds, which the ſaid Commiſſioners, or any five or more of them, ſhould think neceſſary, ſhould be paid immediately by the Treaſurer of the Navy, to ſuch Perſon or Perſons as ſhould be appointed by the ſaid Commiſſioners to make ſuch Survey, and determine ſuch Longitude and Latitude, out of the Money that ſhould be in the Hands of ſuch Treaſurer unapplied for the Uſe of the Navy: And whereas by an Act made in the twenty-ſixth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act to render more effectual an Act made in the twelfth Year of the Reign of her late Majeſty Queen* Anne, *intituled*, An Act for providing a publick Reward for ſuch Perſon or Perſons as ſhall diſcover the Longitude at Sea; with regard to the making Experiments of Propoſals made for diſcovering the Longitude, and to enlarge the Number of Commiſſioners for putting in Execution the ſaid Act, the further Sum of two thouſand Pounds was directed to be applied in ſuch manner

14 Geo. 2. c. 33.

and 26 Geo. 2. c. 25.

'as the Commiſſioners for the Diſcovery of the Longitude ſhould think neceſſary, for making fur-
'ther Experiments: And whereas the ſaid Commiſſioners have, by virtue of the Powers veſted in
'them by the ſaid ſeveral Acts before-mentioned, heard and received ſeveral Propoſals made to them,
'at different Times, for diſcovering the ſaid Longitude, and have accordingly certified the ſame,
'from Time to Time, to the Commiſſioners of the Navy for the Time being, whereupon Bills have
'been made out for ſeveral Sums of Money, amounting, in the Whole, to four thouſand Pounds;
'all which reſpective Sums have been paid to ſeveral Perſons by the Treaſurer of the Navy, purſuant
'to the Directions of the ſaid Acts of Parliament; which the ſaid Commiſſioners, for diſcovering the
'Longitude, thought neceſſary for making the ſaid Experiments: And whereas by reaſon of the
'ſeveral Payments made by the Treaſurer of the Navy to the ſeveral Perſons as aforeſaid, the ſaid
'Commiſſioners have, by virtue of the ſaid Acts of Parliament, expended the Whole of the Sums
'thereby granted for the Purpoſes aforeſaid: And whereas, from the Experiments which have already
'been made in purſuance of the Powers veſted in the ſaid Commiſſioners as aforeſaid, there is great
'Reaſon to expect that, by continuing to encourage ingenious Perſons to invent and make further
'Improvements and Experiments, in order to diſcover the ſaid Longitude, ſuch Diſcoveries may at
'length be produced as will effectually anſwer that End, and thereby contribute very much to the
'Advantage of the Trade and Honour of this Kingdom:' Therefore, for enabling the ſaid Com-

The Commiſſioners conſtituted under the recited Acts, are impowered to hear and receive Propoſals for diſcovering the Longitude at Sea;

miſſioners to cauſe ſuch further Experiments to be made as they ſhall think proper for the Purpoſes aforeſaid, Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid Commiſſioners, conſtituted by the ſaid ſeveral Acts of Parliament before-mentioned for the Diſcovery of the Longitude at Sea, and for examining, trying, and judging of all Propoſals, Experiments, and Improvements relating to the ſame, or any five or more of them, ſhall have full Power to hear and receive any Propoſal or Propoſals that have been, or ſhall hereafter be made to them for diſcovering the ſaid Longitude at Sea; and in caſe the ſaid Commiſ-

and being ſo far ſatisfied of the Probability of any ſuch Propoſal, as to think proper to make Experiment thereof, they are to certify the ſame, with the Authors Names, to the Commiſſioners of the Navy; who are to make out Bills thereupon for any Sum or Sums not exceeding 2,000l. as ſhall be thought neceſſary; to be paid by the Treaſurer of the Navy out of any Money in his Hands unapplied.

ſioners, or any five or more of them, ſhall be ſo far ſatisfied of the Probability of any ſuch Propoſal or Diſcovery, as to think it proper to make Experiment thereof, they ſhall certify the ſame, under their Hands and Seals, to the Commiſſioners of the Navy for the Time being, together with the Perſons Names who ſhall be the Authors of ſuch Propoſals; and, upon producing ſuch Certificate, the ſaid Commiſſioners of the Navy are hereby authorized and required to make out a Bill or Bills for any ſuch Sum or Sums of Money, not exceeding two thouſand Pounds, as the ſaid Commiſſioners for the Diſcovery of the ſaid Longitude, or any five or more of them, ſhall think neceſſary for making any Experiments in purſuance of this Act, or any of the ſaid former Acts above-mentioned, payable by the Treaſurer of the Navy; which Sum or Sums the Treaſurer of the Navy for the Time being is hereby required to pay immediately to ſuch Perſon or Perſons as ſhall be appointed by the Commiſſioners for the Diſcovery of the ſaid Longitude, to make thoſe Experiments, out of any Money that ſhall be in his the ſaid Treaſurer's Hands unapplied for the Uſe of the Navy.

CAP. XIX.

An Act for the better Preſervation of the Game in that Part of *Great Britain* called *England*.

For former Game Laws refer to 13 *R.* 2. *ſ.* 1. *c.* 13. 11 *H.* 7. *c.* 17. 23 *El. c.* 10. 1 *Jac.* 1. *c.* 27. 22 & 23 *Car.* 2. *c.* 2, 5. 4 & 5 *W.* & *M. c.* 23. 5 *Ann. c.* 14. 9 *Ann. c.* 25. 3 *Geo.* 1. *c.* 11. 8 *Geo.* 1. *c.* 19. 10 *Geo.* 2. *c.* 32. 26 *Geo.* 2. *c.* 2. 28 *Geo.* 2. *c.* 12.

Preamble.

'FOR the better Preſervation of the Game in this Kingdom, May it pleaſe your moſt Excel-
'lent Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That no Perſon or Perſons, after the firſt Day of *June* one thouſand ſeven hundred and ſixty-two, ſhall, upon any Pretence whatſoever, take, kill, deſtroy, carry, ſell, buy, or have in his, her, or their Poſſeſſion or Uſe, any Partridge, between the twelfth Day of *February* and the firſt Day of *September*, in any Year; or any Pheaſant, between the firſt Day of *February* and the firſt Day of *October*, in any Year; or any Heath Fowl, commonly called *Black Game*, between the firſt Day of *January* and the twentieth Day of *Auguſt*, in any Year; or any Grouſe, commonly called *Red Game*, between the firſt Day of *December* and the twenty-fifth Day of *July*, in any Year.

After 1 June 1762, no Perſon may take, kill, buy or ſell, or have in his Cuſtody, any Partridge, between 12 Feb. and 1 Sept. or Pheaſant, between 1 Feb. and 1 Oct. or Heath Fowl, between 1 Jan. and 20 Aug. or Grouſe, between 1 Dec. and 25 July, in any Year;

II. Provided always, That nothing in this Act ſhall extend to any Pheaſant which ſhall be taken in the Seaſon allowed by this Act, and kept in any Mew or Breeding Place.

Pheaſants taken in the proper Seaſon, and kept in Mews, or Breeding-places, excepted.

III. Provided alſo, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to that Part of *Great Britain* called *Scotland*.

This Act not to extend to Scotland.

IV. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall tranſgreſs this Act in any of the aforeſaid Caſes, and ſhall be lawfully convicted thereof by the Oath of one or more credible Witneſs or Witneſſes, every ſuch Perſon ſhall, for every Partridge, Pheaſant, Heath Fowl, or Grouſe, ſo taken, killed, deſtroyed, carried, ſold, bought, or found, in his, her, or their Poſſeſſion or Uſe, contrary to the true Intent and Meaning of this Act, forfeit and pay the Sum of five Pounds to the Perſon or Perſons who ſhall inform or ſue for the ſame: And it ſhall and may be lawful to and for any Perſon or Perſons to ſue and proſecute for, and recover, the ſaid Pe-

Perſons offending in any of the Caſes aforeſaid, forfeit 5 l. per Bird, to the Proſecuter,

nalty

nalty of five Pounds, with full Coſts of Suit, by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; and in ſuch Action or Suit, no Eſſoin, Wager of Law, or more than one Imparlance, ſhall be allowed.

To be recovered, with full Coſts, in any of the Courts at Weſtminſter.

'V. And whereas by an Act paſſed in the eighth Year of the Reign of his late Majeſty King 'George the Firſt, intituled, *An Act for the the better Recovery of the Penalties inflicted upon Perſons who 'deſtroy the Game*; it was enacted, That whereſoever any Perſon ſhall, for any Offence to be hereafter committed againſt any Law now in being for the better Preſervation of the Game, be liable or ſubject to any Pecuniary Penalty or Sum of Money, upon Conviction before any Juſtice or Juſtices of the Peace, it ſhall and may be lawful for any other Perſon whatſoever, either to proceed to recover the ſaid Penalty by Information and Conviction, before a Juſtice or Juſtices of the Peace, in ſuch manner as in ſuch Law contained, or to ſue for the ſame by Action of Debt, or on the Caſe, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record: And whereas, a Moiety, or Portion of the ſaid pecuniary Penalty is, by ſeveral Acts of Parliament, directed to be applied to and for the Uſe of the Poor of the Pariſh wherein ſuch Offence ſhall be committed, by reaſon whereof Inhabitants of the ſaid Pariſh have been diſallowed to give Evidence touching ſuch Offences: And whereas Suits by Action of Debt, or on the Caſe, Bill, Plaint, or Information, are often attended with great Coſts and Charges to the Proſecutor, by means whereof the End or Intentions of the ſaid Act have been, in a great meaſure, fruſtrated; for Remedy whereof,' Be it enacted by the Authority aforeſaid, That from and after the paſſing of this Act, it ſhall and may be lawful for any Perſon whatſoever, to ſue for and recover the Whole of ſuch Penalty for his own Uſe, by Action of Debt or on the Caſe, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Wager of Law, or more than one Imparlance ſhall be allowed; and wherein the Plaintiff, if he recovers, ſhall have his double Coſts; and that no Part of the ſaid Penalty, recovered in any ſuch Suit or Action, ſhall be paid or applied to or for the Uſe of the Poor of the Pariſh wherein ſuch Offence ſhall be committed; any Law or Uſage to the contrary notwithſtanding.

Recital of Clauſe in Act 2 Geo. 1. c. 19.

The whole of the pecuniary Penalties under the ſaid Act, may be ſued for, and recovered to the ſole Uſe of the Proſecutor, with double Coſts; and no Part thereof to go to the Uſe of the Poor of the Pariſh.

VI. Provided always, and be it enacted, That no ſuch Action, Suit, Bill, Plaint, or Information, ſhall be brought or exhibited, but within the Space of ſix Months next after the Matter or Thing done, for which the ſame ſhall be commenced or exhibited as aforeſaid.

Proſecutions to be within 6 Months after the Fact committed.

See further 2 *Geo.* 3. *c.* 29.

CAP. XX.

An Act to explain, amend, and reduce into one Act of Parliament, the ſeveral Laws, now in being, relating to the Raiſing, and Training the Militia, within that Part of *Great Britain* called *England*.

For former Laws refer to 1 *Ed.* 3. *ſt.* 2. *c.* 5. 1 *Ed.* 3. *ſt.* 2. *c.* 7. 25 *Ed.* 3. *ſt.* 5. *c.* 8. 4 & 5 *P. & M. c.* 3. 13 & 14 *Car.* 2. *c.* 3. 1 *Geo.* 1. *ſt.* 2. *c.* 34. 9 *Geo.* 1. *c.* 8. 30 *Geo.* 2. *c.* 25. 31 *Geo.* 2. *c.* 26. 32 *Geo.* 2. *c.* 20. 33 *Geo.* 2. *c.* 2, 22 & 24.

'WHEREAS a well regulated Militia has been found to be of great Utility, and is of the 'utmoſt Importance to the internal Defence of this Country: And whereas the Laws now 'in force for the training and regulating thereof, are in ſome reſpects defective;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, his Majeſty, his Heirs, and Succeſſors, may and ſhall iſſue forth Commiſſions of Lieutenancy, for the reſpective Counties, Ridings, and Places, herein after mentioned; and the reſpective Lieutenants thereby appointed ſhall have full Power and Authority, and they are hereby required to call together all ſuch Perſons, and to arm and array them at ſuch Times, and in ſuch Manner, as is herein after expreſſed; and ſuch reſpective Lieutenants ſhall, from Time to Time, conſtitute and appoint ſuch Perſons as they ſhall think fit, qualified as is herein after directed, and living within their reſpective Counties, Ridings, and Places, to be their Deputy Lieutenants; the Names of ſuch Perſons having been firſt preſented to, and approved by, his Majeſty, his Heirs, or Succeſſors; and ſhall, before the Times appointed for holding the third Meetings of the Deputy Lieutenants and Juſtices of Peace within their reſpective Subdiviſions, for chooſing by Lot the Perſons to ſerve in the Militia as herein after mention, appoint a proper Number of Colonels, Lieutenant Colonels, Majors, and other Officers, alſo qualified as is herein after directed, to train and diſcipline the Perſons ſo to be armed and arrayed, according to the Rules, Orders, and Directions herein after provided, and ſhall certify to his Majeſty, his Heirs, or Succeſſors, the Names and Ranks of ſuch Officers, within one Month after they ſhall be ſo appointed; and in caſe his Majeſty, his Heirs, or Succeſſors ſhall, within one Month after ſuch Certificate laid before his Majeſty, his Heirs, or Succeſſors, ſignify his or their Diſapprobation of any Perſon to be ſuch Officer in the Militia, his Majeſty's Lieutenant ſhall not grant a Commiſſion to ſuch Perſon, but ſhall grant Commiſſions to ſuch Perſons ſo appointed, who ſhall not be diſapproved of by his Majeſty, his Heirs, or Succeſſors, as aforeſaid.

Preamble.

Explained and amended by 4 *Geo.* 3. *c.* 17.

The King to iſſue forth Commiſſions of Lieutenancy for the reſpective Counties; the Lord Lieutenants impowered thereupon to to aſſemble and arm the Militia, and appoint Deputy Lieutenants,

being firſt approved of by his Majeſty; and grant Commiſſions to a proper Number of Officers, before the third Meetings of the Deputy Lieutenants, for chooſing the Men by Lot: Their Names to be certified to his Majeſty within a Month after; and if he ſhall ſignify his Diſapprobation of any of them, no Commiſſion is to be granted to ſuch.

II. And be it enacted, That when the Lieutenant of a County, Riding, or Place, ſhall be abſent out of the Kingdom of *Great Britain*, it ſhall and may be lawful for his Majeſty, his Heirs, and Succeſſors, to authorize and appoint three Deputy Lieutenants to grant Commiſſions to Officers ſerving or to ſerve in the Militia for ſuch County, Riding, or Place, upon any Vacancy that ſhall happen

The Lord Lieutenant being abſent out of Great Britain, the King may authorize the Dep. Lieutenants to fill up vacant Commiſſions,

happen during the Abſence of the ſaid Lieutenants; which Commiſſions ſhall be good and valid in like manner as if they had been granted by the Lieutenant himſelf.

Commiſſions of Lieutenancy, Deputations, and other Commiſſions already granted, to ſtand good; if the Parties be duly qualified.

III. Provided always, and be it enacted, That nothing herein contained ſhall be conſtrued to vacate any Commiſſion of Lieutenancy already granted by his Majeſty, nor any Deputations granted to Deputy Lieutenants, nor any Commiſſions granted to Officers; but that the ſame ſhall continue in full Force and Vigour, for the Purpoſes of this Act, ſo as the ſaid Deputy Lieutenants and Officers be qualified as is herein after directed.

Deputation of Dep. Lieutenants, and Officers Commiſſions, not vacated by the Revocation, &c. of the Commiſſion of Lieutenancy.

IV. Provided alſo, and be it enacted, That no Deputation of any Deputy Lieutenant, nor any Commiſſion of any Officer in the Militia, already granted or to be granted by any Lieutenant for any County, Riding, or Place reſpectively, ſhall be vacated by reaſon of the Revocation, Expiration, or Diſcontinuance of the Commiſſion by which ſuch reſpective Lieutenants were or ſhall be appointed.

Lord Lieutenant to have the chief Command of the Militia of the County.

V. And be it enacted, That his Majeſty's Lieutenant of every County, Riding, or Place, ſhall have the chief Command of the Militia thereof which ſhall be raiſed by virtue of this Act: And

Twenty or more Deputy Lieutenants to be appointed for every County, if ſo many can be found qualified.

in every County, Riding, or Place, in *England* (except as is herein after excepted) there ſhall be appointed twenty or more Deputy Lieutenants, if ſo many Perſons qualified as is herein before and after expreſſed, can be therein found; and if twenty Perſons ſo qualified cannot be therein found, then there ſhall be appointed ſo many Perſons as can be therein found: And each Perſon ſo to be appointed a Deputy Lieutenant or Colonel, ſhall be ſeiſed or poſſeſſed, either in Law or Equity, for his own Uſe and Benefit, in Poſſeſſion of a Freehold, Copyhold, or Cuſtomary Eſtate for Life, or for ſome greater Eſtate, or of an Eſtate for ſome long Term of Years, determinable on one or more Life or Lives, in Manors, Meſſuages, Lands, Tenements, or Hereditaments, in *England*, *Wales*, or the Town of *Berwick upon Tweed*, of the yearly Value of four hundred Pounds, or ſhall be Heir apparent of ſome Perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate

Qualification of a Deputy Lieutenant and Colonel 400l. per Ann.

of a Lieutenant Colonel and Major 300l. per Ann.

as aforeſaid, of the yearly Value of eight hundred Pounds: And each Perſon ſo to be appointed a Lieutenant Colonel, or Major, ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of three hundred Pounds; or ſhall be Heir Apparent of ſome Perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of ſix hundred Pounds: And each Perſon ſo to be appointed a Captain, ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two hundred Pounds; or ſhall be Heir Apparent of ſome Perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of four hundred Pounds; or ſhall be a younger Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of ſix hundred Pounds: And that each Perſon ſo to be appointed a Lieutenant ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of one hundred Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two hundred Pounds: And each Perſon ſo to be appointed an Enſign, ſhall be in like manner ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of twenty Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of fifty Pounds: One Moiety of which ſaid Eſtates, required as Qualifications for each Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, and Captain reſpectively, ſhall be ſituate or ariſing within ſuch reſpective County or Riding in which he ſhall be appointed to ſerve.

of a Capt. 200l. per Ann.

Lieut. 100l. per Ann.

and Enſign 20l. per Ann.

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except thoſe of the ſubalternOfficers, to be within the County for which they ſerve.

What ſhall be deemed equal to an Eſtate of 100l. per Annum.

VI. Provided always and be it enacted, That for the Purpoſes of the reſpective Qualifications required by this Act, the immediate Reverſion or Remainder of and in Manors, Meſſuages, Lands, Tenements, or Hereditaments, which are leaſed for one, two, or three Life or Lives, or for any Term of Years determinable upon the Death of one, two, or three Life or Lives, on reſerved Rents, and which are to the Leſſee or Leſſees of the clear yearly Value of three hundred Pounds, ſhall be deemed equal to an Eſtate herein before deſcribed as a Qualification of the yearly Value of one hundred Pounds, and ſo in proportion, be the ſaid Qualification of a greater or leſs Degree.

and ſo in proportion, requiſite to a Qualification.

A Leaſehold Eſtate originally granted for 21 Years, equal in annual Value to what is required for the Qualification of a Deputy Lieutenant and Commiſſion Officer, deemed a ſufficient Qualification.

VII. And be it enacted, That a Perſon poſſeſſed either in Law or Equity, for his own Uſe and Benefit, in Poſſeſſion of an Eſtate for a certain Term originally granted for twenty Years, or more, of an annual Value, over and above all Rents and Charges payable out of or in reſpect of the ſame, equal to the annual Value of ſuch an Eſtate as is required for the Qualification of a Deputy Lieutenant, and Commiſſion Officer of the Militia reſpectively, and ſituate as aforeſaid; ſhall be, and is hereby deemed and declared to be, duly and ſufficiently qualified to act and ſerve under ſuch reſpective Commiſſion.

Five or more Dep. Lieutenants for the Counties of Cumberland, Huntingdon, Monmouth, Weſtmoreland, Rutland, and Principality of Wales.

Qualification of a Dep. Lieutenant or Colonel for thoſe Counties, 500l. per Annum. of a LieutenantColonel, 200l. per Annum.

VIII. And be it enacted, That in the ſeveral Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmoreland*, and *Rutland*, and of every County and Place in the Dominion of *Wales* reſpectively, there ſhall be five or more Deputy Lieutenants appointed (if ſo many Perſons qualified as herein after expreſſed can be therein found) and the Eſtates requiſite for the Qualification of the reſpective Deputy Lieutenants and Officers of the Militia therein, ſhall be as follows; that is to ſay, a Deputy Lieutenant or Colonel ſhall be, in like manner, ſeiſed, or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of three hundred Pounds; or ſhall be Heir Apparent of a Perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of five hundred Pounds: A Lieutenant Colonel, or Major, ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two hundred Pounds; or ſhall be Heir Apparent of a Perſon who ſhall be,

in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of four hundred Pounds: A Captain ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of one hundred and fifty Pounds; or ſhall be Son of a Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of three hundred Pounds: A Lieutenant ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of ſeventy Pounds; or ſhall be Son of a Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two hundred Pounds: An Enſign, ſhall be, in like manner, ſeiſed or poſſeſſed or a like Eſtate as aforeſaid, of the yearly Value of twenty Pounds; or ſhall be Son of a Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of fifty Pounds: One half of all which reſpective Eſtates, except thoſe for the Qualifications of Lieutenants and Enſigns, ſhall be ſituate or ariſing within ſuch reſpective County or Riding, in which ſuch Officers ſhall be reſpectively appointed to ſerve.

Captain 150l. per Ann.

Lieutenant 70l. per Ann.

and Enſign 20l. per Ann.

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except for Lieutenants and Enſigns, to be within the County for which they ſerve.

IX. Provided always, That in ſuch Counties where twenty Perſons cannot be found qualified as aforeſaid, and willing to act as Deputy Lieutenants, it may and ſhall be lawful for his Majeſty's Lieutenant of any ſuch County, and he is hereby required, after having appointed ſo many Perſons as can be found qualified as aforeſaid, to appoint ſuch Number of Perſons to be Deputy Lieutenants as ſhall be requiſite to make up the Number twenty, who ſhall reſpectively be ſeiſed or poſſeſſed of a like Eſtate of the yearly Value of two hundred Pounds, and ſituate as aforeſaid: Provided, That the Perſons ſo appointed ſhall not make the whole Number of Deputy Lieutenants for the ſaid County to exceed the Number of twenty; and every ſuch Perſon ſhall be, and is hereby deemed and declared to be, duly and ſufficiently qualified to act and ſerve under ſuch reſpective Commiſſion.

In thoſe Counties where 20 Dep. Lieutenants cannot be found duly qualified, and willing to act, ſo many with a Qualification of 200l. per Ann. may be appointed, as will make up that Number. The whole Number for ſuch County not to exceed 20.

X. And be it enacted, That the Eſtates requiſite for the Qualification of the Deputy Lieutenants and Officers of the Militia in the Iſle of *Ely*, in the County of *Cambridge*, ſhall be as follows; A Deputy Lieutenant ſhall be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two Hundred Pounds; or ſhall be Heir Apparent of ſome Perſon who ſhall be, in like Manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of four hundred Pounds: A Captain ſhall be in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of one hundred Pounds; or ſhall be Heir Apparent of a Perſon who ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of two hundred Pounds; or ſhall be a younger Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of three hundred Pounds: A Lieutenant ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of fifty Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death was, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of one hundred Pounds: An Enſign ſhall be, in like manner, ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of twenty Pounds; or ſhall be Son of ſome Perſon who ſhall be, or, at the Time of his Death, was, in like manner, ſeiſed and poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of fifty Pounds: One Half of all which Eſtates, except thoſe for the Qualifications of Lieutenants and Enſigns, ſhall be ſituate or ariſing within the ſaid Iſle of *Ely*, or ſome other Part of the County of *Cambridge*.

Qualification of Deputy Lieutenants and Officers for the Iſle of Ely, viz. of a Dep. Lieutenant, 200l. per Ann. of a Captain 100l. per Ann.

Lieutenant 50l. per Ann.

and Enſign 20l. per Ann.

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except for Lieutenants and Enſigns, to be in the Iſle of Ely, or Com. Cambridge.

XI. And be it enacted, That in all Cities or Towns which are Counties within themſelves, and have heretofore been impowered, by Law or antient Uſage, to raiſe and train a ſeparate Militia within their ſeveral Precincts and Liberties, and which are by this Act united with, and made Part of, any County or Counties for the Purpoſes of this Act only; his Majeſty's Lieutenants of ſuch Cities or Towns, or, where there is no Lieutenant appointed by his Majeſty, the chief Magiſtrate of ſuch City or Town ſhall appoint five or more Deputy Lieutenants (if ſo many Perſons qualified as is herein after expreſſed can therein be found) and ſhall alſo appoint Officers of the Militia, whoſe Number and Rank ſhall be proportionable to the Number of Militia Men which ſuch City or Town ſhall raiſe, as their *Quota*, towards the Militia of the County to which ſuch City or Town is, by this Act, united for the Purpoſes aforeſaid; the Qualification of which Officers reſpectively ſhall be as is herein after-mentioned; and all Powers given and Proviſions made by this Act, with reſpect to Counties at large, and the Militia thereof, and the regiſtering the Qualifications of Deputy Lieutenants and Officers, ſhall take place and be in force with reſpect to the ſaid Cities and Towns, and the Militia thereof, and the regiſtering the ſaid Qualifications, except only as to the Particulars herein expreſſed and otherwiſe provided for; that is to ſay, After the Number of Perſons which ſuch City or Town is to furniſh to the Militia ſhall have been appointed, as is herein after directed, by his Majeſty's Lieutenant and the Deputy Lieutenants, or by the Deputy Lieutenants of the County at large, of the Militia whereof the Militia of ſuch City or Town is, by this Act, made a Part; any two or more of the Deputy Lieutenants, within ſuch City or Town, ſhall have and exerciſe all the Powers conferred by this Act on any three Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace of any County at large: And the Value of the reſpective Qualifications of the Deputy Lieutenants and Officers of the Militia of ſuch Cities or Towns, ſhall be as follows; Every Deputy Lieutenant and Field Officer ſhall reſpectively be ſeiſed or poſſeſſed of a like Eſtate as aforeſaid, of the yearly Value of three Hundred Pounds; or ſhall be poſſeſſed of a perſonal Eſtate alone, or ſeiſed or poſſeſſed of real and perſonal Eſtate together, to the Amount or Value of five thouſand Pounds: And the Qualification of a Captain ſhall be a like Eſtate as aforeſaid, of the yearly Value of one hundred

Five or more D. Lieutenants to be appointed for ſuch Cities and Towns as are Counties within themſelves;

and Officers proportionable to the Quota of Men.

All Powers and Proviſions in the Act reſpecting Counties at large, extended to the ſaid Cities and Towns;

except, that after the Number of Men they are to furniſh is appointed,

Two Deputy Lieutenant, may exerciſe all the Powers conferred by the Act on three Deputy Lieutenants, &c.

The Qualification for ſuch Cities and Towns, viz. of a Deputy Lieutenant, and Field Officer, 300l. per Ann.

of a Captain, 150 l. per Ann.

Lieutenant or Enſign, 50 l. per Ann.

A Moiety of the Eſtates requiſite to their ſeveral Qualifications, except for Lieutenants and Enſigns, to be within the ſame, or the County at large to which they are united; and the Militia thereof to join that of the County, and to be exerciſed together with them at the General Exerciſe; and when drawn out and embodied, to be deemed Part thereof.

hundred and fifty Pounds, in Manors, Meſſuages, Lands, Tenements or Hereditaments, or Perſonal Eſtate alone, or ſeiſed or poſſeſſed of Real and Perſonal Eſtate together, to the Amount or Value of two thouſand five hundred Pounds: And the Qualification of a Lieutenant or Enſign ſhall be a like Eſtate as aforeſaid, of the yearly Value of fifty Pounds, in Manors, Meſſuages, Lands, Tenements or Hereditaments, or Perſonal Eſtate alone, to the Amount or Value of ſeven hundred and fifty Pounds: One half of all which Real Eſtates reſpectively (except thoſe for the Qualifications of Lieutenants and Enſigns) ſhall be ſituate or ariſing within ſuch City or Town, or within the County at large to which ſuch City or Town is, by this Act, united for the Purpoſes aforeſaid; and his Majeſty's Lieutenants and the Chief Magiſtrates of ſuch Cities or Towns, being Counties in themſelves, reſpectively, ſhall, and they are hereby required to put the Powers conferred by this Act, for raiſing and training the Militia within ſuch Cities or Towns, into Execution; but the Militia of ſuch Cities and Towns as aforeſaid being, by this Act, declared to be Part of the Militia of the Counties to which ſuch Cities and Towns are united for the Purpoſes aforeſaid, the Militia of ſuch Cities or Towns ſhall join the Militia of the County to which ſuch Cities or Towns are ſo united for the Purpoſes aforeſaid; and the whole Militia ſo joined together, ſhall be exerciſed together at the General Exerciſe, and ſhall then, and alſo when drawn out and embodied, be deemed the Militia of the County to which ſuch Cities or Towns are united for the Purpoſes aforeſaid.

Officers may be promoted for their Military Merit in Time of actual Invaſion, or Rebellion, though they want a proper Qualification; but none to be promoted higher than a Captain, who want a Qualification for that Rank.

XII. And be it enacted, That when any Regiment or Battalion of Militia ſhall be drawn out and embodied, his Majeſty's Lieutenant of the County, Riding, or Place, for which ſuch Regiment or Battalion ſhall ſerve, may, upon account of Military Merit ſhewn in Time of actual Invaſion or actual Rebellion, promote any Officer therein from a lower to a higher Commiſſion, incluſive of that of Lieutenant Colonel, notwithſtanding he ſhould not have the Qualifications requiſite for his firſt Admittance into ſuch higher Rank in ſuch Regiment or Battalion: Provided, That no Perſons not having the Qualification herein before directed for a Captain, ſhall be promoted to an higher Rank than that of Captain.

Recited Qualifications not to extend to Commiſſions granted by the Conſtable of the Tower, or Lieut. of the Tower Hamlets.

XIII. And be it enacted, That the Qualifications above recited to enable any Perſon to be a Deputy Lieutenant, Lieutenant Colonel, Major, Captain, Lieutenant, or Enſign, ſhall not extend to ſuch Commiſſions as ſhall be granted by his Majeſty's Conſtable of the Tower, or Lieutenant of the Tower Hamlets.

Dep. Lieuts. and Officers may be diſplaced at the King's Pleaſure; and others to be appointed in their Room.

XIV. And be it enacted, That his Majeſty, his Heirs and Succeſſors, ſhall, from Time to Time, as he and they ſhall think fit, ſignify his and their Pleaſure to his and their Lieutenants of any County, Riding or Place, to diſplace all or any ſuch Deputy Lieutenants and Officers; and thereupon his Majeſty's reſpective Lieutenants ſhall appoint others within the ſame County, Riding or Place, under the like Qualifications, to ſerve in their Stead.

Qualifications to be ſigned, and left with the Clerk of the Peace to be inrolled, before they preſume to act; and they are to take the Oaths appointed by Act 1 Geo. 1. c. 13.

XV. And be it enacted, That no Deputy Lieutenant or Commiſſion Officer in the Militia ſhall act as ſuch, until he ſhall have left with the Clerk of the Peace of the County, Riding or Place, in and for which he ſhall be ſo appointed, his Qualification in Writing, ſigned by himſelf; and ſuch Clerk of the Peace is hereby required to enter the ſame upon a Roll to be kept for that Purpoſe: And every Deputy Lieutenant and Commiſſion Officer not having already taken and ſubſcribed the Oaths, and made, repeated, and ſubſcribed the Declaration, as required by the ſaid former Acts relating to the Militia, ſhall, at ſome General Quarter Seſſions, or in one of his Majeſty's Courts of Record at *Weſtminſter*, within ſix Months after he ſhall have accepted his Commiſſion, take the Oaths in and by an Act paſſed in the firſt Year of the Reign of his Majeſty King *George* the Firſt, intituled, *An Act for the further Security of his Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* Sophia, *being Proteſtants, and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and his open and ſecret Abettors*, appointed to be taken, and ſhall alſo make, repeat, and ſubſcribe the Declaration in the ſaid Act directed to be made, repeated, and ſubſcribed by all Officers Civil and Military.

and make and ſubſcribe the Declaration therein appointed.

Dep. Lieuts. and other Field Officers, acting, not being qualified, or not complying with the above Regulations, forfeit 200 l.

and Captains and Subalterns 100 l.

to be recovered in any of the Courts at Weſtminſter; one Moiety thereof to go to the Proſecutor.

XVI. And be it enacted, That if any Perſon ſhall execute any of the Powers hereby conferred on Deputy Lieutenants, Colonels, Lieutenant Colonels, or Majors (not being qualified as aforeſaid) or ſhall not deliver in ſuch Qualification, and take the Oaths, and make, repeat, and ſubſcribe the Declaration aforeſaid, as is herein before required, every ſuch Perſon ſhall forfeit and pay the Sum of two hundred Pounds: And if any Perſon ſhall execute any of the Powers hereby conferred on Captains, Lieutenants, or Enſigns (not being qualified as aforeſaid) and ſhall not deliver in ſuch Qualification, and take the Oaths, and make, repeat, and ſubſcribe the Declaration aforeſaid, as is herein before required, every ſuch Perſon ſhall forfeit and pay the Sum of one hundred Pounds: Such ſeveral Penalties to be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Wager of Law or Protection, or more than one Imparlance ſhall be allowed; one Moiety whereof ſhall go to the Uſe of the Perſon who ſhall ſue for the ſame, and the other Moiety to the Uſes herein after directed.

Proof of Qualification in all Suits to lie on the Defendant.

XVII. And be it enacted, That in every Action, Suit, or Information brought againſt any Perſon for acting as a Deputy Lieutenant, Colonel, Lieutenant Colonel, Major, Captain, Lieutenant, or Enſign, not being qualified as herein before is directed, the Proof of his Qualification ſhall lie upon the Perſon againſt whom the ſame is brought.

Peers, and Heirs Apparent of Peers, may be appointed Dep. Lieutenants or Commiſſion Officers for the County where

XVIII. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to reſtrain his Majeſty's Lieutenant of any County, Riding or Place, from appointing any Peer of this Realm, or Heir Apparent of any ſuch Peer, to be a Deputy Lieutenant, or Commiſſion Officer in the Militia, within the County, Riding, or Place wherein ſuch Peer, or Heir Apparent

Apparent of ſuch Peer, ſhall reſpectively have ſome Place of Reſidence; or to oblige any Peer of this Realm, or Heir Apparent of ſuch Peer (ſo appointed a Deputy Lieutenant or Commiſſion Officer reſpectively) to leave with the Clerk of the Peace for the County, Riding, or Place for which he ſhall be appointed, any Qualification in Writing as aforeſaid; but it ſhall be lawful for every Peer of this Realm, or Heir Apparent of ſuch Peer, ſo appointed, and taking the Oaths, and making, repeating, and ſubſcribing the Declaration aforeſaid, to act as a Deputy Lieutenant or Commiſſion Officer reſpectively, although he ſhall not be ſeiſed or poſſeſſed of any ſuch Eſtate, in Manors, Meſſuages, Lands, Tenements or Hereditaments, as is required by this Act.

they reſide; and their Qualification not neceſſary to be left with the Clerk of the Peace; but on taking the Oaths, &c. they may act without being otherwiſe qualified.

XIX. Provided alſo, and be it enacted, That the Acceptance of a Commiſſion in the Militia ſhall not vacate the Seat of any Member returned to ſerve in Parliament.

Acceptance of a Commiſſion does not vacate a Seat in Parliament.

XX. And be it further enacted by the Authority aforeſaid, That in every County where the Militia ſhall not be raiſed, the Lord Lieutenant of ſuch County ſhall, within one Month before the General Quarter Seſſions to be held at *Chriſtmas*, and within one Month before the General Quarter Seſſions to be held next after *Midſummer*, in every Year, cauſe Advertiſement to be publiſhed in the *London Gazette*, and the News Paper of ſuch County, ſignifying the Want of Officers; and all Perſons qualified to ſerve as Officers, and willing ſo to do, ſhall at any Time return their Names and Intention to the Lord Lieutenant, or, in his Abſence, to any General Quarter Seſſions for the County in which they propoſe to ſerve.

Where the Militia is not raiſed, the Ld. Lieut. is to adverti'e the Want of Officers, a Month before the Q. Seſſions at Chriſtmas and Midſummer reſpectively; and Perſons qualified, and willing to ſerve, are thereupon to return their Names, &c.

'XXI. And whereas in ſeveral Counties and Places the Militia have not been raiſed in ſuch manner as was authorized by an Act made in the thirtieth Year of the Reign of his late Majeſty King *George* the Second, and ſeveral ſubſequent Acts, relative to the Raiſing of the Militia Forces, by reaſon that a ſufficient Number of Perſons, qualified to act as Officers in the Militia, did not tender themſelves to accept Commiſſions in that Service;' Be it therefore enacted by the Authority aforeſaid, That in all Counties and Places where the Militia have not been raiſed by virtue and in purſuance of the ſaid former Acts, and where it ſhall not be raiſed by virtue and in purſuance of this Act, the Sum of five Pounds ſhall be annually paid for and in lieu of every Private Militia Man herein mentioned to be raiſed within the ſame; and that his Majeſty's Lieutenant of every ſuch County and Place reſpectively, or any three or more Deputy Lieutenants, at the Expiration of every Year in which the Militia for ſuch County and Place ſhall not have been raiſed from and after the paſſing of this Act, ſhall, from Year to Year, certify the ſame in Writing under his or their Hands, and alſo the whole Amount of the ſeveral Sums of five Pounds *per* Man to be raiſed on ſuch County as aforeſaid, to the Juſtices of the Peace at their General or Quarter Seſſions next held after the full End and Accompliſhment of the ſaid Year for ſuch reſpective County or Place; and the Juſtices of the Peace, ſo aſſembled at ſuch General or Quarter Seſſions, where ſuch Certificate ſhall be produced, ſhall forthwith rate and aſſeſs on the ſaid County the Sum and Sums mentioned in ſuch Certificate: And ſuch Sum and Sums ſhall be rated and aſſeſſed in ſuch and the ſame Manner, and according to ſuch and the ſame Proportions, upon every Town, Pariſh, and Place within the ſaid County, and be collected, received, levied and paid, and be accounted for by the Perſons making ſuch Collections, in ſuch Manner and by ſuch Means, with ſuch Powers of Diſtreſs, and other Remedies for enforcing the Collection and Payment thereof, and for puniſhing all Perſons whoſe Duty it ſhall be to collect or account for the ſame, and ſhall make Default therein, as the County Rates have been uſually, or may, by an Act made in the twelfth Year of the Reign of his late Majeſty, intituled, *An Act for the more eaſy aſſeſſing, collecting, and levying of County Rates*, or by any other Act or Acts of Parliament, be aſſeſſed, collected, received, levied, paid, and accounted for, within the ſaid County: And ſuch Rates or Aſſeſſments, when received, ſhall be, from Time to Time, paid by the Treaſurer or Treaſurers of ſuch Counties to the Receivers General thereof; and the Receipt of ſuch Receiver General ſhall be a full and ſufficient Diſcharge to ſuch Treaſurer or Treaſurers for the Payment of ſuch Monies.

Where the Militia has not been raiſed in purſuance of the Act of 30 Geo. 2. and other ſubſequent Acts relating thereto, or ſhall not be raiſed in purſuance of this Act, 5 l. per Man, annually, is to be paid by every ſuch County, &c. and Certificates thereof, and of the Sums thereupon due, are to be returned at the End of the next Year to the Q. Seſſions; and the Juſtices are forthwith to rate and aſſeſs the Sums ſo certified, in like manner as County Rates,

by Act 12 Geo. 2. may be rated and aſſeſſed, &c.

and the Treaſurer of the County is to pay over the ſame to the Receiver General.

XXII. Provided always, That the Rates or Aſſeſſments which ſhall be made by ſuch Juſtices of the Peace at the ſaid General or Quarter Seſſions in purſuance of this Act, ſhall be made, aſſeſſed, collected, received, levied and paid, ſeparately and diſtinctly from all the other County Rates aſſeſſed and raiſed upon and within the ſaid County; any Thing in the ſaid Act made in the twelfth Year of his late Majeſty's Reign, or any other Act or Acts of Parliament, or any Cuſtom or Uſage, to the contrary notwithſtanding.

The ſaid Rates to be made, levied, and paid, diſtinctly from all other County Rates.

XXIII. And be it further enacted by the Authority aforeſaid, That the ſeveral and reſpective Parochial Officers, or other Perſons, who ſhall pay or be liable to pay the Rates or Aſſeſſments, which ſhall be made and rated for the Purpoſe of this Act, upon any Pariſh, Town and Place; and alſo all ſuch Parochial Officers and Perſons, upon whom any ſuch Rate or Aſſeſſment ſhall be levied, ſhall and may, from Time to Time, after Notice ſhall be given of the Amount of the Rate or Aſſeſſment, upon ſuch Town, Pariſh or Place, either before the Payment thereof by ſuch Parochial Officers or Perſons, or after the ſame ſhall have been actually paid by or levied upon ſuch Officers or Perſons, rate and levy ſuch Monies, by a ſeparate and diſtinct Rate and Aſſeſſment, upon every ſuch reſpective Town, Pariſh or Place, in ſuch Manner and Proportion, and with ſuch Powers for Recovery thereof, as any other County Rate may be aſſeſſed or levied: And that every Tenant or Occupier of any Houſe, Land, Tythe, Tenement or Hereditament, who ſhall pay any Rate or Aſſeſſment to be made in purſuance of this Act by ſuch reſpective Parochial Officers or Perſons, within any ſuch Town, Pariſh or Place, or upon whom any ſuch Rate or Aſſeſſment ſhall be levied, ſhall and may deduct the ſame out of his or her Rent, and ſhall be acquitted and diſcharged for ſo much Money as ſuch Rates

After Notice given of the Amount of the Rates, the Parochial Officers, &c. are to rate and levy the Monies by a diſtinct Rate and Aſſeſſment upon the reſpective Towns, Pariſhes and Places;

and Tenants and Occupiers paying the ſame, are to be allowed what they ſhall ſo pay in their Rent.

or Aſſeſſments ſhall, from Time to Time, amount unto, as fully and effectually as if ſuch Money had been actually paid to the Perſon or Perſons to whom ſuch Rent is or ſhall be payable; and ſuch Perſon or Perſons is and are hereby required to allow, from Time to Time, ſuch Deductions, upon Receipt of the Reſidue of the Rent.

Agreement between Landlord and Tenant not waived, where the Eſtate leaſed is not let at Rack Rent; and Landlord to allow only in proportion to the Rent he receives.

XXIV. Provided always, That nothing herein before contained, ſhall vacate any Covenant or Agreement contained in any Leaſe between Landlord and Tenant, where the Eſtate leaſed is not let at Rack Rent; and that no Landlord of any Eſtate which ſhall not be let at Rack Rent, ſhall be obliged or compellable to allow to any Tenant any Money which he or ſhe ſhall pay towards any County Rate, which ſhall be made in purſuance of this Act, but in proportion only to the Rent ſuch Landlord ſhall receive from his Tenant.

Where the Militia for any County, together with any City or Town being a County of itſelf, is not raiſed, the Sum of 5 l. per Man is to be apportioned between them, in ſuch Proportion as their reſpective Quotas to the Land Tax bear to each other; but if an Apportionment of the Men ſhall have been made, the ſaid Sum is to be borne by them in ſuch Proportion as the Numbers of Men to be raiſed by them

XXV. Provided always, and be it enacted, That in all Caſes where a certain Number of Private Militia Men are directed to be raiſed for any County, together with any City or Town being a County of itſelf, and the Militia has not been or ſhall not be raiſed for ſuch County, and City or Town, the Payment of the ſaid Sum of five Pounds *per* Man, upon the whole Number of Private Militia Men ſo directed to be raiſed as aforeſaid, ſhall be divided and apportioned between ſuch County, and ſuch City or Town being a County of itſelf, in ſuch Proportion as the reſpective *Quotas* paid to the Land Tax by the ſaid County, and by the ſaid City and Town being a County of itſelf, bear to each other; unleſs an Apportionment of the ſaid Number of Private Militia Men ſhall actually have been made in purſuance of the Liſts directed to be returned by the ſaid former Acts, or by this preſent Act, in which Caſe the ſaid Sum of five Pounds *per* Man ſhall be borne by ſuch County, and by ſuch City or Town being a County of itſelf, in ſuch Proportion as the reſpective Numbers of Men ſo apportioned to be raiſed by ſuch County, and by ſuch City or Town, bear to each other.

reſpectively bear to each other.

Receiver General to pay over the ſaid County Rates, together with the Land Tax, into the Exchequer, diſtinguiſhing the Monies payable on this Act; the ſame to be kept ſeparately, and paid over by the Treaſury to the Treaſurers of ſuch Counties as ſhall have raiſed their Militia, in proportion to their Number of Men, to be made Part of the County Stock. No Deduction to be made from the Monies ſo paid into the Exchequer.

XXVI. And be it further enacted by the Authority aforeſaid, That the Receiver General of the Land Tax for ſuch reſpective Counties or Places, to whom ſuch Money ſhall be paid by the Treaſurer or Treaſurers of ſuch Counties as aforeſaid, ſhall pay the ſame, together with the Monies ariſing from the Land Tax in ſuch County, into the Receipt of his Majeſty's Exchequer at *Weſtminſter*, and diſtinguiſh upon every ſuch Payment the Monies received by virtue of this Act; and the Monies ſo paid into the Receipt of his Majeſty's Exchequer ſhall be kept ſeparate and apart from all other Monies, and ſhall be paid by the Lord High Treaſurer, or by the Commiſſioners for executing the Office of Lord High Treaſurer, or any three or more of them, for the Time being, to the Treaſurers of ſuch Counties as have raiſed or ſhall raiſe their Militia, in proportion to the Number of Men raiſed or to be raiſed by each County reſpectively, to be by them made Part of the County Stock; and the Lord High Treaſurer, or the Commiſſioners for executing the Office of Lord High Treaſurer for the Time being, or any three or more of them, are hereby impowered and required to apportion and iſſue the ſaid Money ſo received accordingly; and no Allowance or Deduction ſhall be made from or out of the ſaid Sums of Money ſo paid into the Exchequer on any Account whatſoever.

Where the Militia of any County, &c. ſhall be raiſed as this Act directs, ſuch County is to be exonerated from Payment of the ſaid Sums.

XXVII. Provided nevertheleſs, That if the Militia ſhall be raiſed in the Manner appointed by virtue of this Act, for all or any of the ſaid Counties or Places, ſuch reſpective Counties and Places ſhall, during the Time the Militia are ſo raiſed, be exonerated, freed, and diſcharged from the Payment of the ſaid Sums, and the Aſſeſſments to be made in reſpect thereof ſhall, during ſuch Time, be ſuſpended; any Thing herein contained to the contrary notwithſtanding.

Ld. Lieutenant may act as Colonel to any Regiment, &c. for which no Colonel is appointed, but may not act to more than one at a Time; and if the Command be a Battalion, he is to receive Pay as Lt. Colonel only; and no other Perſon is to ſerve, or be intitled to Pay as Lt. Col. while he ſerves as Col.

XXVIII. And be it enacted, That it ſhall be lawful for the Lieutenant of any County, Riding, or Place to act as a Colonel of any Regiment or Battalion of Militia for ſuch County, Riding, or Place, for and during ſuch Time or Times as there ſhall not be any Colonel appointed for the Command of the ſame Regiment or Battalion; but no Lieutenant ſhall at any one Time act as a Colonel to more than one Regiment or Battalion.

XXIX. And be it enacted, That where his Majeſty's Lieutenant of any County, Riding, or Place ſhall, under the Powers given by this Act, ſerve as Colonel to any Body of Militia by this Act deemed a Battalion only, he ſhall not, when ſuch Battalion ſhall be embodied and in actual Service, be intitled to or receive any other Pay than that of a Lieutenant Colonel; and that no other Perſon whatſoever ſhall ſerve or be intitled to Pay as a Lieutenant Colonel in ſuch Battalion, during the Time that his Majeſty's ſaid Lieutenant ſhall ſerve therein as Colonel.

At the End of every 4 Years, one Field Officer of each Regiment, &c. and a Number of Officers of each inferior Rank, equal to the Number of Perſons who ſhall have been returned as willing to ſerve, are to be diſcharged.

XXX. And be it enacted, That his Majeſty's Lieutenant, together with any three Deputy Lieutenants of any County, Riding or Place, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, any five Deputy Lieutenants, ſhall, at the End of every four Years, at their Annual Meeting, in caſe the Militia of ſuch County, Riding, or Place ſhall not be then embodied, diſcharge ſome one Field Officer of each Regiment or Battalion, and ſuch a Number of Officers of each inferior Rank as ſhall be equal to the Number of Perſons who ſhall have given Notice in Writing to his Majeſty's Lieutenant, one Month at leaſt before ſuch Meeting, that they are willing to ſerve as Field Officers, Captains, Lieutenants or Enſigns, as the Caſe may require.

The Number of ſuch Vacancies not to exceed one Third in each Rank,

XXXI. Provided, That the Number of Vacancies to be made ſhall not exceed one Third of ſuch Officers, who ſhall have ſerved for the Space of four Years in each Rank reſpectively.

XXXII.

XXXII. Provided, That nothing herein contained ſhall prevent any Officer who has ſerved four Years, from offering himſelf to ſerve in an higher Rank, if he be qualified as this Act requires to ſerve in ſuch higher Rank.

Officer who has ſerved 4 Years, may offer to ſerve in a higher Rank, if qualified.

XXXIII. And be it enacted, That his Majeſty, his Heirs and Succeſſors, may and ſhall appoint one proper Perſon who ſhall have ſerved, or ſhall, at the Time of ſuch Appointment, actually ſerve in ſome of his Majeſty's other Forces, or in any Corps of Militia that has been drawn out and embodied, to be an Adjutant to each Regiment, Battalion, or Independent Company of Militia, in each County, Riding, or Place reſpectively; and ſuch Adjutant, if appointed out of his Majeſty's other Forces, ſhall, during his Service in the ſaid Militia, preſerve his Rank in the Army, in the ſame Manner as if he had continued in that Service: And it ſhall and may be lawful for his Majeſty's Lieutenant of any County, Riding, or Place, to grant unto the Adjutant to each Regiment, Battalion, or Independent Company, a Commiſſion of Lieutenant, or any inferior Commiſſion therein, although ſuch Adjutant ſhall not have an Eſtate to qualify him for ſuch Commiſſion as is required by this Act.

An Adjutant may be appointed by the King to each Regiment, &c. out of his Majeſty's other Forces, or embodied Militia; and if appointed out of his Majeſty's other Forces, he is to keep his Rank therein, and may hold a Subaltern Commiſſion without a Qualification.

XXXIV. And be it enacted, That no Perſon, during the Time he is acting as a Militia Officer, ſhall be obliged to ſerve the Office of Sheriff.

Militia Officer exempted from ſerving as Sheriff.

XXXV. And be it enacted, That any Perſon who has quitted or ſhall quit his Half-pay, to ſerve as a Commiſſioned Officer in any Regiment, Battalion, or Independent Company of Militia, ſhall, upon his quitting the ſaid Regiment, Battalion, or Independent Company of Militia, or upon the unembodying thereof, be reſtored to his Half-pay; ſuch Half-pay to recommence from the laſt Quarter-day, or Day of Payment next preceding.

Officers quitting their Half-pay to ſerve in the Militia, upon quitting the Militia, or unembodied, are to be reſtored to Half-pay again.

XXXVI. And be it enacted, That his Majeſty, his Heirs and Succeſſors, may and ſhall appoint, according to the Proportion of one Serjeant to twenty Private Men, two or more proper Perſons to be Serjeants to every Company in the ſaid Militia, out of and from his Majeſty's other Forces; ſuch Perſons having ſerved in the ſaid Forces for the Space of one Year next preceding their Appointment to be Serjeants; or may appoint ſuch other Perſons to be Serjeants, as have formerly ſerved for the Space of one Year in his Majeſty's ſaid Forces; or out of or from any Corps of Militia that has been drawn out and embodied; which Serjeants ſo appointed ſhall take the following Oath; that is to ſay,

Serjeants may be appointed by the King out of his Majeſty's other Forces, or embodied Militia, in the Proportion of 1 Serjeant to 20 Private Men, 2 or more to every Company.

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to his Majeſty King *George*, his Heirs and Succeſſors: And I do ſwear that I am a Proteſtant, and that I will faithfully ſerve as a Serjeant in the Militia, within the Kingdom of *Great Britain*, for the Defence of the ſame, until I ſhall be legally diſcharged.'

Oath to be taken by Serjeants.

And the Service in the Militia of ſuch Perſons ſo appointed out of his Majeſty's ſaid other Forces, ſhall intitle them to the Benefit of *Chelſea Hoſpital*, in the ſame Manner as if they had continued to ſerve in the ſaid Forces; and every Perſon appointed to be a Serjeant out of the Penſioners on the Eſtabliſhment of *Chelſea Hoſpital*, ſhall be intitled to be, and ſhall be, put again upon the ſaid Eſtabliſhment, after he ſhall be diſcharged from the Service of the Militia; provided he brings a Certificate of his good Behaviour, under the Hand of the Colonel, or Commanding Officer of the Regiment or Battalion in which he ſhall have ſerved: And his Majeſty's Lieutenant ſhall, from Time to Time, as Occaſion ſhall require, appoint a Clerk to each Regiment or Battalion; and the Colonel of the Regiment or Battalion, or, where there is no Colonel, the Lieutenant Colonel, or, where there is no Colonel or Lieutenant Colonel, the Major, ſhall appoint a Serjeant Major out of the Serjeants, and a Drum Major out of the Drummers.

Serjeants appointed out of his Majeſty's other Forces, are intitled to Chelſea Hoſpital; and Penſioners of the ſaid Hoſpital, made Serjeants, are to be re-admitted, on producing Certificates of good Behaviour.

Ld. Lieut. to appoint a Regimental Clerk, and the Colonel, &c. a Serjeant Major, and Drum Major, to each Regim.

XXXVII. And be it enacted, That no Perſon who ſhall keep any Houſe of publick Entertainment, or who ſhall ſell any Ale, Wine, Brandy, or other Spirituous Liquors by Retail, ſhall be capable of being appointed or continuing a Serjeant in the Militia.

Alehouſe-keepers diſqualified from being Serjeants.

XXXVIII. And be it enacted, That the Captain of every Company of Militia may and ſhall appoint two Perſons to be Drummers or Fifers to his Company, who, when ſo appointed, and having received any Pay as ſuch, ſhall be deemed to be engaged, and ſhall be compellable to ſerve in the ſame Regiment or Battalion, until legally diſcharged; and may and ſhall appoint Corporals out of the Private Men of his Company, in the Proportion of one Corporal to twenty Private Men; and may diſplace ſuch Drummers, Fifers, and Corporals reſpectively, for Miſbehaviour, and appoint others in their Room, from Time to Time, as he ſhall ſee Occaſion; and may and ſhall appoint (with the Approbation of the Colonel, or, where there is no Colonel, the Lieutenant Colonel, or, where there is no Colonel or Lieutenant Colonel, the Major, of the Regiment or Battalion) Serjeants out of the Private Men of the Regiment or Battalion, to fill up ſuch Vacancies of Serjeants as may happen therein; which Serjeants ſo appointed, ſhall take the like Oath as is herein before required to be taken by Serjeants appointed by his Majeſty (which Oath any one Deputy Lieutenant, or in caſe the Regiment or Battalion then happening to be embodied ſhould be in any other County, Riding, or Place, any one Juſtice of the Peace thereof, are hereby reſpectively authorized to adminiſter) and that it ſhall be lawful for the Commanding Officer of any Regiment or Battalion of Militia, being a Field Officer, upon the Application of the Captain, to diſplace Serjeants.

Captain may appoint 2 Drummers or Fifers to his Company;

and 1 Corporal to 20 Men; and may diſplace them for Miſbehaviour: He may alſo, with Leave of the Colonel, fill up Vacancies of Serjeants out of the Ranks.

Such Serjeants to take the Oath appointed.

They may be diſplaced upon Application of the Captain.

XXXIX. Provided always, and be it enacted, That any Perſon who is or ſhall be appointed out of or from any Company of his Majeſty's other Forces, to be a Serjeant in the Militia, and ſhall be for any Miſbehaviour reduced into the Ranks, and ſhall not in one Month's Time after ſuch Reduction

Serjeants from the Army being reduced for Miſbehaviour, and not reſtored within a Month, are to

be returned to the Corps from whence they were taken, and ſerve in the Ranks.

tion be reſtored, he ſhall be returned to the Company from which he was taken in his Majeſty's other Forces, and ſhall there ſerve as a Private Man; and any Perſon who is or ſhall be appointed a Serjeant in the Militia, out of or from any Company of Militia, ſhall and may be reduced into the Ranks for Miſbehaviour, and ſhall ſerve in the Ranks of ſuch Company wherein he ſerved before ſuch Appointment, for ſuch further Time as ſhall compleat his three Years Service as a Private Militia Man; and in caſe there be no Vacancy in ſuch Company, he ſhall ſerve in any other Company in the Regiment or Battalion.

Serjeants made from the Militia may be reduced into the Ranks for Miſbehaviour.

The Inliſting of a Serjeant, Drummer, or Fifer, into his Majeſty's other Forces, declared void.

XL. And be it enacted, That if any Serjeant, Drummer, or Fifer, ſhall inliſt in any of his Majeſty's other Forces, ſuch Inliſting ſhall be, and is hereby declared to be, null and void.

Number of Private Men to be raiſed in each County, &c.

XLI. And be it enacted, That the Number of Private Men to be raiſed by virtue of this Act, in that Part of *Great Britain* called *England*, the Dominion of *Wales*, and Town of *Berwick* upon *Tweed* (excluſive of the Places herein after excepted) ſhall be,

For the County of *Bedford*, four hundred.
For the County of *Berks*, five hundred and ſixty.
For the County of *Bucks*, five hundred and ſixty.
For the County of *Cambridge*, four hundred and eighty.
For the County of *Cheſter*, with the City and County of the City of *Cheſter*, five hundred and ſixty.
For the County of *Cornwall*, ſix hundred and forty.
For the County of *Cumberland*, three hundred and twenty.
For the County of *Derby*, five hundred and ſixty.
For the County of *Devon*, with the City and County of the City of *Exeter*, one thouſand ſix hundred.
For the County of *Dorſet*, with the Town and County of the Town of *Pool*, ſix hundred and forty.
For the County of *Durham*, four hundred.
For the County of *Eſſex*, nine hundred and ſixty.
For the County of *Glouceſter*, with the City and County of the City of *Glouceſter*, and the City and County of the City of *Briſtol*, nine hundred and ſixty.
For the County of *Hereford*, four hundred and eighty.
For the County of *Hertford*, five hundred and ſixty.
For the County of *Huntingdon*, three hundred and twenty.
For the County of *Kent*, with the City and County of the City of *Canterbury*, nine hundred and ſixty.
For the County of *Lancaſter*, eight hundred.
For the County of *Leiceſter*, five hundred and ſixty.
For the County of *Lincoln*, with the City and County of the City of *Lincoln*, one thouſand two hundred.
For the County of *Middleſex*, excluſive of the Tower Diviſion, commonly called *The Tower Hamlets*, one thouſand ſix hundred.
For the County of *Monmouth*, two hundred and forty.
For the County of *Norfolk*, with the City and County of the City of *Norwich*, nine hundred and ſixty.
For the County of *Northampton*, ſix hundred and forty.
For the County of *Northumberland*, with the Town and County of the Town of *Newcaſtle upon Tyne*, and the Town of *Berwick*, five hundred and ſixty.
For the County of *Nottingham*, with the Town and County of the Town of *Nottingham*, four hundred and eighty.
For the County of *Oxford*, five hundred and ſixty.
For the County of *Rutland*, one hundred and twenty.
For the County of *Salop*, ſix hundred and forty.
For the County of *Somerſet*, eight hundred and forty.
For the County of *Southampton*, with the Town and County of the Town of *Southampton*, nine hundred and ſixty.
For the County of *Stafford*, with the City and County of the City of *Litchfield*, five hundred and ſixty.
For the County of *Suffolk*, nine hundred and ſixty.
For the County of *Surrey*, eight hundred.
For the County of *Suſſex*, eight hundred.
For the County of *Warwick*, with the City and County of the City of *Coventry*, ſix hundred and forty.
For the County of *Weſtmoreland*, two hundred and forty.
For the County of *Worceſter*, with the City and County of the City of *Worceſter*, five hundred and ſixty.
For the County of *Wilts*, eight hundred.
For the Weſt Riding of the County of *York*, with the City and County of the City of *York*, one thouſand two hundred and forty;

For the North Riding of the ſaid County, ſeven hundred and twenty:
And for the Eaſt Riding of the ſaid County, with the Town and County of the Town of *Kingſton upon Hull*, four hundred.
For the County of *Angleſea*, eighty.
For the County of *Brecknock*, one hundred and ſixty.
For the County of *Cardigan*, one hundred and twenty.
For the County of *Carmarthen*, with the County Borough of *Carmarthen*, two hundred.
For the County of *Carnarvon*, eighty.
For the County of *Denbigh*, two hundred and eighty.
For the County of *Flint*, one hundred and twenty.
For the County of *Glamorgan*, three hundred and ſixty.
For the County of *Merioneth*, eighty.
For the County of *Montgomery*, two hundred and forty.
For the County of *Pembroke*, with the Town and County of the Town of *Haverford Weſt*, one hundred and ſixty.
For the County of *Radnor*, one hundred and twenty.

Where the Militia has not been raiſed, a General Meeting is to be held by the Ld. Lieut. and 2 Deputies; or, in the Ld. Lieutenant's Abſence, by 3 Deputies, on the 2d Tueſday in May annually; and on Failure of meeting, then a Meeting is to be held by Summons and Advertiſement.

XLII. And be it enacted, That in all Counties, Ridings and Places, where the Militia has not been raiſed, his Majeſty's Lieutenant for every ſuch County, Riding and Place, together with any two or more Deputy Lieutenants, and, on the Death or Removal, or, in the Abſence of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, ſhall meet at ſome City or principal Town of the County, Riding or Place, for which they ſhall be commiſſioned, on the ſecond *Tueſday* in *May* in every Year; and if there ſhould happen to be no ſuch Meeting on that Day, then his Majeſty's ſaid Lieutenant, or, on his Death or Removal, or, in his Abſence, any three or more Deputy Lieutenants, ſhall ſummon, or cauſe to be ſummoned, another Meeting to be holden at the ſame City or principal Town, on a Day to be fixed by ſuch Summons; of which Day and Place Notice ſhall be given in the *London Gazette*, and alſo in any Weekly Paper uſually circulated (if any ſuch there be) within the ſame County or Riding, fourteen Days at leaſt before the holding of ſuch Meeting: And his Majeſty's ſaid Lieutenant, or, on his Death or Removal, or, in his Abſence, any three or more Deputy Lieutenants, ſhall, at their firſt General Meeting, appoint Subdiviſions of the Deputy Lieutenants within their reſpective Counties, Ridings and Places, and the Times and Places for their firſt Meetings within the ſaid Subdiviſions reſpectively; and the Time and Place for a ſecond General Meeting; and ſhall iſſue out their Orders to the chief Conſtable, and, where there is no chief Conſtable, to ſome other Officer of the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, within their reſpective Counties, Ridings and Places, to require, by Orders under their Hands, the Conſtable, Tythingman, Headborough, or other Officer of each Pariſh, Tything or Place, within their reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, to return to the Deputy Lieutenants within their reſpective Subdiviſions, at the Place and on the Day appointed at the ſaid firſt General Meeting, fair and true Liſts, in Writing, of the Names of all the Men uſually and at that Time dwelling within their reſpective Pariſhes, Tythings and Places, between the Ages of eighteen and forty-five Years, diſtinguiſhing their reſpective Ranks and Occupations; and where the true Names of ſuch Perſons cannot be procured, the common Appellation of ſuch Perſons ſhall be ſufficient; and which of the Perſons ſo returned labour under any Infirmities, incapacitating them from ſerving as Militia Men; having firſt affixed a true Copy of ſuch Liſt on the Door of the Church or Chapel belonging to ſuch Pariſh, Tything or Place, and if any Place ſhall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of ſome Pariſh or Place thereto adjoining, on ſome *Sunday* Morning before they ſhall make ſuch Return, which *Sunday* ſhall be three Days at the leaſt before the ſaid Meeting; and alſo Notice in Writing, at the Bottom of ſuch Liſt, of the Day and Place of ſuch Meeting, and that all Perſons who ſhall think themſelves aggrieved, may then appeal, and that no Appeal will be afterwards received: And on the Day and at the Place ſo reſpectively appointed as aforeſaid, for the Returns of the Liſts, the Conſtables, Tythingmen, Headboroughs, or other Officers reſpectively, ſhall attend and verify the ſaid Return upon Oath; and the ſaid Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, ſo aſſembled in their Subdiviſions, ſhall (after hearing any Perſon who ſhall think himſelf aggrieved by having his Name inſerted in ſuch Liſts, or by any others being omitted) direct ſuch Liſts to be amended as the Caſe ſhall require, and alſo the Names of all Perſons by this Act reſpectively excepted, to be ſtruck out of the ſaid Liſts, and ſhall appoint the Times and Places for their ſecond Meetings within their reſpective Subdiviſions, and ſhall return to the ſecond General Meeting all the Liſts for the ſeveral Pariſhes, Tythings and Places, ſo amended: At which ſaid ſecond General Meeting his Majeſty's Lieutenant together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence, of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, ſhall order Copies to be made of all the ſaid Liſts, and ſuch Copies to be returned to the Deputy Lieutenants at their ſecond Meetings within their Subdiviſions, wherein the Pariſhes, Tythings and Places, for which ſuch Liſts are made and returned, are reſpectively ſituate; and ſhall appoint what Number of Men in each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, ſhall ſerve in the ſaid Militia, towards raiſing the Number of Militia Men by this Act directed to

At their firſt General Meeting, the Subdiviſions of the D. Lieuts. and the Times and Places for their firſt Meetings therein, are to be ſettled; and alſo a 2d General Meeting appointed.

Orders to be then iſſued to the Conſtables, to return Liſts of all Perſons within their Diſtricts, between the Ages of 18 and 45 Years;

diſtinguiſhing their reſpective Ranks and Occupations, &c.

Copy of the Liſt to be affixed on the Door of the Church, on ſome Sunday, 3 Days before the Return is made, with Notice of the Day and Place of Meeting; that Perſons aggrieved may then appeal; after which no Appeal will be received.

Conſtables to attend the Returns, and verify the ſame on Oath.

After the Appeals are heard and ſettled, and Perſons excepted by the Act ſtruck out, the Dep. Lieuts. are to direct the Liſts to be amended; and appoint the Times and Places for their 2d Subdiviſion Meetings; and return the amended Liſts to the 2d General Meeting; at which, Copies of the Liſts are to be made out, to be returned to the Dep. Lieuts. at their 2d Subdiviſion Meetings; and the Number of Men which ſhall ſerve out of

the reſpective Hundreds, &c. is to be then appointed.

D. Lieutenants at their 2d Subdiviſion Meetings, are to appoint the Number of Men that ſhall ſerve in each Pariſh, &c. in proportion to the Number appointed for each Hundred, &c. and if a proper Number of Officers be then appointed, another Meeting is to be held within three Weeks; and Orders iſſued, for Notice to be given to the Conſtables of the Number of Men appointed to ſerve, and of the Time and Place of the next Subdiviſion Meeting; at which the Men are to be choſen by Lot out of the Liſts; and another Meeting is to be appointed, and Orders iſſued for giving timely Notice to the Perſons choſen, then to appear; and the Conſtables are to attend to avouch the Notices; and the Men to take the Oath following;

to be raiſed for ſuch reſpective County, Riding or Place, in proportion to the whole Number contained in ſuch Liſts: And the ſaid Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, aſſembled at their ſaid ſecond Meetings within the ſaid Subdiviſions, ſhall appoint what Number of Men ſhall ſerve for each Pariſh, Tything and Place, or Pariſhes, Tythings and Places, in proportion to the Number appointed at the ſecond General Meeting to ſerve for each Hundred, Rape, Lath, Wapentake, or other Diviſion; and, if a proper Number of Officers be then appointed, ſhall appoint another Meeting to be held within three Weeks in the ſame Subdiviſion, and ſhall iſſue out an Order to the chief Conſtable, or other Officer of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, requiring them to give Notice to the Conſtable, Tythingman, Headborough, or other Officer of each Pariſh, Tything or Place, or Pariſhes, Tythings or Places within their reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, of the Number of Men ſo appointed to ſerve for ſuch reſpective Pariſh, Tything or Place, or Pariſhes, Tythings or Places, and of the Time and Place of the next Subdiviſion Meeting; and the ſaid Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, aſſembled in purſuance of ſuch Appointment, ſhall cauſe the Number of Men appointed to ſerve as aforeſaid, except as herein after excepted, to be choſen by Lot out of the Liſt or Liſts returned for ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places; and ſhall appoint another Meeting to be held within three Weeks in the ſame Subdiviſion; and ſhall iſſue out an Order to the Chief Conſtable, or other Officers of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, to direct the Conſtable, Tythingman, Headborough, or other Officer of each Pariſh, Tything, or Place, to give Notice to every Man ſo choſen to ſerve in the Militia, to appear at ſuch Meeting; which Notice ſhall be given or left at his Place of Abode, at leaſt ſeven Days before ſuch Meeting; and ſuch Conſtable, Tythinman, Headborough, or other Officer, ſhall attend ſuch Meeting, and make a Return upon Oath of the Days when ſuch Notice was ſerved; and every Perſon ſo choſen by Lot ſhall, upon ſuch Notice, appear at ſuch Meeting, and there take the following Oath; that is to ſay,

'I *A. B.* do ſincerely promiſe and ſwear, That I will be faithful and bear true Allegiance to his 'Majeſty King *George*, his Heirs, and Succeſſors: And I do ſwear that I am a Proteſtant, and 'that I will faithfully ſerve in the Militia within the Kingdom of *Great Britain*, for the Defence of 'the ſame, during the Time for which I am inrolled, unleſs I ſhall be ſooner diſcharged.'

and to be inrolled for 3 Years,

or provide fit Subſtitutes,

who ſhall take the ſaid Oath, and ſign their Conſent to ſerve for the ſaid Term. Thoſe who refuſe to attend and be inrolled, or to provide fit Subſtitutes, not being Quakers, forfeit 10l. and at the End of 3 Years are liable to ſerve again, or provide a Subſtitute.

(which Oath any one Deputy Lieutenant is hereby authorized to adminiſter) and ſhall be enrolled to ſerve in the Militia of ſuch reſpective County, Riding, or Place, as a private Militia Man, for the Space of three Years, in a Roll to be then and there prepared for that Purpoſe; or ſhall provide a fit Perſon, to be approved by the ſaid Deputy Lieutenants, or any three or more of them, or by any two Deputy Lieutenants together with any one Juſtice of the Peace, or by any one Deputy Lieutenant together with any two Juſtices of the Peace, then met, to ſerve as his Subſtitute; which Subſtitute ſo provided and approved, ſhall take the ſaid Oath, and ſign on the ſaid Roll his Conſent to ſerve as his Subſtitute during the ſaid Term: And if any Perſon ſo choſen by Lot to ſerve in the Militia (not being one of the People called *Quakers*) ſhall refuſe or neglect to appear and take the ſaid Oath, and ſerve in the Militia, or to provide a Subſtitute to be approved as aforeſaid, who ſhall take the ſaid Oath, and ſign his Conſent to ſerve as his Subſtitute, every ſuch Perſon ſo refuſing or neglecting ſhall forfeit and pay the Sum of ten Pounds, and at the Expiration of three Years be liable to ſerve again, or provide a Subſtitute.

Specification of Perſons exempted from Service in the Militia by themſelves or Subſtitutes.

XLIII. And be it enacted, That no Peer of this Realm, nor any Perſon who ſhall ſerve as a Commiſſion Officer in any Regiment, Troop, or Company, in his Majeſty's other Forces, or in any one of his Majeſty's Caſtles or Forts; nor any Non-Commiſſion Officer or Private Man ſerving in any of his Majeſty's other Forces; nor any Commiſſion Officer ſerving, or who has ſerved, four Years in the Militia; nor any Perſon being a Member of either of the Univerſities; nor any Clergyman; nor any licenſed Teacher of any ſeparate Congregation; nor any Conſtable, or other ſuch Peace Officer; nor any articled Clerk, Apprentice, Seaman, or Seafaring Man; nor any Perſon muſtered, trained, and doing Duty, in any of his Majeſty's Docks, for the Service thereof; nor any Perſon being free of the Company of Watermen of the River *Thames*; nor any poor Man who has three Children born in Wedlock; ſhall be compelled to ſerve perſonally, or provide a Subſtitute to ſerve in the Militia.

The Liſts for 2 or more Pariſhes may be united by the Dep. Lieutenants, and proceeded upon as if originally returned for one Pariſh.

XLIV. And be it enacted, That it may and ſhall be lawful for any three or more Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, within their reſpective Subdiviſions, to add together, whenſoever they ſhall think neceſſary, The Liſts for two or more Pariſhes, Tythings, or Places, and proceed upon ſuch Liſts, added together, in like manner as if they had been originally returned for one Pariſh, Tything, or Place, ſo as to make the Choice of Militia Men by Lot, within ſuch Subdiviſion, as equal and impartial as poſſible.

Churchwardens, &c. with Conſent of the Veſtry, may provide and tender Volunteers;

XLV. And be it enacted, That if the Churchwardens or Overſeers, or Churchwarden or Overſeer, of any Pariſh, Tything, or Place, or of two or more Pariſhes, Tythings, or Places, ſo added together as aforeſaid, ſhall, with the Conſent of the Inhabitants of the Pariſh or Pariſhes, Townſhip or

Townſhips,

Townſhips, Hamlet or Place, taken at a Veſtry, or at any other Meeting for ſuch Pariſh, Townſhip, Hamlet, or Place, to be holden for that Purpoſe, provide and produce to the ſaid Deputy Lieutenants, or any three or more of them, or to any two Deputy Lieutenants, together with any one Juſtice of the Peace, or to any one Deputy Lieutenant together with any two Juſtices of the Peace, at their Meetings within their reſpective Subdiviſions for chooſing the Militia Men by Lot, any Voluntier or Voluntiers, and ſuch Voluntier or Voluntiers ſhall be approved by the ſaid Deputy Lieutenants and Juſtices ſo met as aforeſaid, they, or ſuch of them as ſhall be approved, ſhall be then and there ſworn in and enrolled; and the ſaid Deputy Lieutenants and Juſtices, within their reſpective Subdiviſions, ſhall cauſe only ſuch a Number of Perſons to be choſen by Lot out of the Liſt or Liſts returned for ſuch Pariſh, Tything or Place, or Pariſhes, Tythings, or Places, as aforeſaid, as ſhall be then wanted to make up the whole Number to ſerve for ſuch Pariſh, Tything or Place, or Pariſhes, Tythings, or Places as aforeſaid: And if ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, ſhall give to ſuch Voluntier or Voluntiers any Sum or Sums of Money to ſerve in the Militia for ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, it may and ſhall be lawful for ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, to make a Rate upon the Inhabitants of ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, by the Rate they now uſe in making the Rates for the Relief of the Poor; which Rate being approved by two Juſtices of the Peace, it may and ſhall be lawful for ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, to collect ſuch Rate, and reimburſe themſelves ſuch Sum and Sums of Money as they ſhall have paid with the Conſent of the Inhabitants of ſuch Pariſh or Pariſhes, Townſhips or Places, aſſembled as aforeſaid, to ſuch Voluntier or Voluntiers as aforeſaid; and the Overplus, if any, ſhall be applied as Part of the Poors Rate; And if any Perſon ſhall refuſe to pay the Sum of Money he ſhall be ſo rated, it may and ſhall be lawful for any one Juſtice of the Peace, upon Complaint thereof made by ſuch Churchwarden or Overſeer, or Churchwardens or Overſeers, by Warrant under his Hand and Seal, to levy the ſame by Diſtreſs and Sale of the Offenders Goods and Chattles, rendering the Overplus, if any, after the ſaid Rate, and the Charges of ſuch Diſtreſs and Sale, ſhall be paid; but no balloted Perſon who ſhall have ſerved himſelf, or by Subſtitute, three Years, or who ſhall be then ſerving himſelf, or by Subſtitute, in the Militia, ſhall be liable to pay to ſuch Rates.

and ſuch of them as ſhall be approved, ſhall be then ſworn in, and inrolled; and ſo many Perſons only ſhall be choſen out of the Liſts, as ſhall be then wanted to compleat the Number to ſerve for ſuch Pariſh.

Money paid to Voluntiers for ſerving, to be reimburſed the Churchwardens by a parochial Rate:

Overplus of the Rate to be applied to the Poor's Rate.

The ſaid Rate may be levied by Diſtreſs and Sale; but balloted Perſons who have ſerved, or ſhall be ſerving, by themſelves or by Subſtitutes, are exempted from paying thereto.

XLVI. Provided always, That it ſhall be lawful for any Perſon who ſhall think himſelf or herſelf aggrieved by any ſuch Rate as aforeſaid, to appeal to the next General Quarter Seſſions, in like Manner as is provided in the Caſe of Appeals againſt Rates for the Relief of the Poor.

Perſons aggrieved by ſuch Rates may appeal.

XLVII. Provided always, and be it enacted by the Authority aforeſaid, That in caſe any Perſon ſhall be choſen by Lot to ſerve in the Militia for any Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, and ſuch Perſon ſhall be ſworn and inrolled, or ſhall provide a fit Perſon to ſerve as his Subſtitute who ſhall be ſworn and inrolled, the Churchwarden or Overſeer, or Churchwardens or Overſeers, of ſuch Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, ſhall, within one Month after the Time of ſuch ſwearing or inrolling of the Man ſo choſen by Lot, or of the Subſtitute reſpectively, pay to every ſuch Perſon ſo choſen by Lot, if the Regiment or Battalion in which he, or his Subſtitute, ſhall ſerve, ſhall be then embodied, any ſuch Sum of Money not exceeding five Pounds, as three Deputy Lieutenants, or two Deputy Lieutenants and one Juſtice, or one Deputy Lieutenant and two Juſtices, in whoſe Preſence ſuch Perſon ſhall be choſen by Lot, ſhall adjudge to be, as near as may be, one half of the current Price then paid for a Voluntier in the County or Riding where ſuch Perſon ſhall be ſo choſen by Lot; which ſaid Sum of Money ſhall be taken out of the Rate to be made as aforeſaid for providing and producing Voluntiers; or, in caſe no Voluntiers ſhall be provided or produced by the Churchwardens or Overſeers, or Churchwarden or Overſeer, of any Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, then out of a Rate to be made by the Rule aforeſaid.

The Churchwardens are to pay within a Month to the Perſons who ſhall be choſen by Lot and inrolled, or ſhall provide fit Subſtitutes, (if the Regiment be then embodied) ſuch Sum not exceeding 5l.

as ſhall be adjudged one half of the current Price paid for a Voluntier; the Money to be paid out of the Voluntier Rate, or a Rate made for that Purpoſe.

XLVIII. Provided nevertheleſs, That if ſuch Man ſo choſen by Lot, and ſerving for himſelf, ſhall within one Month after his Inrolment, be diſapproved of and diſcharged by the Officer commanding the Regiment or Battalion, no ſuch Sum ſhall be paid to the Perſon ſo choſen by Lot, but ſhall be paid, in manner aboveſaid, to the next Perſon choſen by Lot in his Stead; and if the Subſtitute he ſhall have found be diſapproved in manner aboveſaid, then no ſuch Sum to be paid to the Man ſo choſen by Lot, in manner aboveſaid, unleſs he ſhall ſerve himſelf, or ſhall find another Subſtitute.

If the Perſon choſen by Lot and inrolled, ſhall be diſapproved of, and diſcharged within the Month, the Money ſhall not be paid to him, but to the next Perſon choſen in his Stead; and the ſame Rule is to be obſerved in the caſe of Subſtitutes; and no Money were choſen.

XLIX. Provided always, That no Perſon ſo choſen by Lot as aforeſaid, ſhall be intitled to one half of the ſaid current Price of a Voluntier, without the Order of the Perſons aforeſaid, before whom the ſaid Perſon was choſen by Lot, expreſſed under their Hands.

is to be paid on that Head, but by an Order of the Dep. Lieutenants before whom the Perſons

L. And be it enacted, That if any Servant hired by the Year or otherwiſe, ſhall ſerve in the Militia, it ſhall and may be lawful for one Juſtice of the Peace, upon Complaint made to him on Oath by ſuch Servant, to order ſo much of his Wages, as ſhall appear to ſuch Juſtice to be due to ſuch Servant, to be immediately paid him by his Maſter or Employer, in proportion to the Service he has performed, under the Contract or Agreement made between them at the Time ſuch Servant was hired; and the ſaid Juſtice ſhall proceed therein in the ſame manner as is directed by an Act paſſed in the Twentieth Year of the Reign of his late Majeſty, intituled, *An Act for the better adjuſting and more eaſy Recovery of the Wages of certain Servants; and for the better Regulation of ſuch Servants, and of certain Apprentices.*

Hired Servants ſerving in the Militia, upon Application to a Juſtice, ſhall recover the Wages then due to them.

Juſtice to proceed therein as directed by Act 20 Geo. 2.

None but Churchwardens and Overſeers may make any pecuniary Contract to indemnify or inſure Perſons from ſerving in the Militia, or to provide Subſtitutes, or pay the 10l. in lieu thereof;

on Penalty of forfeiting 100l.

LI. Provided always, and it is hereby enacted, That from and after the paſſing of this Act, it ſhall not be lawful for any Perſon or Perſons whatſoever (other than ſuch Churchwardens and Overſeers as aforeſaid, for the Purpoſes aforeſaid) to contract, undertake, or agree, with any Perſon or Perſons, for any Sum or Sums of Money, or any other Conſideration or Reward, to indemnify or inſure any Perſon or Perſons liable to ſerve in the Militia, againſt ſerving therein, or in like manner to contract, undertake, or agree, to provide a Subſtitute or Subſtitutes for any Perſon or Perſons who may be choſen by Lot to ſerve in the Militia, or to pay the Penalty of ten Pounds by this Act laid upon any Perſon choſen by Lot to ſerve in the Militia, and who ſhall refuſe or neglect to appear, and take the Oath, and ſerve in the Militia, or to provide a Subſtitute; and if any Perſon ſhall offend herein, every ſuch Perſon ſhall, for every ſuch Contract, Undertaking, or Agreement, forfeit and pay the Sum of one hundred Pounds, to be recovered in any of his Majeſty's Courts of Record, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Protection, Wager of Law, or more than one Imparlance, ſhall be allowed; one Moiety of which Penalty ſhall be applied to the Uſe of the Proſecutor, and the other Moiety to the Uſe of the Poor of the Pariſh wherein the Offence ſhall be committed; and every ſuch Contract, Undertaking, or Agreement, is hereby declared to be abſolutely null and void, to all Intents and Purpoſes whatſoever.

One Moiety thereof to go to the Proſecutor, and the other to the Poor of the Pariſh, and the Contract to be void.

The above Clauſe not to prevent Perſons choſen by Lot from procuring Subſtitutes for themſelves; nor Perſons of the ſame, or neighbouring Pariſhes, from ſubſcribing towards paying jointly for Subſtitutes, in the Room of ſuch of them as ſhall be choſen by Lot.

LII. Provided, That nothing herein before contained, ſhall extend to prevent any Perſon who ſhall have been actually choſen by Lot to ſerve in the Militia, from procuring, by himſelf or others, a proper Perſon to ſerve as his Subſtitute.

LIII. Provided alſo, that nothing in this Act ſhall extend to prevent Perſons of the ſame Pariſh, Townſhip, Tything, or Place, or of two or more Pariſhes, Tythings, or Places, added, or which may be added together, for the Purpoſes of this Act, from entering into Subſcriptions amongſt themſelves, for paying jointly for any Subſtitute or Subſtitutes who may be provided for any one or more of the ſubſcribing Perſons, on whom the Lot may fall.

Hired Voluntier or Subſtitute inliſting in the Army, ſuch Inliſting is declared void, unleſs the Money be returned to the Overſeers of the Pariſh, which is to be laid out by them in providing another fit Perſon; and if the Sum be inſufficient, they are to be reimburſed the additional Expence by a Rate, and acccount for the Surplus;

and ſuch hired Voluntier or Subſtitute ſo inliſting, not informing the Officer of his being in the Militia, is to be committed to the Houſe of Correction not exceeding three Months.

LIV. And be it enacted, That if any Perſon ſworn and inrolled to ſerve in the Militia as Voluntier or Subſtitute, ſhall have received any Sum of Money from any Perſon whatſoever for ſuch Service, and ſhall be inliſted to ſerve in his Majeſty's other Forces, ſuch Inliſting ſhall be, and the ſame is hereby declared to be, null and void, until the ſaid Militia Man, or the Officer with whom he ſhall inliſt, ſhall have paid to the Overſeer or Overſeers of the Pariſh or Place, Pariſhes or Places, for which the ſaid Militia Man ſerved, the full Sum he received for ſuch his Service; which Sum ſhall be laid out by ſuch Overſeer or Overſeers, in or towards the providing another fit Perſon to ſerve in the Militia, for the Space of three Years, in the Place of the Militia Man ſo inliſted into his Majeſty's other Forces: And in caſe the Money ſo received ſhall not be ſufficient to provide another fit Perſon to ſerve as aforeſaid, ſuch Overſeer or Overſeers ſhall be reimburſed ſuch further Sum of Money as he ſhall pay for providing ſuch other fit Perſon, in the ſame manner as is directed by this Act upon the providing of Voluntiers: And in caſe the Money ſo received ſhall exceed the Sum expended in providing ſuch fit Perſon as aforeſaid, the Surplus ſhall be accounted for by ſuch Overſeer or Overſeers, as ſo much Money in his or their Hands for the Purpoſes of providing Voluntiers for ſuch Pariſh or Pariſhes, Place or Places: And in caſe ſuch Militia Man ſhall not, at the Time of his Inliſting, inform the Officer with whom he inliſts, that he is a Militia Man, and for what Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, he ſerves, and ſhall be thereof convicted upon Oath, before any one Juſtice of the Peace, it may and ſhall be lawful for ſuch Juſtice, and he is hereby required, by Warrant under his Hand and Seal, to commit ſuch Militia Man to the Houſe of Correction for any Time not exceeding three Months.

Serjeant, Drummer, or Fifer, beating up for Voluntiers for the Militia, the Perſon who gave the Orders forfeits 20l. one Moiety to the Informer, and the other to the regimental Stock; and the Serjeant, &c. not declaring who gave ſuch Orders, is to be committed to the Houſe of Correction not exceeding three Months.

LV. And be it enacted, That if any Serjeant, Drummer, or Fifer, ſerving in the Militia, ſhall, in any City, Town, or Place, beat up for Voluntiers to ſerve in the Militia, the Perſon who ſhall give ſuch Serjeant, Drummer, or Fifer, Orders for ſo doing, ſhall, upon Proof of ſuch Beating up and ſuch Orders given, upon Oath, before any Juſtice of the Peace, forfeit and pay the Sum of twenty Pounds; one Moiety whereof ſhall be applied to the Uſe of the Perſon who ſhall make Information thereof before any Juſtice of the Peace of ſuch Beating up for Voluntiers, and the other Moiety ſhall be applied as Part of the Stock belonging to the Regiment or Battalion to which ſuch Serjeant, Drummer, or Fifer, ſhall belong: And if ſuch Serjeant, Drummer, or Fifer, ſhall refuſe to declare, upon Oath, before ſuch Juſtice, from whom he received ſuch Orders, it may and ſhall be lawful for ſuch Juſtice, and he is hereby required, by Warrant under his Hand and Seal, to commit ſuch Serjeant, Drummer, or Fifer, to the Houſe of Correction, for any Time not exceeding three Months.

While the Militia is out of its proper County, no Perſon may be engaged to ſerve therein, who is not of the County to which ſuch Regiment belongs.

LVI. And be it further enacted and declared, That no Officer or Non-Commiſſion Officer in the Militia ſhall, during the Time the Regiment, Battalion, or Independent Company, in which he ſerves, ſhall be out of the County, Riding, or Place, to which they belong, engage any Perſon to ſerve as a Militia Man in ſuch Regiment, Battalion or Independent Company, unleſs ſuch Perſon ſo engaged ſhall be a Native of the County to which the ſaid Regiment, Battalion, or Independent Company belongs.

A General Meeting of the Ld. Lieutenant and Deputies, to be held annually on the laſt Tueſday in May or October, as ſhall be judged moſt convenient.

LVII. And be it enacted, That in the ſeveral Counties, Ridings, and Places, where the Militia has been or ſhall be raiſed, his Majeſty's Lieutenant of every ſuch County, Riding, and Place, together with any two or more Lieutenants, and on the Death or Removal, or in the Abſence, of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, ſhall meet annually on the laſt *Tueſday* in *May*, or on the laſt *Tueſday* in *October*, as they ſhall think moſt convenient for the due Execution of this Act; and ſhall appoint the Times and Places for holding four or more ſubdiviſion Meetings

Meetings of Deputy Lieutenants and Juſtices of the Peace in every Year; and ſhall cauſe new Liſts in the ſeveral Pariſhes, Tythings, and Places, to be made and returned to the Deputy Lieutenants and Juſtices of the Peace at the firſt of the ſaid Subdiviſion Meetings, in the ſame manner as Liſts are herein before directed to be made and returned in Counties, Ridings, and Places, where the Militia has not been raiſed.

and the Times and Places to be then appointed for holding 4 or more Subdiviſion Meetings, and for the Returns of new Liſts to the firſt of thoſe Meetings.

LVIII. And be it enacted, That if the Liſt of any Pariſh, Tything, or Place, ſhall be loſt or deſtroyed, it may and ſhall be lawful for any three Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, in their Subdiviſions, to cauſe a new Liſt in ſuch Pariſh, Tything, or Place, to be made, and returned to them at their next Subdiviſion Meeting, in the ſame manner as the Liſt loſt or deſtroyed was cauſed to be made and returned to them by Direction of the General Meeting of Lieutenants and Deputy Lieutenants.

Where any Liſt ſhall be loſt or deſtroyed, the D. Lieutenants are to order new ones to be made, and returned to their next Subdiviſion Meeting.

LIX. And be it enacted, That the ſaid Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, ſhall meet in their ſeveral Subdiviſions at the Times appointed at the General Meetings of his Majeſty's Lieutenant and Deputy Lieutenants; And if any private Militia Man ſhall ſhew juſt cauſe for his Diſcharge, and, being embodied, ſhall likewiſe produce a regular Diſcharge from his commanding Officer, the ſaid Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, ſhall and may, at ſuch Subdiviſion Meetings, diſcharge ſuch Perſon from ſerving in the Militia; and in the Stead of the Perſons ſo diſcharged, and alſo if there ſhould be any other Vacancy by Death or otherwiſe, ſuch Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, ſhall, after having amended the Liſts in the ſame manner as the Deputy Lieutenants and Juſtices, in their Subdiviſions, are to amend the Liſts in the ſeveral Counties where the Militia has not been raiſed, cauſe a like Number of other Perſons to be choſen by Lot out of the Liſts of ſuch Pariſhes, Tythings or Places, where ſuch Vacancies ſhall happen, unleſs ſuch Number of Perſons ſhall be otherwiſe provided as is by this Act directed; which Perſons ſo choſen, or their Subſtitutes provided and approved as aforeſaid, ſhall take the Oath required by this Act to be taken: And every Perſon ſo choſen ſhall be inrolled, and every Subſtitute ſo provided ſhall ſubſcribe his Conſent to ſerve, and ſhall ſerve in the ſaid Militia for the Space of three Years, ſubject to the Directions, Proviſions, and Penalties in this Act contained.

Dep. Lieutenants are to hold their Subdiviſion Meetings purſuant to the Appointment at the General Meetings; and Militia Man appearing thereat, and ſhewing Cauſe for his Diſcharge, and producing, if embodied, a Diſcharge from his commanding Officer, they are to diſcharge him, and fill up all Vacancies occaſioned thereby, or otherwiſe, after having amended the Liſts, by proceeding to draw the Lots, unleſs the Number wanted ſhall be otherwiſe provided; and the Perſons ſo choſen, or their Subſtitutes, are to be enrolled for 3 Years.

LX. Provided nevertheleſs, that it ſhall and may be lawful for any three Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, upon any Vacancy or Vacancies in the Militia, by Death or otherwiſe, to appoint a Subdiviſion Meeting for the filling up ſuch Vacancy or Vacancies, giving ſeven Days Notice thereof.

A Subdiviſion Meeting may be held, on 7 Days Notice, for filling up Vacancies by Death or otherwiſe.

LXI. And be it enacted, That when any Subſtitute ſhall, after having been approved by any three Deputy Lieutenants, or by any two Deputy Lieutenants together with any one Juſtice of the Peace, or by any one Deputy Lieutenant together with any two Juſtices of the Peace, and before the Expiration of the Term for which he was to ſerve, die, or be appointed a Serjeant in the Militia, or be legally diſcharged, the Perſon for whom he ſerved as Subſtitute ſhall not be obliged to ſerve himſelf, or to find another Subſtitute; but ſuch Vacancy ſhall be filled up in like manner as is directed by this Act, in caſe of Vacancies occaſioned by the Death or Diſcharge of Perſons ſerving for themſelves.

Vacancies occaſioned by the Death, Promotion to a Halberd, or Diſcharge of a Subſtitute, to be filled up as in Caſes of Death, or Diſcharge of Perſons ſerving for themſelves.

LXII. And be it enacted, That for the Purpoſe of ſwearing and inrolling Men to ſerve in the Militia, it ſhall and may be lawful for any one Deputy Lieutenant, at any Place in the Subdiviſion he uſually acts in, to ſwear and inrol any Subſtitute to ſerve for any Place in ſuch his Subdiviſion; provided ſuch Subſtitute ſhall produce to ſuch Deputy Lieutenant a Certificate under the Hands and Seals of any two other Deputy Lieutenants, or of any one Juſtice of the Peace together with any one Deputy Lieutenant, or of any two Juſtices of the Peace acting in the ſame Subdiviſion, or reſiding near the ſame, certifying they have ſeen, and do approve of, ſuch Subſtitute as a proper Perſon to ſerve in the Militia, and ſuch Perſon ſhall and may be ſworn and inrolled by ſuch Deputy Lieutenant only: Provided nevertheleſs, that the Clerk belonging to ſuch Subdiviſion ſhall and do attend with the Roll at ſuch ſwearing and inrolling.

Subſtitute may be ſworn in and inrolled before a Dep. Lieutenant in his Subdiviſion, on producing a Certificate of his having been ſeen and approved of by two Deputy Lieutenants, &c. and the Clerk of the Subdiviſion Meeting attending with the Roll at the Time.

LXIII. Provided always, and be it further enacted, That if any Militia Man ſhall, during the Time that the Regiment or Battalion in which he ſerves ſhall be embodied, be diſcharged by the Officer commanding ſuch Regiment or Battalion, ſuch Diſcharge ſhall be ſufficient to prevent ſuch Man from being liable to be apprehended as a Deſerter, but ſhall not extend to cauſe another Man to be choſen to ſerve for the Pariſh, Tything, or Place, or Pariſhes, Tythings, or Places, for which ſuch Man ſo diſcharged did ſerve, unleſs he be likewiſe regularly diſcharged by the Deputy Lieutenant or Deputy Lieutenants and Juſtices of the Peace as aforeſaid.

Militia Man embodied, and diſcharged by the commanding Officer, is not liable to be apprehended as a Deſerter; nor ſhall another be choſen in his Room, unleſs he be diſcharged alſo by the D. Lieutenants.

LXIV. And be it further enacted, That all ſuch Militia Men whoſe Time of Service in the Militia ſhall be near expiring, during the Time the Regiment, Battalion, or Independent Company, in which they ſerved, ſhall be abſent from the County, Riding or Place, to which they belong, ſhall be returned by the commanding Officer of ſuch Regiment, Battalion, or Independent Company, to the County, Riding, or Place, for which they ſerved, ſo as that they may reach the ſaid County by the Expiration of their Term.

Militia Men whoſe Time of Service ſhall be near expiring, are to be returned to their proper County, ſo as they may reach the ſame by the Expiration of their Term.

LXV. And be it further enacted, That it ſhall and may be lawful for his Majeſty's Lieutenant together with any two or more Deputy Lieutenants, and on the Death or Removal, or, in the Abſence

Subdiviſion Meetings may be altered at a General Meeting, held after reaſonable Notice;

fence of his Majeſty's Lieutenant, for any three or more Deputy Lieutenants, at a General Meeting, to be held after reaſonable Notice thereof given, to change or alter any Subdiviſion Meeting or Meetings, whenever they ſhall find it convenient ſo to do.

but the Subdiviſion Meetings already appointed are to remain until they ſhall be by a General Meeting alter'd.

LXVI. And be it further enacted, That, in order to ſave the Trouble of appointing Subdiviſion Meetings every Year in the ſeveral Counties, Ridings, and Places aforeſaid, the ſeveral Subdiviſion Meetings therein now appointed, ſhall remain and continue until the ſame ſhall be altered by his Majeſty's Lieutenant together with any two or more Deputy Lieutenants, or, on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, by any three or more Deputy Lieutenants, at ſome General Meeting.

Removal of a private Man into another Pariſh, &c. the Militia whereof ſerves in the ſame Regiment, does not alter his Service, nor occaſion a Vacancy in his former Pariſh; but if the Removal be into another County, &c. the Militia whereof ſerves in different Regiments, he ſhall ſerve his Time out in the Regiment of that Place, upon the firſt Vacancy; and he is to give previous Notice of his Removal to the D. Lieutenants, and receive a Certificate of his Service; and if given by one D. Lieutenant is to be certified to the next Subdiviſion Meeting; and the Certificate itſelf to be produced at the Subdiviſion Meeting for the Place to which he ſhall remove.

LXVII. And be it enacted, That every Militia Man ſhall, if he changes the Places of his Abode from one Pariſh, Tything, or Place, to another Pariſh, Tything, or Place, the Militia whereof ſhall ſerve in the ſame Regiment or Battalion, ſuch Militia Man ſhall continue to ſerve in ſuch Regiment or Battalion for the Place from whence he removed, and ſhall not occaſion a Vacancy for ſuch Pariſh, Tything, or Place, but ſhall be trained, exerciſed, and paid, by the Officer of the Company to which the Militia of ſuch Pariſh, Tything, or Place, to which he removed, ſhall belong; and that every Militia Man, who ſhall change the Place of his Abode from one County to another County, or from one Pariſh, Tything, or Place, to another Pariſh, Tything, or Place, the Militia whereof ſhall ſerve in different Regiments or Battalions, ſuch Perſon ſhall ſerve, upon the firſt Vacancy that ſhall happen, in ſuch Regiment or Battalion, until his Service ſhall be compleated: And every ſuch Militia Man ſhall, before he changes the Place of his Abode, give Notice thereof to any three or more Deputy Lieutenants, or to any two Deputy Lieutenants together with any one Juſtice of the Peace, or to any one Deputy Lieutenant together with any two Juſtices of the Peace, at ſome Subdiviſion Meeeting, or to one Deputy Lieutenant, who ſhall give to ſuch Militia Man a Certificate of the Time he ſhall have ſerved in the Militia for the reſpective Pariſh, Tything, or Place, from his Inrolment to ſerve in the ſame; and if ſuch Certificate ſhall have been given by one Deputy Lieutenant only, ſuch Deputy Lieutenant ſhall certify the ſame to the Deputy Lieutenants and Juſtices of the Peace at their next Meeting within ſuch Subdiviſion, and ſuch Militia Man ſhall produce the ſaid Certificate to the Deputy Lieutenants and Juſtices at the next Meeting for the Subdiviſion wherein he ſhall then dwell, or to one Deputy Lieutenant reſiding near the Pariſh, Tything, or Place, to which he ſhall remove, who ſhall certify the ſame to the Deputy Lieutenants and Juſtices of the Peace, at their next Subdiviſion Meeting: And if any Militia Man ſo changing the Place of his Abode ſhall not give Notice, and produce his Certificate as aforeſaid, ſuch Militia Man ſo neglecting, and thereof convicted on Oath before one or more Juſtice or Juſtices of the Peace, ſhall forfeit and pay the Sum of twenty Shillings; and if ſuch Offender ſhall not immediately pay ſuch Penalty, the ſame ſhall be levied by Diſtreſs and Sale of his Goods and Chattles, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Offender upon whom ſuch Diſtreſs ſhall have been made, as aforeſaid; and for Want of ſufficient Diſtreſs, ſuch Juſtice or Juſtices ſhall commit ſuch Offender to the Houſe of Correction for any Time not exceeding one Month.

On Neglect of giving ſuch Notice, and producing Certificate, he forfeits 20s. to be levied by Diſtreſs and Sale; and for Want of Diſtreſs, he is to be committed not exceeding 1 Month.

Clerk of the Subdiviſion Meeting is to give Notice of ſuch Militia Man's Change of Abode, &c. to the Clerk for the Diviſion to which he ſhall remove.

LXVIII. And be it enacted, That the Clerk to the Subdiviſion Meeting ſhall, upon Notice given by any Militia Man of the changing of his Place of Abode, and of a Certificate granted him as aforeſaid, forthwith give Notice thereof to the Clerk of the Meeting for the Subdiviſion to which the Pariſh, Tything, or Place, where he then reſides ſhall belong.

No Subſtitute is to be excuſed from ſerving for himſelf when choſen.

LXIX. Provided always, that no Militia Man having ſerved as a Subſtitute, ſhall, by ſuch Service, be excuſed from ſerving for himſelf when he ſhall be choſen by Lot.

Copies of the Rolls ſigned at the Subdiviſion Meetings to be tranſmitted to the Lord Lieutenant in 14 Days after each Meeting.

LXX. And be it enacted, That the Clerks of the Subdiviſion Meetings ſhall, within fourteen Days after each Subdiviſion Meeting, tranſmit to his Majeſty's Lieutenant of the County, Riding, or Place, fair and true Copies of the Rolls ſigned at the ſaid Meetings.

Conſtables or other Officers neglecting to return the Liſts, or comply with their Orders,

or being guilty of Fraud or Partiality in their Returns,

to be impriſoned for one Month,

or fined not exceeding 5l. nor leſs than 40s to be levied by Diſtreſs and Sale.

LXXI. And be it enacted, That if any chief Conſtable or other Officer of any hundred, Rape, Lath, Wapentake, or other Diviſion, or any Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place, ſhall refuſe or neglect to return ſuch Liſts, from Time to Time, in manner aforeſaid, or to comply with ſuch Orders and Directions as he ſhall, from Time to Time, receive from his Majeſty's Lieutenant, and the ſaid Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, in purſuance of this Act, or ſhall, in making ſuch Return, be guilty of any Fraud or wilful Partiality; any three or more Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, are hereby impowered and required to impriſon, in the common Gaol of the reſpective County, Riding, or Place, ſuch chief Conſtable or other Officer of any Hundred, Rape, Lath, Wapentake, or other Diviſion, or ſuch Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything, or Place, there to be kept without Bail or Mainprize, for the Space of one Month, or, at their Diſcretion, to fine ſuch Officer in any Sum not exceeding five Pounds, nor under forty Shillings; ſuch Fine to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hands

Hands and Seals of any three or more Deputy Lieutenants, or of any two Deputy Lieutenants together with any one Juſtice of the Peace, or of any one Deputy Lieutenant together with any two Juſtices of the Peace; rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Officer upon whom ſuch Diſtreſs ſhall have been made as aforeſaid: And it may and ſhall be lawful for the Deputy Lieutenants, or any three or more of them, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, within their reſpective Subdiviſions, from Time to Time, to iſſue out their Order or Warrant, under their Hands and Seals, commanding the Attendance of the Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything or Place within their ſeveral Subdiviſions, at ſuch Times and Places as in ſuch Order or Warrant ſhall be expreſſed; and if ſuch Conſtable, Tythingman, Headborough, or other Officer, ſhall refuſe or neglect to appear according to ſuch Order or Warrant, ſuch Conſtable, Tythingman, Headborough, or other Officer, ſhall ſuffer the Pains and Penalties aforeſaid.

Dep. Lieutenants may iſſue their Order, commanding the occaſional Attendance of the Conſtable, or other Pariſh Officer;

and on His diſobeying ſuch Order, may fine or impriſon him.

LXXII. And be it enacted, That any Perſon who ſhall, by Gratuity, Gift or Reward, or by Promiſe thereof, or of any Indemnification, or by Menaces, endeavour to prevail on any chief Conſtable, or any Conſtable, Tythingman, Headborough, or other Officer of any Pariſh, Tything or Place, to make a falſe Return of any Liſt for any Pariſh, Tything or Place, or to eraſe or leave out of any ſuch Liſt the Name of any ſuch Perſon as ought to be returned, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of fifty Pounds, to be recovered by Action of Debt, Bill, Plaint, or Information in any of his Majeſty's Courts of Record at *Weſtminſter*, wherein no Eſſoin, Wager of Law or Protection, or more than one Imparlance, ſhall be allowed; all which Penalties ſhall go to the Uſe of the Perſon or Perſons who ſhall ſue for the ſame: And if any Perſon ſhall refuſe to tell his Chriſtian and Sirname, or the Chriſtian and Sirname of any Man lodging or reſiding within his or her Houſe to any Conſtable, Tythingman, or other Officer authorized by this Act to demand the ſame, every ſuch Perſon ſhall forfeit and pay the Sum of ten Pounds.

Perſons tampering with the Conſtables to make falſe Returns, or to eraſe, &c. the Name of any Perſon out of the Liſts, forfeit 50 l.

to the Proſecutor; and Perſons refuſing to declare their own Names, or thoſe of their Lodgers, &c. forfeit 10 l.

LXXIII. And be it enacted, That if any three or more Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, ſhall, at any of their Subdiviſion Meetings, receive Information, or ſhall ſuſpect, that any Perſon inſerted in any Liſt, deſcribed as an Apprentice, has been fraudulently bound Apprentice in order to avoid ſerving in the Militia, it may and ſhall be lawful for any three or more Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, to make Inquiry into the Binding out ſuch Perſon Apprentice, and to ſummon ſuch Perſons as they ſhall think neceſſary to appear before them, at ſuch Time and Place as they ſhall appoint, and to examine ſuch Perſons, upon Oath, touching the Matter in Queſtion: And in caſe any ſuch Fraud ſhall appear in the Binding out ſuch Perſon Apprentice, it may and ſhall be lawful for ſuch Deputy Lieutenants, or Deputy Lieutenants and Juſtice, or Deputy Lieutenant and Juſtices, to appoint ſuch Perſon, ſo bound Apprentice, to ſerve immediately in the Militia for the Pariſh, Tything or Place for which ſuch Liſt ſhall have been returned, if there ſhall be a Vacancy; and if there ſhall be no Vacancy at that Time, then upon the firſt Vacancy that ſhall happen therein: And the Perſon to whom ſuch Apprentice ſhall be ſo bound, ſhall forfeit and pay the Sum of ten Pounds; which Penalty, in caſe the ſame ſhall not be forthwith paid, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hands and Seals of ſuch Deputy Lieutenants, or Deputy Lieutenants and Juſtice, or Deputy Lieutenant and Juſtices, or any three or more of them, returning the Overplus, if any, after all Charges paid, to the Perſon whoſe Goods and Chattels ſhall be ſo diſtrained; one Moiety whereof ſhall be applied to the Uſe of the Informer, if any, and the other Moiety, or, if there ſhall be no Informer, then the Whole of ſuch Penalty ſhall be applied in manner hereinafter-mentioned.

Dep. Lieutenants being informed of, or ſuſpecting, the fraudulent Binding-out of Perſons returned in the Liſt as Apprentices, in order to avoid ſerving,

may ſummon and examine Witneſſes upon Oath touching the ſame;

and if any Fraud ſhall appear, they are to appoint ſuch Perſon to ſerve immediately, or upon the firſt Vacancy that ſhall happen; and the Maſter to whom ſuch Perſon was ſo bound ſhall forfeit 10 l. to be levied by Diſtreſs and Sale:

One Moiety thereof to go to the Informer, if any.

LXXIV. And be it enacted, That his Majeſty's Lieutenant of every County, Riding and Place ſhall, and he is hereby required to tranſmit to his Majeſty's Privy Council, from Time to Time, a true State of the Numbers of Perſons fit to ſerve in the Militia for the County, Riding or Place of which he is Lieutenant; and that after all the ſaid Numbers ſhall be tranſmitted to his Majeſty's Privy Council, according to the Directions aforeſaid, it may and ſhall be lawful for the ſaid Council, and they are hereby required to fix and ſettle, as near as may be, the Number of Private Militia Men who ſhall for the future ſerve for each County, Riding or Place within the Part of *Great Britain* aforeſaid, by the Proportion which the Numbers returned for each County, Riding or Place bear to the whole Number of Private Militia Men by this Act directed to be raiſed within the Part of *Great Britain* aforeſaid, and forthwith to tranſmit Accounts of the Numbers ſo fixed and ſettled, to all his Majeſty's Lieutenants of Counties, Ridings and Places within the Part of *Great Britain* aforeſaid, reſpectively; and where the Number of Private Militia Men ſo fixed and ſettled as aforeſaid, ſhall be reſpectively greater than the Number of Private Militia Men who ſhall be by virtue of this Act appointed to ſerve for any County, Riding or Place, then, and in ſuch Caſe, his Majeſty's Lieutenant together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, ſhall, at a General Meeting to be held for that Purpoſe, appoint what Number of Private Militia Men ſhall ſerve for each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, within the County, Riding or Place to which they belong; and the additional Number of Private Militia Men to make up the whole Number ſo fixed and ſettled as aforeſaid, ſhall be provided or choſen in the ſame Manner as all other

Lord Lieutenant is to tranſmit, from Time to Time, to the Privy Council, a State of the Numbers of Perſons in the County fit to ſerve;

and the Privy Council is thereupon to ſettle the Quota of Men to ſerve, by the Proportion the Returns for each County bear to the whole Number to be raiſed within the Kingdom; and forthwith to tranſmit Accounts of the Numbers ſo ſettled to the Lieutenants: And where the Number ſhall be greater than is appointed by the Act, a General Meeting is to be held by the Ld. Lt. and Deputies, and the additional Men are to be then provided

or choſen in like manner as is directed in other Caſes; and where the Number ſettled ſhall be leſs than is appointed by the Act,

Private Militia Men are by this Act directed to be provided or choſen: And all the additional Men ſo provided or choſen, or their Subſtitutes (to be appointed as Subſtitutes are required to be by this Act) and Voluntiers, ſhall take the Oath by this Act required to be taken, and ſhall reſpectively be inrolled, or ſign their Conſent to ſerve in the Militia, in the ſame Manner as is directed, and ſhall be ſubject, in caſe of Refuſal, to the ſame Penalties as are in like Caſes inflicted by this Act: And where the Number of Private Militia Men ſo fixed and ſettled as aforeſaid, ſhall be reſpectively leſs than the Number of Private Militia Men who ſhall be, by virtue of this Act, appointed to ſerve for any County, Riding or Place, then, and in ſuch Caſe, his Majeſty's Lieutenant together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, ſhall, at a General Meeting to be held for that Purpoſe, diſcharge by Lot proportionably out of each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, ſo many Private Militia Men as ſhall exceed the Number ſo fixed and ſettled as aforeſaid.

the Supernumeraries ſhall be diſcharged by Lot.

Where the Numbers to be raiſed ſhall appear at a General Meeting to have been unequally or erroneouſly apportioned amongſt the ſeveral Hundreds or Diviſions of the County; or that by Alteration of Circumſtances the ſame is become unequal, &c. the Ld. Lieutenant and Deputies may make a new and more equal Diſtribution; and raiſe and diſcharge Men conformable thereto.

LXXV. And be it enacted, That in caſe it ſhall at any Time appear to his Majeſty's Lieutenant and any two or more Deputy Lieutenants, or on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, to any three or more Deputy Lieutenants of any County, Riding or Place, at their General Meeting, that the Diſtribution by them made of the whole Number of Militia Men charged upon ſuch County, Riding or Place, among the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, was either unequally and erroneouſly made, or, from any ſubſequent Alteration of Circumſtances, is become unequal and diſproportionable, it may and ſhall be lawful for his Majeſty's ſaid Lieutenant and any two or more Deputy Lieutenants, or on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, for any three or more Deputy Lieutenants to make a new and more equal Diſtribution of ſuch Number as aforeſaid among the ſaid ſeveral Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions, according to the Method preſcribed by this Act for making the original Diſtribution, and to cauſe ſuch additional Number of Men to be provided or choſen, or ſuch Number to be diſcharged out of thoſe before provided or choſen for each reſpective Hundred, Rape, Lath, Wapentake, or other Diviſion, as ſhall become neceſſary in conſequence of ſuch new Diſtribution, in like manner as is by this Act preſcribed to be done, where the ſame ſhall become neceſſary in conſequence of the Accounts tranſmitted from his Majeſty's Privy Council.

Serjeant and Militia Man exempted from Statute-work and Pariſh Offices; and from being obliged to ſerve in his Majeſty's Land or Sea Forces.

LXXVI. And be it enacted, That no Serjeant or Private Man ſerving in the Militia ſhall, during the Time of ſuch Service, be liable to do perſonally any Highway Duty, commonly called *Statute-work*, or be appointed to ſerve as a Peace Officer or Pariſh Officer, or be liable to ſerve in any of his Majeſty's Land or Sea Forces, unleſs he ſhall conſent thereto.

Militia Man falling ſick on a March, or at the Place of Annual Exerciſe, is to be provided for by an Order from the Magiſtrate, or Juſtice of the Place; and the Expence is to be reimburſed by his proper Pariſh.

LXXVII. And be it enacted, That in caſe any Private Man ſerving in the Militia, ſhall on the March, or at the Place where he ſhall be called out to Annual Exerciſe, be diſabled by Sickneſs, it ſhall and may be lawful for any one Juſtice of the Peace of the County, or any Mayor or Chief Magiſtrate of any City, Town or Place, where ſuch Man ſhall then be, to order him ſuch Relief as he ſhall think reaſonable, by Warrant under his Hand and Seal; and the Officers of the Pariſh, Tything or Place for which ſuch Man ſhall ſerve as a Militia Man, ſhall reimburſe the ſame to the Officers of the Pariſh where ſuch Militia Man ſhall then receive ſuch Relief, which ſhall be allowed in their Accounts, upon producing the above Order.

No Perſon having ſerved 3 Years, is liable to ſerve again but in Rotation.

LXXVIII. And be it enacted, That no Perſon having ſerved perſonally or by Subſtitute three Years in the Militia, ſhall be obliged to ſerve again, until by Rotation it comes to his Turn.

The ſame Liberty is granted to Militia Men being married and embodied, to ſet up Trades within Great Britain or Ireland,

as by Act 22 Geo. 2. c. 41. is granted to Mariners or Soldiers.

LXXIX. And be it enacted, That every Man having ſerved in the Militia when drawn out and embodied, being a married Man, may ſet up and exerciſe any ſuch Trade as he is apt and able for, in any Town or Place within the Kingdoms of *Great Britain* and *Ireland*, without any Let, Suit, or Moleſtation of any Perſon or Perſons whatſoever, for or by reaſon of the uſing ſuch Trade, as freely, and with the ſame Proviſions, and under the ſame Regulations, and with the like Exception in reſpect to the two Univerſities of that Part of *Great Britain* called *England*, as any Mariner or Soldier may do by an Act paſſed in the twenty-ſecond Year of his late Majeſty's Reign, intituled, *An Act to enable ſuch Officers, Mariners and Soldiers as have been in his Majeſty's Service ſince his Acceſſion to the Throne, to exerciſe Trades.*

Militia Man, if unembodied, is not intitled to his Clothes, till he has ſerved 3 Years; but if embodied, they are to be applied to his Uſe at the End of 1 Year.

LXXX. And be it enacted, That no Private Militia Man ſhall be intitled to his Clothes for his own Uſe, until he ſhall have ſerved for the Space of three Years, if the Regiment or Battalion in which he ſerves ſhall be unembodied; but if ſuch Regiment or Battalion in which he ſerves ſhall be drawn out and embodied, the Clothes ſhall, at the End of one Year, be applied in ſuch Manner as the Colonel or Commanding Officer of his Regiment or Battalion ſhall judge beſt for the Uſe of ſuch Militia Man.

Overſeers are to pay out of the Poor Rates, by Order of ſome Juſtice, a weekly Allowance to the diſtreſſed Families of ſuch Men embodied and called out, as ſhall have been choſen by Lot, and of ſuch Subſtitutes, hired

LXXXI. And be it enacted, That if any Militia Man who ſhall have been accepted and inrolled as a Subſtitute, hired Man or Voluntier, before the twenty-ſecond Day of *May* one thouſand ſeven hundred and ſixty, or if any Militia Man who ſhall have been choſen by Lot, whether before or after the twenty-ſecond Day of *May* one thouſand ſeven hundred and ſixty, ſhall, when embodied, and called out into actual Service, and ordered to march, leave a Family unable to ſupport themſelves, the Overſeer or Overſeers of the Poor of the Pariſh, Tything or Townſhip, where the Family of ſuch Militia Man ſhall dwell, ſhall, by Order of ſome one Juſtice of the Peace, out of the Rates for the Relief

Relief of the Poor of ſuch Pariſh, Tything or Townſhip, pay to ſuch Family a Weekly Allowance, according to the uſual and ordinary Price of Labour in Huſbandry within the ſaid County, Riding, Diviſion, Diſtrict or Place where ſuch Family ſhall dwell, by the following Rule; that is to ſay, For one Child under the Age of ten Years, any Sum not exceeding the Price of one Day's Labour; for two Children under the Age aforeſaid, any Sum not exceeding the Price of two Days Labour; for three or four Children under the Age aforeſaid, any Sum not exceeding the Price of three Days Labour; for five or more Children under the Age aforeſaid, any Sum not exceeding the Price of four Days Labour; and for the Wife of ſuch Militia Man, any Sum not exceeding the Price of one Day's Labour; and in every Pariſh, Tything or Townſhip, where the Money ariſing by ſuch Rates ſhall not be ſufficient for the Purpoſe aforeſaid, a new Rate or Rates ſhall be made for raiſing a Sum ſufficient for that Purpoſe: And every ſuch Weekly Allowance ſhall be forthwith reimburſed to the Overſeer or Overſeers of ſuch Pariſh, Tything or Townſhip by the Treaſurer of the County, Riding or Place where ſuch Pariſh, Tything or Townſhip ſhall be ſituate, out of the publick Stock of ſuch County, Riding or Place.

Men and Volunteers as were inrolled before 22 May 1760, according to the uſual Price of Labour in Huſbandry within the County, and the Number and Age of the Children: viz. for 1 Child under 10 Years, 1 Day's Labour; 2 ditto, 2 Days Labour; 3 or 4 ditto, 3 Days Labour; 5 or more ditto, 4 Days Labour: For the Wife, 1 Day's Labour: And where the ſaid Rates ſhall be inſufficient, a new Rate is to be made; and the Overſeers are to be reimburſed forthwith out of the County Stock.

LXXXII. And be it enacted, That the Treaſurer of every County, Riding, Diviſion and Place, ſhall and is hereby required to keep exact and diſtinct Accounts of all the Monies that ſhall have been ſo by him reimburſed, to ſuch Overſeer or Overſeers as aforeſaid, in purſuance of the Directions of this Act; and ſhall at the End of ſeven Calendar Months from the paſſing of this Act, and afterwards at the End of every ſix Calendar Months, return the ſaid Accounts, together with the Accounts which he ſhall have received from the ſeveral Treaſurers of the Cities, Towns, Liberties or Places to the Office of the Treaſurer's Remembrancer of the Court of Exchequer.

Treaſurer of the County is to keep an Account of the Monies ſo reimburſed to the Overſeers, and return half-yearly the ſaid Accounts with thoſe received from the City Treaſurer, &c. into the Exchequer.

LXXXIII. Provided always, and be it enacted, That in all Cities, Towns, Liberties, Diviſions and Places, which are not liable to contribute to County Rates by virtue of an Act made in the twelfth Year of his late Majeſty's Reign, intituled, *An Act for the more eaſy aſſeſſing, collecting and levying of County Rates*, the Juſtices of the Peace for every ſuch City, Town, Liberty, Diviſion and Place, at any Seſſions or Meeting, or the major Part of them then and there aſſembled, may and ſhall appoint a Treaſurer, and ſhall aſſeſs upon every Pariſh, Tything, Townſhip, Hamlet or Vill, within the Limits of their reſpective Juriſdictions, in ſuch Proportions as the Rates heretofore made for the Relief of the Poor have been uſually aſſeſſed; and ſhall cauſe to be paid out of the Money collected and levied for the Relief of the Poor of every ſuch Pariſh, Tything, Townſhip, Hamlet or Vill, into the Hands of ſuch Treaſurer, ſuch Sum or Sums of Money as they in their Diſcretion ſhall think ſufficient for reimburſing to the Overſeer or Overſeers of the ſeveral Pariſhes, Tythings, Townſhips, Hamlets or Vills, within the Limits of their reſpective Juriſdictions, the Amount of the Weekly Allowances paid by ſuch Overſeer or Overſeers to the Families of the Militia Men reſiding within their reſpective Juriſdictions as aforeſaid; and every ſuch Treaſurer ſhall forthwith reimburſe the ſame to every ſuch Overſeer or Overſeers accordingly: And ſuch Treaſurer is hereby required to keep exact and diſtinct Accounts of all the Monies that ſhall have been ſo paid into his Hands, and ſo by him reimburſed to ſuch Overſeer or Overſeers as aforeſaid; and ſhall, at the End of every ſix Calendar Months, tranſmit the ſaid Accounts to the Treaſurer of the County or Riding which ſuch City, Town, Liberty, Diviſion and Place is by this Act united with and made Part of for the Purpoſes of this Act: Provided that the Treaſurer of the City of *Lincoln* and County of the ſaid City, ſhall tranſmit his Accounts to the Treaſurer of the Diviſion of *Linſey*, within the County of *Lincoln*.

Where any City or Place ſhall not be liable by Act 12 Geo. 2. c. 29. to contribute to County Rates, the Juſtices may appoint a Treaſurer, and aſſeſs each Pariſh proportionate to their uſual Poors Rate, in a Sum ſufficient to reimburſe the Overſeers the Weekly Allowances paid by them; and ſuch Treaſurer is to reimburſe the ſaid Overſeers, and keep an Account of the Monies paid by him, and tranſmit the ſame half-yearly to the County Treaſurer.

Treaſurer of the City, &c. of Lincoln, is to tranſmit his Accounts to the Treaſurer of Linſey Diviſion.

LXXXIV. Provided always, and be it enacted, That within the City and County of the City of *Exeter*, all Allowances to be made by virtue of this Act to the Families of Perſons ſerving in the Militia, ſhall be paid by the Treaſurer or Treaſurers of the Corporation of the Governor, Deputy Governor, Aſſiſtants and Guardians of the Poor of the City and County of *Exeter*; and that the ſame ſhall be aſcertained, aſſeſſed, raiſed, collected and levied by ſuch and the ſame Ways and Means as the Money raiſed for the Relief of the Poor within the ſaid City and County is, by virtue of two Acts of Parliament, the one of them made in the ninth and tenth Years of King *William* the Third, and the other of them in the thirty-firſt Year of his late Majeſty King *George* the Second, directed to be raiſed: And it ſhall and may be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums as ſhall be neceſſary for that Purpoſe, over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid City and County; and all and every Perſon and Perſons who are by the ſaid Acts, or either of them, required to do any Act, Matter or Thing, for the aſcertaining, aſſeſſing, confirming or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby required and authorized to do all ſuch and the like Acts, Matters and Things for the aſcertaining, aſſeſſing, confirming or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed upon Offences of the like Nature by the above mentioned Acts, or either of them; and alſo in the ſame Manner, and by the ſame Ways and Means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer of the Corporation of the Poor for the Maintenance of ſuch Wives and Families, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation.

Allowances made within the City and County of the City of Exeter, are to be paid by the Treaſurer of the Guardians of the Poor, and to be aſſeſſed and levied as their Poors Rate is by Acts 9 Will. 3. and 31 Geo. 2. directed; and to be additional to what they are authoriz'd to raiſe for their Poor Rate; and to be raiſed and levied under like Penalties; and the Money already advanced and paid by the ſaid Treaſurer towards the ſaid Allowances is to be raiſed and levied in like manner.

LXXXV.

Monies to be levied by this Act, by Pariſh Rates in Briſtol, are to be raiſed and paid, &c. as the Poor Rate there;

and to be additional to what is already authorized to be raiſed there:

And the Money already advanced by the Treaſurer of the Corporation of the Poor is to be aſſeſſed and repaid him;

and all Acts requiſite thereto, are to be done, under like Penalties as are preſcribed with reſpect to Officers neglecting their Duty in Execution of the Poor Laws there.

LXXXV. Provided alſo, and be it enacted, That all Monies to be levied by Pariſh Rates to be made within the City and County of the City of *Briſtol*, by virtue of this Act, ſhall be paid, aſcertained, aſſeſſed, raiſed, collected, levied and repaid, in ſuch Manner, and by ſuch and the ſame Ways and Means, as are preſcribed to be obſerved in raiſing Money for the Relief of the Poor within the ſaid City and County of the City of *Briſtol*, by virtue of any Act or Acts of Parliament relating thereto; and that it ſhall and may be lawful for the ſeveral Perſons authorized to put the ſaid Acts in Execution, to cauſe to be raiſed and levied ſuch Sum or Sums, over and above what they are already authorized to raiſe for the Relief of the Poor of the ſaid City and County, and alſo in the ſame Manner, and by the ſame Ways and Means, to raiſe and levy, or cauſe to be raiſed and levied, ſuch further Sum and Sums of Money as ſhall have been advanced and paid by the Treaſurer of the Corporation of the Poor, and ſhall cauſe the ſame to be repaid to the Treaſurer of the ſaid Corporation; and that all and every Perſon and Perſons, who are by the ſaid Acts, any or either of them, required to do any Act, Matter or Thing for the aſcertaining, aſſeſſing, confirming or altering of Aſſeſſments, collecting and levying the Sums thereby directed to be raiſed for the Relief of the Poor, are hereby required and authorized to do all ſuch and the like Acts, Matters and Things, for the aſcertaining, aſſeſſing, confirming or altering Aſſeſſments, collecting and levying the Money hereby directed to be raiſed, and ſhall be ſubject to all ſuch Forfeitures and Penalties, in caſe of their Neglect or Refuſal to perform the ſame, as are impoſed upon Officers of the like Nature by the above mentioned Acts, any or either of them.

Where Treaſurers ſhall reimburſe to Overſeers any Money, on account of the weekly Allowance to the Families of Militia Men ſerving in any County, other than that wherein ſuch Families dwell,

they are to tranſmit an Account thereof, ſigned by a Juſtice, to the Treaſurer of the County wherein ſuch Men ſerve,

who is to reimburſe them the ſame.

LXXXVI. Provided always, and be it enacted, That the Treaſurer of any County, Riding, City, Town, Liberty, Diviſion or Place, within the Part of *Great Britain* aforeſaid, who ſhall, after the paſſing of this Act, reimburſe to any Overſeer or Overſeers of the Poor of any Pariſh, Tything, Townſhip, Hamlet or Vill, any Sum or Sums of Money, in purſuance of the Directions of this Act, on account of the Weekly Allowance to the Family of any Militia Man, ſerving in the Militia of any County, Riding, City, Town, Liberty, Diviſion or Place, other than the County, Riding, City, Town, Liberty, Diviſion or Place where ſuch Family ſhall dwell, ſhall deliver or tranſmit an Account of ſuch Money as he ſhall have ſo reimburſed as aforeſaid, ſigned by one or more Juſtice or Juſtices of the Peace for the County, Riding, City, Town, Liberty, Diviſion or Place where ſuch Family ſhall dwell, to the Treaſurer of the County, Riding, City, Town, Liberty, Diviſion or Place, in the Militia whereof ſuch Militia Man ſhall ſerve; and thereupon the Treaſurer, to whom ſuch Account ſhall have been delivered or tranſmitted as aforeſaid, ſhall and is hereby required to pay to the Treaſurer, who ſhall have ſo delivered or tranſmitted ſuch Account, the Sum or Sums ſo by him reimburſed to ſuch Overſeer or Overſeers, and ſhall be allowed the ſame in his Accounts.

If a Quaker be choſen, and refuſes to ſerve, or provide a Subſtitute, the Dep. Lieutenants may provide one, and levy the Expence by Diſtreſs and Sale;

but if any oppreſſive Meaſures be uſed in making ſuch Diſtreſs, he is to be redreſſed, upon Complaint made by him:

LXXXVII. And be it enacted, That if any Perſon, being one of the People called *Quakers*, ſhall be choſen by Lot to ſerve in the Militia, and ſhall refuſe or neglect to appear, and to take the Oath, and ſerve in the Militia, or to provide a Subſtitute, to be approved as aforeſaid, who ſhall take the ſaid Oath, and ſubſcribe his Conſent to ſerve as the Subſtitute of ſuch Quaker; then, and in every ſuch Caſe, any three Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, ſhall, if they think proper, upon as reaſonable Terms as may be, provide and hire a fit Perſon, who ſhall take the ſaid Oath, and ſubſcribe his Conſent to ſerve in the ſaid Militia for the Space of three Years, as the Subſtitute of ſuch Quaker; and any three Deputy Lieutenants, or any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of the Peace, are hereby impowered and required to levy by Diſtreſs and Sale of the Goods and Chattels of ſuch Quaker, by Warrant under their Hands and Seals, ſuch Sum or Sums as ſhall be neceſſary to defray the Expence of providing and hiring ſuch Perſon to ſerve in the Militia, for the Space of three Years, as the Subſtitute of ſuch Quaker, ſo refuſing or neglecting, as aforeſaid; rendering the Overplus, if any, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Quaker, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid: And in caſe any Meaſures ſhall be uſed in making Diſtreſs as aforeſaid, which may be by any ſuch Quaker thought oppreſſive, it ſhall be lawful for ſuch Quaker to complain thereof to the Deputy Lieutenants and Juſtices of the Peace, at their next Meeting, who are hereby impowered and required to hear and finally determine the ſame.

And where any Quakers ſhall refuſe to pay to the Rates authorized by this Act to be made, the Juſtices, upon Complaint of the Churchwardens, may order reaſonable Coſt and Charges for levying the Diſtreſs, in proportion to the Sums here allowed.

LXXXVIII. Provided always, and be it further enacted by the Authority aforeſaid, That in every Pariſh, Tything or Place, or two or more Pariſhes, Tythings or Places, ſo added together as aforeſaid, in which any ſuch Rate ſhall be made, where the Churchwardens or Overſeers ſhall make Complaint to a Juſtice of the Peace, that a Quaker or Quakers refuſe to pay the Sum or Sums of Money he or they ſhall be rated at, ſuch Juſtice may and ſhall order ſuch Coſt and Charges, for levying ſuch Diſtreſs as he ſhall think reaſonable, not exceeding the Sum of ten Shillings on each of the ſaid Quakers where there are no more than two of them, and, where there are a greater Number, not exceeding five Shillings on each of the ſaid Quakers.

Dep. Lieutenants and Juſtices may act in any and every Subdiviſion of the County for which they are commiſſioned.

LXXXIX. And be it enacted and declared, That it may and ſhall be lawful for any Deputy Lieutenant or Juſtice of the Peace to act in the Execution of this Act, in any and every Subdiviſion within the County, Riding or Place for which he is or ſhall be commiſſioned; and that each and every ſuch Deputy Lieutenant and Juſtice of the Peace hath and ſhall have the ſame Power and Authority therein, as is by this Act given to any Deputy Lieutenant or Juſtice of the Peace, within the Subdiviſion to which he is or ſhall be particularly appointed.

XC.

XC. And be it enacted, That his Majeſty's Lieutenant for any County, Riding or Place, may and ſhall appoint a Clerk for the General Meetings within ſuch County, Riding or Place, and may diſplace ſuch Clerk if he ſhall think fit, and appoint another in his Room; and the Deputy Lieutenants within their reſpective Subdiviſions, or the major Part of them preſent, may and ſhall appoint a Clerk for their Subdiviſion, and may diſplace ſuch Clerk, if they or the major Part of them preſent ſhall think fit, and appoint another in his Room.

A Clerk for the General Meetings is to be appointed by the Ld. Lieut. and Clerks for the Subdiviſion Meetings by the Dep. Lieutenants.

XCI. And be it enacted, That any two Deputy Lieutenants together with any one Juſtice of the Peace, or any one Deputy Lieutenant together with any two Juſtices of Peace, within the Counties of *Cumberland*, *Huntingdon*, *Monmouth*, *Weſtmorland* and *Rutland*, and within all the ſeveral Counties and Places within the ſaid Dominion of *Wales* reſpectively, ſhall have and exerciſe all and every the Powers conferred by this Act on any three Deputy Lieutenants of any County, Riding or Place within that Part of *Great Britain* called *England*; any Thing herein contained to the contrary notwithſtanding.

2 D. Lieuts. and 1 Juſtice, or 1 Dep. and 2 Juſtices, may exerciſe the ſame Powers in the Counties of Cumberland, Huntingdon, Monmouth, Weſtmorland, Rutland, and Wales, as are conferred on 3 D. Lieuts. of any other County.

XCII. And be it enacted, That if it ſhall happen that there ſhall not appear at any Subdiviſion Meeting, a ſufficient Number of Deputy Lieutenants and Juſtices of the Peace to act, the Clerk of ſuch Meeting ſhall, by Notice given in Writing to all the Deputy Lieutenants within ſuch Subdiviſion, or left at their reſpective Places of Abode, appoint another Meeting to be held within fourteen Days at the ſame Place where ſuch Meeting had been before appointed to be held, giving at leaſt five Days Notice thereof.

Where a ſufficient Number to act ſhall not appear at any Subdiviſion Meeting, the Clerk is to give 5 Days Notice of another Meeting to be held within 14 Days after the former Meeting.

XCIII. And be it enacted, That all Sums of Money ariſing by Forfeitures paid by, or levied upon, Perſons refuſing to ſerve in the Militia perſonally or by Subſtitute, ſhall be applied, in the firſt place, by any three Deputy Lieutenants, or by any two Deputy Lieutenants together with any one Juſtice of the Peace, or by any one Deputy Lieutenant together with any two Juſtices of the Peace, within their reſpective Subdiviſions, in providing a Subſtitute for the Perſon who ſhall have paid ſuch Penalty; and if any Part of ſuch Penalty ſhall remain after ſuch Subſtitute ſhall be provided, the ſame ſhall be paid to the Colonel or Commanding Officer of the Regiment or Battalion, and be applied as Part of the Regimental Stock.

Fines for not ſerving are to be applied in providing Subſtitutes; and the Surplus, if any, to be applied as Part of the Regimental Stock.

XCIV. And be it enacted, That every Perſon liable to ſerve in the Militia, having more than one Place of Reſidence, ſhall be deemed to reſide only, and ſhall ſerve as a Militia Man, within the County, Riding or Place where his Name ſhall have been firſt inſerted in a Liſt, and returned as herein directed, ſubjecting him to ſuch Service; and the Clerk to the Subdiviſion Meeting to which ſuch Liſt ſhall be returned, ſhall, if any ſuch Perſon require the ſame, grant a Certificate *gratis*, under his Hand, that ſuch Perſon's Name was inſerted in ſuch Liſt, ſpecifying the Times when ſuch Liſt was made and returned.

Perſons liable to ſerve, having more than one Place of Reſidence, ſhall be deemed to reſide in, and ſhall ſerve only in, the County where firſt returned in the Liſt; and Certificates, if required, ſhall be granted gratis of ſuch Returns.

XCV. And be it enacted, That within one Month after the ſaid Rolls are ſo returned from the Deputy Lieutenants and Juſtices of the Peace as aforeſaid, his Majeſty's Lieutenant together with any two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, ſhall meet together, and form and order the Militia for their reſpective Counties, Ridings or Places (where the ſame has not already been formed and ordered) into Regiments, conſiſting, where the Number of Militia Men will admit the ſame, of twelve, but in no caſe of leſs than eight, Companies of eighty Men at the moſt, and ſixty Men at the leaſt, of Perſons living as near to each other as conveniently can be; and ſhall poſt to each Company proper Officers commiſſioned and qualified as aforeſaid; (that is to ſay) The Field Officers of a Regiment ſhall be, one Colonel, one Lieutenant Colonel, and one Major; and where the Number of Private Men ſhall amount to five Companies, or to any Number under eight Companies, ſuch Militia ſhall be formed into a Battalion, with one Lieutenant Colonel, and one Major, and no other Field Officer; and where the Number of Private Men ſhall amount to three Companies, or to any Number under five Companies, ſuch Militia ſhall alſo be formed into a Battalion, with one Lieutenant Colonel or Major, and no other Field Officer: And in each Regiment or Battalion of Militia, a Number of Captains, Lieutenants and Enſigns, equal to the Number of Companies in ſuch Regiment or Battalion, Grenadier Companies excepted, wherein there ſhall be one Captain and two Lieutenants.

A General Meeting is to be held of the Ld. Lieut. and Deputies, &c. within a Month after the Return of the Rolls from the D. Lieuts. to form the Men (if not already) into Regiments of 12 but not leſs than 8 Companies of 80 Men at the moſt, and 60 Men at the leaſt, and poſt the Officers, viz. 1 Colonel, 1 Lt. Col. and 1 Major, to each Regiment; and where the Number of Men ſhall make 5 or more Companies, but leſs than 8, they are to be formed into Battalions, with 1 Lieut. Col. and 1 Major; and to a Companies excepted,

Battalion of 3 Companies, or leſs than 5, 1 Lieut. Colonel or Major; and 1 Capt. Lieut. and Enſign to each Company, Grenadier wherein are to be 1 Captain and 2 Lieutenants.

XCVI. And be it enacted, That where the Militia of any County, Riding or Place has been already formed and ordered, his Majeſty's Lieutenant together with any two Deputy Lieutenants of ſuch County, Riding or Place, ſhall, if the ſaid Militia ſhall be then diſembodied, within two Months after the paſſing this Act, reform the ſame, according to the Rules by this Act preſcribed for the firſt Forming and Ordering the Militia; and if the ſame ſhall be embodied, then within two Months after it ſhall be diſembodied and returned to the reſpective Counties.

Where the Militia has been already formed and ordered, they are, within 2 Months after being diſembodied, &c. to be reformed, according to the Rules preſcribed for the firſt Forming and Ordering them.

XCVII. And be it enacted, That in every County, Riding and Place, and in every City and Town being a County, within the Part of *Great Britain* aforeſaid, where the Number of Private Militia Men ſhall not be ſufficient to form a Regiment or Battalion, according to the Intent and Meaning of this Act, the following Eſtabliſhment ſhall take place therein; (that is to ſay) The Militia of ſuch Counties, Ridings, Places, Cities and Towns ſhall be formed into Independent Companies,

Where the Number of Men ſhall not be ſufficient to compoſe a Regiment or Battalion, they are to be formed into Independent Companies from 60 to 80

Men each, with 1 Capt. 1 Lieut. and 1 Enſign; and they may be joined, and formed into Battalions, or be incorporated with ſome Regiment or Battalion, ſo as the Number of Companies therein does not exceed, or fall ſhort of, the Number a Regiment or Battalion ought to conſiſt of.

panies, each Company to conſiſt of eighty Private Men at the moſt, and ſixty Private Men at the leaſt, with one Captain, one Lieutenant, and one Enſign to each Company; and it ſhall be lawful for his Majeſty, his Heirs and Succeſſors, to join together any Number of ſuch Independent Companies, and therewith to form a Battalion or Battalions, or to incorporate them with any Regiment or Battalion, Regiments or Battalions of Militia, but ſo as the Number of Companies in any ſuch Regiment or Battalion do not exceed or fall ſhort of the Number of Companies of which a Regiment or Battalion of Militia is herein before reſpectively allowed to conſiſt.

When a Reg. or Bat. ſhall be unembodied, the commanding Officer may appoint a Reg. Clerk thereto.

XCVIII. And be it enacted by the Authority aforeſaid, That when any Regiment or Battalion of Militia ſhall be unembodied, the Colonel, or, where there is no Colonel, the Commanding Officer, ſhall and may appoint a Regimental Clerk to ſuch Regiment or Battalion.

The Militia is to be trained and exerciſed, by Regiment or Battalion, twice a Year, 14 Days each Time, or once a Year, for 28 Days together, at the moſt convenient Times and Places; during which Time all the Proviſions in the Act for puniſhing Mutiny and Deſertion, not extending to Life or Limb, are to take place for the Officers and Men;

XCIX. And be it enacted, That the Militia ſhall be trained and exerciſed in the Manner following; (that is to ſay) By Regiment or Battalion twice in a Year fourteen Days at each Time, or once in a Year for twenty-eight Days together, as ſhall be directed by his Majeſty's Lieutenant and any two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, by any three or more Deputy Lieutenants, at ſuch Time and Place, or Times and Places, as ſhall be leaſt inconvenient to the Publick, to be by them appointed at a General Meeting; and that, during ſuch Time as the Militia ſhall be ſo trained and exerciſed, all the Proviſions contained in any Act of Parliament which ſhall be then in force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, ſhall extend to and take place in reſpect of the Officers and Private Militia Men of every Regiment or Battalion, but not to extend to Life or Limb.

who are to be quartered and billeted by the Civil Magiſtrate, in Inns, Livery Stables, and Publick Houſes, Application for that Purpoſe being made by the Commanding Officer:

C. And be it enacted, That it ſhall and may be lawful for the Mayors, Bailiffs, Conſtables, Tythingmen, Headboroughs, and other chief Magiſtrates and Officers of Cities, Towns, Pariſhes, Tythings, Villages, and other Places within that Part of *Great Britain* called *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, and, in their Default or Abſence, for any one Juſtice of the Peace inhabiting within or near any ſuch City, Town, Pariſh, Tything, Village or Place, and for no others, and they are hereby required, to quarter and billet the Officers and Private Men ſerving in the Militia, at the Times when they ſhall be called out to Annual Exerciſe, in Inns, Livery Stables, Ale-houſes, Victualling-houſes, and all Houſes of Perſons ſelling Brandy, Strong Waters, Cyder, Wine or Metheglin, by Retail, upon Application to them made by the Lord Lieutenant, or by the Colonel or Commanding Officer of the Militia of the County, Riding or Place.

Serjeants, Drummers and Fifers are to be quartered and billeted in like manner:

but are to be provided with convenient Lodgings only, at ſuch Times as no Proviſion has by Law been made for that Purpoſe.

CI. And be it enacted, That it ſhall and may be lawful for the Mayors, Bailiffs, Conſtables, Tythingmen, Headboroughs, and other chief Magiſtrates and Officers of Cities, Towns, Pariſhes, Tythings, Villages, and other Places within that Part of *Great Britain* called *England*, the Dominion of *Wales*, and the Town of *Berwick upon Tweed*, and, in their Default or Abſence, for any one Juſtice of the Peace inhabiting in or near any ſuch City, Town, Pariſh, Tything, Village or Place, and for no others, and they are hereby required to quarter and billet Serjeants, Drummers, and Fifers, ſerving in the Militia, in Inns, Livery Stables, Ale-houſes, Victualling-houſes, and all Houſes of Perſons ſelling Wine, Brandy, Strong Waters, Cyder or Metheglin, by Retail; the Occupiers whereof are hereby required to provide for ſuch Serjeants, Drummers and Fifers, at ſuch Times for which no Proviſion has by Law been made for that Purpoſe, convenient Lodgings only.

A Return is to be made to the Ld. Lieut. of the State of the Regiment, &c. while unembodied, when called out to Exerciſe.

CII. And be it enacted, That the Colonel or Commanding Officer of every Regiment or Battalion of unembodied Militia ſhall, and he is hereby required, as often as the Regiment or Battalion ſhall be called out to Exerciſe, to return to his Majeſty's Lieutenant of the County, Riding or Place for which ſuch Regiment or Battalion ſhall ſerve, a true State of ſuch Regiment or Battalion.

Notice of the Times and Places of Exerciſe to be ſent to the chief Conſtables, to be forwarded by them to the Pariſh, &c.

and to be affixed on the Church Doors of the reſpective Pariſhes;

CIII. And be it enacted, That Notice of the Time and Place, or Times and Places, of Exerciſe to which the Militia Men of each Pariſh, Tything or Place are to reſort, ſhall be ſent by the Clerk of the General Meeting to the chief Conſtables or other Officers of the ſeveral Hundreds, Rapes, Laths, Wapentakes, or other Diviſion, with Directions to forward the ſame to the Conſtables, Tythingmen, Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings or Places within their reſpective Hundreds, Rapes, Lathes, Wapentakes, or other Diviſions; which Conſtables, Tythingmen, Headboroughs, or other Pariſh Officers, ſhall cauſe ſuch Notice to be fixed on the Doors of the Churches or Chapels belonging to their reſpective Pariſhes, Tythings or Places, or if any Place, being Extraparochial, ſhall have no Church or Chapel belonging thereto, on the Door of the Church or Chapel of ſome Pariſh, Tything or Place thereunto adjoining; and all ſuch Militia Men ſhall duly attend at the Times and Places of Exerciſe ſo to be appointed: And if any Militia Man (not labouring under any Infirmity incapacitating him) ſhall not appear at ſuch Time and Place, or Times and Places, ſo appointed in ſuch Notice as aforeſaid, every ſuch Militia Man being convicted thereof, upon Oath, before one Juſtice of the Peace, ſhall forfeit and pay the Sum of twenty Pounds; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtice of the Peace, before whom ſuch Militia Man ſhall be ſo convicted, ſhall, by Warrant, commit ſuch Militia Man to the common Gaol of the County, Riding or Place where he ſhall have been ſo convicted, there to remain without Bail or Mainprize for the Space of ſix Months, or until he ſhall have paid the Penalty aforeſaid.

and if any Militia Man (not being diſabled) neglect to appear according to ſuch Notice, he forfeits 20 l. and on Non-payment, is to be committed for 6 Months,

or until he ſhall have paid the Penalty.

CIV.

CIV. And be it enacted, That the Captain of each Company of Militia ſhall keep in his own Cuſtody, or leave and depoſit with the ſeveral Serjeants belonging to his Company, or with ſuch Perſon or Perſons as the ſaid Captain ſhall appoint for that Purpoſe, the Arms, Clothes and Accoutrements provided for his Company of Militia; and the Churchwardens of every Pariſh or Place where the ſaid Arms, Clothes and Accoutrements are ſo depoſited, or one of them, is and are hereby required to provide, at the Expence of ſuch Pariſh or Place, a Cheſt, in which ſuch Captain, Serjeant, or other Perſon ſo appointed as aforeſaid, ſhall keep the ſaid Arms in ſome dry Part of his Houſe or Dwelling, under Lock and Key, and another Cheſt in which he ſhall keep, under Lock and Key, the ſaid Clothes and Accoutrements; and the Serjeant, or ſuch other Perſon as ſhall be appointed to train and diſcipline the Men, is hereby required to take care that, after Exerciſe, every Militia Man cleans and returns his Arms, Clothes and Accoutrements to his Captain, or to ſuch Perſon or Perſons as ſhall be appointed as aforeſaid to receive the ſame.

The Captain is to have the Charge of the Arms, Clothes and Accoutrements of his Company; and the Churchwardens are to provide Cheſts for the ſafe keeping thereof;

and care is to be taken that the Men return them in good Order after Exerciſe.

CV. And be it enacted, That his Majeſty's Lieutenant of any County, Riding or Place, or, in the Abſence of his Majeſty's Lieutenant, any three or more Deputy Lieutenants, is and are hereby authorized, by Warrant under his Hand and Seal, or their Hands and Seals, to employ ſuch Perſon or Perſons as he or they ſhall think fit, to ſeize and remove the Arms, Clothes and Accoutrements belonging to the Militia, whenever his Majeſty's ſaid Lieutenant or Deputy Lieutenants ſhall adjudge it neceſſary to the Peace of the Kingdom, and to deliver the ſaid Arms, Clothes and Accoutrements into the Cuſtody of ſuch Perſon or Perſons as his Majeſty's ſaid Lieutenant or Deputy Lieutenants ſhall appoint to receive the ſame, for the Purpoſes of this Act.

The Ld. Lieut. or Deputies in his Abſence, may ſeize and remove the Arms, &c. when neceſſary to the Publick Peace;

and lodge them with other Perſons.

CVI. And be it enacted, That if any Serjeant, or any other Perſon intruſted by the Captain with the Cuſtody of any Arms, Clothes or Accoutrements belonging to the Militia, ſhall deliver out any ſuch Arms, Clothes or Accoutrements, unleſs for exerciſing the Men, or by the Command of his Superior Officer, it may and ſhall be lawful for any two or more Juſtices of the Peace to commit ſuch Offender to the common Gaol of the County, Riding or Place where the Offence ſhall be committed, there to remain without Bail or Mainprize for any Time not exceeding ſix Months.

Perſons intruſted with the Cuſtody of the Arms, &c. delivering out the ſame, unleſs for Exerciſe, or by proper Command, may be committed for 6 Months.

CVII. And be it further enacted by the Authority aforeſaid, That no Pay, Arms, Accoutrements or Clothing ſhall be iſſued, and that no Adjutant or Serjeant ſhall be appointed, for the Militia of any County, Riding or Place, until it ſhall appear by a Return ſigned by his Majeſty's Lieutenant, or on the Death or Removal, or in the Abſence, of his Majeſty's Lieutenant, by any three Deputy Lieutenants, that three Fifths of the Militia Men of the ſaid County, Riding or Place have been inrolled, and that three Fifths of the Officers have taken out their Commiſſions.

No Pay, Arms or Clothing are to be iſſued, nor Adjutant or Serjeants appointed, till 3 Fifths of the Men and Officers have been inrolled, and taken out their Commiſſions.

CVIII. And be it enacted, That all Muſkets delivered for the Service of the Militia ſhall be marked diſtinctly in ſome viſible Place with the Letter *M*, and the Name of the County, Riding or Place to which they belong.

Muſkets for the Militia are to be marked with an (M) and the Name of the County, &c.

CIX. And be it enacted, That if any Militia Man ſhall ſell, pawn or loſe any of his Arms, Clothes or Accoutrements, and ſhall be thereof convicted upon Oath before any one Juſtice of the Peace, ſuch Militia Man ſhall forfeit and pay a Sum not exceeding three Pounds; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtice of the Peace before whom ſuch Militia Man ſhall be ſo convicted as aforeſaid, ſhall, by Warrant, commit ſuch Militia Man to the Houſe of Correction for the Space of one Month, and until Satisfaction be made for the ſame; and if he ſhall not be of Ability to make ſuch Satisfaction, then for the Space of three Months: And if any Militia Man ſhall refuſe or neglect to return his Arms, Clothes and Accoutrements in good Order to his Captain, or to ſuch Perſon as ſhall be appointed as aforeſaid to receive the ſame, whenever demanded, ſuch Militia Man, being thereof convicted as aforeſaid, ſhall, for every ſuch Offence, forfeit and pay the Sum of ten Shillings; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtice of the Peace before whom ſuch MilitiaMan ſhall be ſo convicted as aforeſaid, ſhall, by Warrant, commit ſuch Militia Man to the Houſe of Correction for any Time not exceeding fourteen Days.

Militia Man who ſhall ſell, pawn or loſe his Arms, Clothes or Accoutrements, forfeits 3 l. and on Nonpayment, is to be committed to the Houſe of Correction for 1 Month, and until Satisfaction be made; and if not of Ability to pay, he is to be committed for 3 Months; and if he neglect to return them in good Order when demanded, he forfeits 10 s. and on Nonpayment, is to be committed for any Time not exceeding 14 Days.

CX. And be it enacted, That if any Perſon ſhall knowingly and willingly buy, take in Exchange, conceal, or otherwiſe receive, contrary to the true Intent and Meaning of this Act, any Arms, Clothes or Accoutrements belonging to the Militia, upon any Account or Pretence whatſoever, the Perſon ſo offending, being convicted thereof, upon Oath, before one or more Juſtice or Juſtices of the Peace, ſhall forfeit and pay, for every ſuch Offence, the Sum of five Pounds: And if ſuch Offender ſhall not immediately pay ſuch Penalty, the Juſtice or Juſtices of the Peace before whom ſuch Offender ſhall be ſo convicted as aforeſaid, ſhall, by Warrant under the Hand and Seal, or Hands and Seals, of ſuch Juſtice or Juſtices, levy the ſame by Diſtreſs and Sale of the Offender's Goods and Chattels, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Offender, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid; and for want of ſuch Diſtreſs, ſhall commit ſuch Offender to the common Gaol of the County, Riding or Place where the Offence ſhall have been committed, there to remain without Bail or Mainprize, for the Space of three Months, or ſhall cauſe ſuch Offender to be publickly whipped, at the Diſcretion of ſuch Juſtice or Juſtices.

If any Perſon ſhall knowingly and unlawfully buy, exchange, conceal or receive any of the ſaid Arms, Clothes or Accoutrements, he forfeits 5 l. for every ſuch Offence, to be levied by Diſtreſs and Sale;

and for want of Diſtreſs, he may be committed for 3 Months, or be publickly whipt, at the Diſcretion of the Juſtice.

CXI. Provided always, and be it enacted, That no Officer of the Militia, or Private Militia Man, ſhall be liable to any Penalty or Puniſhment, for or on account of his Abſence during the Time he ſhall be going to vote at any Election of a Member to ſerve in Parliament, or during the Time he ſhall be returning from ſuch Election.

None are liable to Penalty for Abſence, during the Time of going to vote for a Member of Parliament, or returning.

If the Perſon intruſted with the Care of the Arms, &c. ſhall not within three Days complain to any Juſtice of any Militia Man not having duly returned the ſame, he forfeits 20s. to be levied by Diſtreſs and Sale.

CXII. And be it enacted, That if the Serjeant, or other Perſon appointed by any Captain of the Militia to receive and keep in his Cuſtody the Arms, Clothes, and Accoutrements thereto belonging, ſhall not complain, within three Days, to ſome neighbouring Juſtice of the Peace, of any Militia Man's not having returned his Arms, Clothes, and Accoutrements as before directed, ſuch Serjeant or other Perſon appointed as aforeſaid, being thereof convicted on Oath before one of his Majeſty's Juſtices of the Peace, ſhall forfeit and pay the Sum of twenty Shillings; which Penalty, if the Offender ſhall not immediately pay the ſame, ſhall be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of the Juſtice of the Peace before whom ſuch Offender ſhall be ſo convicted as aforeſaid, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to ſuch Offender, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid.

The Serjeants are to receive their military Orders from the Adjutant, and ſuperior Officers; and are to report to them, or to 2 Dep Lieutenants, or a civil Magiſtrate, the Crimes and Miſdemeanors of the Men.

CXIII. And be it enacted, That the ſeveral Serjeants ſhall receive all their military Orders, with reſpect to the Training the Militia Men under their Care, from the Adjutant and their ſuperior Officers; and are hereby required to report, from Time to Time, all Crimes and Miſdemeanors of the ſeveral Militia Men under their Command, to their Adjutant or ſuperior Officers, or to any two or more Deputy Lieutenants, or to ſome civil Magiſtrate, as the Caſe ſhall require.

Non-Commiſſion Officer being negligent in his Duty, or inſolent, or diſobedient to his ſuperior Officer, forfeits any Sum not exceeding 30s. and on Non-payment, may be committed for 14 Days; and is liable to be diſcharged.

CXIV. And be it enacted, That if any Non-commiſſion Officer ſhall be negligent in his Duty, or inſolent or diſobedient to the Orders of the Adjutant, or other his ſuperior Officer, and be thereof convicted as aforeſaid, upon the Oath of the Adjutant, or other ſuperior Officer, before one or more Juſtice or Juſtices of the Peace, ſuch Non-commiſſion Officer ſhall forfeit and pay any Sum not exceeding thirty Shillings, at the Diſcretion of ſuch Juſtice or Juſtices; and if ſuch Non-commiſſion Officer ſhall not immediately pay ſuch Penalty, the Juſtice or Juſtices of the Peace before whom ſuch Non-commiſſion Officer ſhall be ſo convicted as aforeſaid, ſhall, by Warrant, commit ſuch Non-commiſſion Officer to the Houſe of Correction for the Space of fourteen Days; and his Majeſty's Lieutenant, or the Colonel or Commanding Officer of the Regiment or Battalion, may diſcharge ſuch Non-commiſſion Officer, if he ſhall think fit.

Chief Conſtables and others are required to be aiding and aſſiſting to the Lord Lieutenants, Deputies, and Juſtices, &c. in the Execution of this Act.

CXV. And be it enacted, That all chief Conſtables, petty Conſtables, Tythingmen, Headboroughs, and other Officers, of Hundreds, Rapes, Laths, Wapentakes, Pariſhes, Tythings, and Places, within that Part of *Great Britain* called *England*, and the Dominion of *Wales*, ſhall, and they are hereby required to be aiding and aſſiſting to his Majeſty's ſaid reſpective Lieutenants, and their Deputy Lieutenants, and to the Juſtices of the Peace, and to any or them, and to all to whom any Power or Authority is by this Act given, in the Execution thereof.

In caſe of actual Invaſion, or imminent Danger thereof, or of Rebellion, the King having firſt communicated the Occaſion to Parliament, if ſitting, and if not, to the Council, and notified the ſame by Proclamation, may order the Militia to be drawn out and embodied; or ſo many of them as he ſhall judge neceſſary; and put them under Command of General Officers; and direct them to be led into any Parts of the Kingdom for the Suppreſſion of Invaſions and Rebellions; and they are to receive Pay as the King's other Regts. of Foot, till they ſhall be returned again; and the Officers are to rank with thoſe of equal Degree in his Majeſty's other Forces, as the youngeſt of their Rank; and are to be under all the Proviſions of the Mutiny Act; excepting where it is otherwiſe ſpecially provided for; and when returned to their own Pariſhes, they are to be under the ſame Orders and Directions only, as before they were drawn out and embodied: And any Non-commiſſioned Officer or private Man being maimed or wounded in the Service, are equally intitled, with thoſe of his Majeſty's other Forces, to Chelſea Hoſpital.

CXVI. And be it enacted, That in caſe of actual Invaſion, or upon imminent Danger thereof, or in caſe of Rebellion, it may and ſhall be lawful for his Majeſty, his Heirs, and Succeſſors (the Occaſion being firſt communicated to Parliament if the Parliament ſhall be then ſitting, or declared in Council, and notified by Proclamation, if no Parliament ſhall be then ſitting or in being) to order and direct his or their Lieutenants, and on their Death or Removal, or in their Abſence from their reſpective Counties, Ridings, or Places, any three or more Deputy Lieutenants, with all convenient Speed, to draw out and embody all the Regiments and Battalions of Militia of their reſpective Counties, Ridings, or Places, already raiſed, and not yet embodied, or herein appointed to be raiſed and trained, or ſo many of them as his Majeſty, his Heirs, and Succeſſors, ſhall, in his or their great Wiſdom, judge neceſſary, in ſuch manner as ſhall be beſt adapted to the Circumſtances of the Danger; and to put the ſaid Forces under the Command of ſuch general Officers as his Majeſty, his Heirs, or Succeſſors, ſhall be pleaſed to appoint over them; and to direct them to be led by their reſpective Officers into any Parts of the Kingdom for the Suppreſſion of ſuch Invaſions and Rebellions: And the Officers of the Militia and Private Militia Men of the Regiments, Battalions, and Independent Companies, already embodied, or hereafter to be embodied, ſhall, from the Time of their being drawn out and embodied as aforeſaid, and until they ſhall be returned again, by Order of their commanding Officers, to their reſpective Pariſhes or Places of Abode, remain under the Command of ſuch General Officers, and ſhall be intitled to the ſame Pay as the Officers and Private Men in his Majeſty's other Regiments of Foot receive, and no other; and the Officers of the Militia ſhall, during ſuch Time as aforeſaid, rank with the Officers of his Majeſty's other Forces of equal Degree with them, as the youngeſt of their Rank; and, during ſuch Time, all the Proviſions contained in any Act of Parliament which now is or ſhall be then in force for the puniſhing Mutiny and Deſertion, and for the better Payment of the Army and their Quarters, ſhall extend to, and take place in reſpect of, the Officers and Private Militia Men of every ſuch Regiment, Battalion, or Independent Company of Militia reſpectively (excepting only as to ſuch Particulars as are or ſhall be otherwiſe eſpecially provided for by this or any Act or Acts of Parliament, hereafter to be made for regulating the Militia Forces within the Part of *Great Britain* aforeſaid) and when they ſhall be returned again to their reſpective Pariſhes or Places of Abode, they ſhall be under the ſame Orders and Directions only, as they were before they were drawn out and embodied as aforeſaid; and if any Non-commiſſion Officer of the Militia or Private Militia Man ſhall be maimed or wounded in actual Service, he ſhall be equally intitled to the Benefit of *Chelſea Hoſpital* with any Non-commiſſion Officer or Private Soldier belonging to his Majeſty's other Forces; and his Majeſty's Lieutenant of every ſuch County, Riding, or Place, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant from his County, Riding, or Place, any three or more Deputy Lieutenants, ſhall iſſue his or their Order to the chief Conſtables or other Officers of the reſpective Hundreds, Rapes, Laths, Wapentakes, or other Diviſions, with Directions to forward the ſame immediately to the Conſtables, Tythingmen, Head-

Headboroughs, or other Officers of the ſeveral Pariſhes, Tythings, and Places, within their reſpective Diviſions; and ſuch Conſtables, Tythingmen, Headboroughs, or other Officers, are hereby required upon Receipt thereof, forthwith to give or leave in Writing, Notice, or cauſe ſuch Notice to be given to the ſeveral Militia Men, or left at the uſual Places of their reſpective Abodes within their reſpective Pariſhes, Tythings, or Places, to attend at the Time and Place mentioned in ſuch Order: And if any Militia Man ſo ordered to be drawn out and embodied as aforeſaid (not labouring under any Infirmity incapacitating him to ſerve as a Militia Man) ſhall not appear and march in purſuance of ſuch Order, every ſuch Militia Man being convicted thereof, upon Oath, before two or more Juſtices of the Peace, ſhall forfeit and pay the Sum of forty Pounds; and if ſuch Militia Man ſhall not immediately pay ſuch Penalty, the Juſtices of the Peace, before whom ſuch Militia Man ſhall be ſo convicted, ſhall, by Warrant, commit ſuch Militia Man to the common Gaol of the County, Riding, or Place, where he ſhall have been ſo convicted, there to remain without Bail or Mainprize for the Space of twelve Months, or until he ſhall have paid the Penalty aforeſaid: And if any Perſon ſhall harbour or conceal any Militia Man, not attending when ordered out into actual Service, knowing him to be a Militia Man, and ſhall be thereof convicted upon Oath, before any Juſtice of the Peace, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of five Pounds, to be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus, if any, after deducting the ſaid Penalty, and the Charge of ſuch Diſtreſs and Sale, to the Party whoſe Goods and Chattles ſhall be ſo diſtrained and ſold; and for want of ſufficient Diſtreſs, it may and ſhall be lawful for ſuch Juſtice, and he is hereby required, to commit ſuch Offender to the Houſe of Correction for the Space of two Months, or to cauſe ſuch Offender to be publickly whipped, at the Diſcretion of ſuch Juſtice.

The Ld. Lieut. or Deputies, are to iſſue Orders of the Embodying to the chief Conſtables, to be forwarded to the petty Conſtables, who are thereupon to give Notice to the Men to attend; and any Man, not being diſabled, refuſing to appear and march, forfeits 40l. and on Non-payment, is to be committed for 12 Months, or until Payment of the Penalty: And any Perſon knowingly harbouring or concealing any Militia Man, abſconding when called out into actual Service, forfeits 5l. to be levied by Diſtreſs and Sale; and for Want of Diſtreſs, he may be committed for 2 Months, or be publickly whipped.

CXVII. And be it enacted, That if at any Time (in caſe of actual Invaſion, or upon imminent Danger thereof, or in caſe of Rebellion) the Parliament ſhall happen to be ſeparated by ſuch Adjournment or Prorogation as will not expire within fourteen Days, it ſhall be lawful for his Majeſty, his Heirs, and Succeſſors, to iſſue a Proclamation for the Meeting of the Parliament upon ſuch Day as he or they ſhall thereby appoint, giving fourteen Days Notice of ſuch Appointment; and the Parliament ſhall accordingly meet upon ſuch Day, and continue to ſit and act in like manner to all Intents and Purpoſes, as if it had ſtood adjourned or prorogued to the ſame Day.

In caſe of Invaſion, or imminent Danger thereof, or of Rebellion, the Parliament if adjourned, or prorogued, above 14 Days, is to be ſummoned to meet; and are to ſit and act as if adjourned, or prorogued, to the Day of ſuch Meeting.

CXVIII. And be it enacted, that the Officers of the Militia and Private Militia Men, who ſhall be drawn out and embodied, ſhall be intitled to Pay from the Day of the Date of his Majeſty's Warrant for that Purpoſe.

Officers and Men are intitled to Pay, from the Date of the King's Warrant for their being embodied.

CXIX. And be it enacted, That when any Regiment or Battalion of Militia ſhall be drawn out and embodied, and during the Time they ſhall continue embodied, the Colonel, or, where there is no Colonel, the commanding Officer of ſuch Regiment or Battalion, ſhall and may appoint an Agent to ſuch Regiment or Battalion; and ſuch Colonel, and, where there is no Colonel, the commanding Officer, ſhall be, and is hereby made ſubject and liable to make good all Deficiencies that may happen upon account of the Pay, Clothing, or publick Stock of ſuch Regiment or Battalion: And ſuch Colonel, and where there is no Colonel, the commanding Officer, ſhall take Security from the Agent ſo appointed.

When a Regiment, &c. is drawn out and embodied, the commanding Officer is to appoint an Agent thereto taking Security; and is liable to make good any Deficiencies of Pay, Clothing, or regimental Stock.

CXX. And be it enacted, That when the Militia of any County, Riding, or Place, ſhall be ordered out into actual Service, it ſhall and may be lawful for the Captain of any Company of Militia to augment his Company, by incorporating, with the Conſent of his Majeſty's Lieutenant, or, in the Abſence of his Majeſty's Lieutenant, with the Conſent of two or more of the Deputy Lieutenants, any Number of Perſons who ſhall offer themſelves as Voluntiers, and who ſhall appear to him to be ſufficiently trained and diſciplined, and provided with proper Cloths, Arms, and Accoutrements, and who ſhall take the Oath appointed to be taken by this Act, and ſign their Conſent to ſerve in the Militia for the Time of ſuch actual Service, and to ſubmit to the ſame Rules and Articles of War as Militia Men are by this Act liable to during the Time of their continuing in actual Service.

A Captain may, with Leave, augment his Company, when ordered out into actual Service, with Voluntiers, if properly diſciplined, and provided, and who will take the Oath appointed, and ſign the Rolls, and be ſubject to the Articles of War.

CXXI. And be it enacted, That no Officer ſerving in the Militia ſhall ſit in any Court Martial upon the Trial of any Officer or Soldier ſerving in any of his Majeſty's other Forces; nor ſhall any Officer ſerving in any of his Majeſty's other Forces, ſit in any Court Martial upon the Trial of any Officer or Private Man ſerving in the Militia.

Officers of the Militia and his Majeſty's other Forces are not to ſit indiſcriminately on Trials for Offences committed by the different Corps.

CXXII. And be it enacted, That when the Militia of any County, Riding, or Place, ſhall be ordered out into actual Service, or ſhall be out in actual Service, the Receiver or Receivers General of the Land Tax for ſuch County, Riding, or Place, ſhall, and he or they is, and are hereby required to pay, or cauſe to be paid, to the Captain or other commanding Officer of each Company of Militia ſo ordered out, or being out in Service for ſuch County, Riding, or Place, one Guinea for each Private Militia Man belonging to his Company, whether ſuch Militia Man marched with the Company when firſt drawn out, or was ordered out afterwards to join ſuch Company, to be paid over by ſuch Captain or other Officer to every ſuch Private Militia Man who belonged to his Company at the Time ſuch Militia was ordered out into actual Service, on or before the Day appointed for marching; and to ſuch Militia Man, who ſhall be afterwards ordered out, when he ſhall join his Company; and ſuch Receiver or Receivers General ſhall be allowed the ſame in his or their Accounts.

Receivers General of the Land Tax are to pay to the Capt. or commanding Officer of ſuch Company, when ordered out into actual Service, one Guinea per Man for each Private Man belonging thereto, whether ſuch Man marched with the Company when firſt drawn out, or was afterwards ordered to join it; to be paid over by the Captain to the Men before they march; and to ſuch as ſhall be afterwards ordered out, when they ſhall join the Companies.

When the Militia ſhall be called out to be trained, the Juſtices of the Peace, upon an Order from the Lord Lieut. or Deputy, or commanding Officer, are to iſſue Warrants for providing ſuch Carriages for the Uſe of the Troops, as are ordered, with able Men to drive them; and where a ſufficient Number cannot be provided within the County, &c. the neighbouring Juſtices are to iſſue Warrants for furniſhing what ſhall be ſo wanted. Officer is to pay down to the Conſtable the following Rates for the Uſe of ſuch Carriages, 1s. for every Mile a Waggon with 5 Horſes, or a Wain with 6 Oxen, or 4 Oxen and 2 Horſes; 9d. for every Cart with 4 Horſes; and ſo in proportion; for which a Receipt is to be given him; and the Conſtables are to order Carriages to be furniſhed accordingly; the ſame to be for one Day's Journey only; and any additional Expences incurred thereby, are to be repayed out of the County Stock.

CXXIII. And be it enacted, That when the Militia ſhall be called out to be trained and exerciſed, it may and ſhall be lawful for any Juſtice of the Peace of any County, Riding, or Place, being duly thereunto required by an Order from his Majeſty's Lieutenant, or from any Deputy Lieutenant of the County, Riding, or Place, or from the Colonel or other chief Commiſſion Officer upon the Place of any Regiment, Company, or Detachment of Militia, to iſſue out his Warrant, under his Hand, to the chief Conſtables of Hundreds, Rapes, Laths, Wapentakes, or Diviſions, or to the Conſtables, Tythingmen, Headboroughs, or other Officers of the Pariſhes, Tythings, or Places, from, through, near, or to which any ſuch Regiment or Company of Militia Men, or any Detachment thereof, ſhall be ordered to march, requiring them to make ſuch Proviſion for Carriages of the Arms, Clothes, Accoutrements, Powder, Match, Bullets, or other warlike Materials, with able Men to drive ſuch Carriages, as is and are mentioned in the ſaid Order; but in caſe ſuch ſufficient Carriages and Men cannot be provided within any ſuch County, Riding, Hundred, Rape, Lath, Wapentake, Diviſion, Pariſh, Tything, or Place, then the next Juſtice or Juſtices of the Peace ſhall, upon ſuch Order as aforeſaid, being ſhewn unto him or them, iſſue his or their Warrant to the chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other ſuch Officers of the next County, Riding, Hundred, Rape, Lath, Wapentake, Diviſion, Pariſh, Tything, or Place, for the Purpoſes aforeſaid, to make up ſuch Deficiency of Carriages: And ſuch Lieutenant, Deputy Lieutenant, Colonel, or other chief Commiſſion Officer, upon the Place, who, by Virtue of the aforeſaid Warrant from the ſaid Juſtice of the Peace, ſhall demand ſuch Carriages of ſuch chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, is, and are hereby required, at the ſame Time, to pay down in Hand to the chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, for the Uſe of the Perſon who ſhall provide ſuch Carriages and Men, the Sum of one Shilling for every Mile any Waggon with five Horſes ſhall travel; and the Sum of one Shilling for every Mile any Wain with ſix Oxen, or with four Oxen and two Horſes, ſhall travel; and the Sum of nine Pence for every Mile any Cart with four Horſes ſhall travel; and ſo in proportion for Carriages drawn by a leſs Number of Horſes or Oxen; for which reſpective Sums ſo received, the ſaid chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, is hereby required to give a Receipt in Writing to the Perſon or Perſons paying the ſame; and ſuch chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, ſhall order and appoint ſuch Perſon or Perſons having Carriages within their reſpective Hundreds, Rapes, Laths, Wapentakes, Pariſhes, Tythings, or Places, as they ſhall think proper, to provide and furniſh ſuch Carriages and Men according to the Warrant aforeſaid; which Perſons ſo ordered are hereby required to provide and furniſh the ſame accordingly for one Day's Journey, and no more: And in caſe the chief Conſtables, Conſtables, Tythingmen, Headboroughs, or other Officers, ſhall be at any Charges for ſuch Carriages, over and above what is ſo received by them of his Majeſty's ſaid Lieutenant, the ſaid Deputy Lieutenant, Colonel, or other chief Officer, as aforeſaid, ſuch Overplus ſhall be borne by each County, Riding, or Place, where ſuch additional Expence ſhall be incurred, and be repaid to them without Fee or Reward by the Treaſurer of each reſpective County, Riding, or Place, out of the publick Stock.

Conſtables, &c. neglecting their Duty in furniſhing ſuch Carriages, forfeit not leſs than 20s. nor more than 40s. to the Uſe of the Poor; to be levied by Diſtreſs and Sale.

CXXIV. And be it enacted, That if any ſuch chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, ſhall wilfully neglect or refuſe to execute any ſuch Warrant of any Juſtice of the Peace; or if any Perſon appointed by ſuch chief Conſtable, Conſtable, Tythingman, Headborough, or other Officer, to provide or furniſh any ſuch Carriage and Man, ſhall wilfully neglect or refuſe to provide the ſame; every ſuch Offender ſhall forfeit a Sum not exceeding forty Shillings, nor leſs than twenty Shillings, to the Uſe of the Poor of the Pariſh, Tything, or Place, where ſuch Offence ſhall be committed: And every ſuch Offence ſhall and may be heard and determined by two Juſtices of the Peace within the County, Riding, or Place, where ſuch Offence ſhall be committed; which Juſtices ſhall, by Warrant under their Hands and Seals, cauſe the ſaid Penalty to be levied by Diſtreſs, and Sale of the Offender's Goods and Chattles, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale to ſuch Offender, upon whom ſuch Diſtreſs ſhall have been made as aforeſaid.

No Part of the Militia may be tranſported out of Great Britain.

CXXV. Provided always, and be it enacted, That neither the Militia of this Kingdom, nor any Corps, Detachment, or Draught thereof, ſhall, on any Account, be tranſported or carried, out of the Iſland of *Great Britain*.

Proviſions, &c. in the Act reſpecting Com. Northumberland, are to take place with reſpect to Berwick upon Tweed, except wherein it is otherwiſe provided for; and the Number of Men to ſerve for the ſaid Town is to be in proportion to the Number appointed for the other Hunds. &c. within the County; and the chief Magiſtrate is to appoint 5 D. Lieuts. if ſo many ſhall be found qualified, and Officers proportionable to the Quota of Men; who are to carry the Act into Ex-

CXXVI. And be it enacted, That all the Powers given, and Proviſions made by this Act, with reſpect to the County of *Northumberland*, and the Militia thereof, ſhall in like manner take place, and be in force, with reſpect to the Town of *Berwick upon Tweed*, except only as to the Particulars herein expreſſed, and otherwiſe provided for; and that out of the Perſons returned in the Liſts for the ſaid Town, a Number of private Militia Men ſhall be provided or choſen by Lot to ſerve for the ſaid Town, in the ſame Proportion with the Private Militia Men appointed to ſerve for the other reſpective Hundreds, Wards, and other Diviſions, within the ſaid County of *Northumberland*; and if Perſons can be found within the ſaid Town and Liberties thereof, with ſuch Qualifications as are required for Deputy Lieutenants, and Officers, within Cities and Towns which are Counties of themſelves, the chief Magiſtrate of the ſaid Town of *Berwick upon Tweed* ſhall appoint five Deputy Lieutenants, and ſuch Number of Officers of the Militia as ſhall be proportionable to the Number of Militia Men which the ſaid Town ſhall raiſe, as their Quota, towards the Militia of the County of *Northumberland*; and the ſaid Lieutenants and Officers are hereby required to put the Powers conferred by this Act, for raiſing and training the Militia, into Execution, within the ſaid Town and Liberties, ſubject to ſuch Penalties as are inflicted upon Deputy Lieutenants and Officers of the Militia for acting, not being duly qualified according to the Directions of this Act; and that the ſaid Militia ſhall join the Militia of the County of *Northumberland*, and be exerciſed together, and ſhall then,

and

and alſo in Time of actual Service, be deemed Part of the Militia of the County of *Northumberland*, for the Purpoſe aforeſaid.

'CXXVII. And whereas the ordering the Militia in the Iſle of *Wight*, has always been in the Go-'vernor or Lieutenant Governor of the ſaid Iſland: And whereas, from the Length of Time ſince 'the Militia thereof was raiſed, the raiſing the ſame in manner heretofore accuſtomed may be attended 'with many Difficulties;' Be it enacted, That after the Number of Perſons which the ſaid Iſland is to furniſh to the Militia of the County of *Southampton* ſhall have been appointed, as by this Act is directed, by his Majeſty's Lieutenant, and the Deputy Lieutenants, or by the Deputy Lieutenants of the ſaid County at large, the Governor of the ſaid Iſland ſhall appoint the Officers of the Militia to be raiſed in the ſaid Iſland, and ſhall and is hereby impowered and required to act in the Execution of this Act, in the ſame manner as his Majeſty's Lieutenants of Counties are hereby impowered and required to act, and ſhall appoint five or more Deputies to act with him, in and for the ſaid Iſland; which Deputies and Officers of the Militia ſhall be qualified in the ſame manner, and are hereby impowered and required to act in the Execution of this Act in the ſame manner, and under the ſame Directions, Proviſions and Penalties, as Deputy Lieutenants and Officers of the Militia in the ſeveral Counties within the Dominion of *Wales* are by this Act ſubject to; and the Militia of the ſaid Iſland ſhall be raiſed in the ſame manner as the Militia of the County of *Southampton*, and ſhall be deemed a Part of the Militia of the ſaid County: And after the ſame ſhall be ſo raiſed, the ſaid Governor, Lieutenant Governor, and Deputies, ſhall order and direct the training and exerciſing the ſaid Militia within the ſaid Iſland, in the ſame manner as his Majeſty's Lieutenants and the Deputy Lieutenants are by this Act authorized and directed to do in any County within that Part of *Great Britain* called *England*; and the Militia ſo raiſed within the ſaid Iſland ſhall be continued and remain within the ſaid Iſland as an internal Defence thereof.

be trained and exerciſed in the Iſland, and to be continued there, for the internal Defence thereof.

CXXVIII. And be it enacted, That all Fines, Penalties, and Forfeitures, by this Act impoſed, the manner of Recovery whereof is not in this Act particularly provided for, ſhall, on Proof upon Oath of the Offence before any Juſtice of the Peace of the County, Riding, or Place, where the Offence ſhall be committed, be levied by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice, rendering the Overplus (if any) on Demand, after deducting the Charges of ſuch Diſtreſs and Sale, to the Offender upon whom ſuch Diſtreſs ſhall have been made; and where the Goods and Chattles of ſuch Offender ſhall not be ſufficient to anſwer ſuch Diſtreſs, ſuch Juſtice is hereby required to commit ſuch Offender to the common Gaol of the County, Riding, or Place, where the Offence ſhall have been committed, for any Time not exceeding three Months: And all Fines, Penalties, and Forfeitures, by this Act impoſed, the Application whereof is not otherwiſe particularly provided for, ſhall be paid to the Clerk of the Regiment or Battalion, and ſhall be made a common Stock; and the ſaid Clerk ſhall give a particular Account thereof, as it ſhall ariſe, to the Colonel or commanding Officer of the Regiment or Battalion, who ſhall cauſe Butts to be erected in ſome convenient Place or Places, and ſhall direct the Clerk of the Regiment or Battalion to buy and provide, with ſome Part of the Money ſo ariſing, a proper Quantity of Gunpowder and Ball, to be uſed at proper Times by the Militia Men in ſhooting at Marks, and to apply and diſpoſe of ſuch other Part of the Money aforeſaid, as he ſhall think reaſonable, in ſome Prize or Prizes to be given to ſuch Militia Man or Men as ſhall, by the commanding Officer then preſent, be adjudged to be the beſt Marksman or Marksmen, and to apply the Reſidue thereof to other Contingencies relating to the Regiment or Battalion.

CXXIX. And be it enacted, That in all Caſes when any Perſon ſhall be committed to the Houſe of Correction by virtue of this Act, he ſhall, during the Time of ſuch Commitment, be kept to hard Labour in ſuch Houſe of Correction.

CXXX. And be it enacted, That in all caſes where his Majeſty's Lieutenants, or the reſpective Deputy Lieutenants by them appointed, or his Majeſty's Juſtices of the Peace, are, by this Act, required, to examine, hear, and determine, all Witneſſes ſhall be examined upon Oath; which Oath ſuch Lieutenants, Deputy Lieutenants, and Juſtices, or any one of them, is and are hereby impowered to adminiſter.

CXXXI. And be it enacted, That no Order or Conviction made by any of his Majeſty's Lieutenants, or by any three or more Deputy Lieutenants, or by an two Deputy Lieutenants together with any one Juſtice of the Peace, or by any one Deputy Lieutenant together with any two Juſtices of the Peace, or by any Juſtice or Juſtices of the Peace, by virtue of this Act, ſhall be removed by *Certiorari* out of the County, Riding, Diviſion, Place, City, or Town, wherein ſuch Order was made, into any Court, and that no Writ or Writs of *Certiorari* ſhall ſuperſede Execution, or other Proceedings, upon any ſuch Order ſo made in purſuance of this Act; but that Execution, and other Proceedings, ſhall and may be had and made thereupon; any ſuch Writ or Writs, or Allowance thereof, notwithſtanding.

CXXXII. Provided always, and be it further enacted by the Authority aforeſaid, That where any Pariſh ſhall lie in more Counties or Ridings than one, the Inhabitants of ſuch Pariſh ſhall ſerve in the Militia of that County or Riding wherein the Church belonging to ſuch Pariſh is ſituated; and that ſuch Pariſh ſhall be deemed as Part of that County, and ſhall be ſubject to the Juriſdiction and Authority of the Deputy Lieutenants, Juſtices of the Peace, and other Officers of that County or Riding, to all the Intents and Purpoſes of this Act.

CXXXIII. And be it enacted, That the Inhabitants of the Conſtablery of *Craike*, a Parcel of the County of *Durham*, ſurrounded by the North Riding of the County of *York*, ſhall ſerve in the Militia

ſecution; ſubject however to the Penalties of Non-qualification; and the Men are to join, and be exerciſed with the Militia of the County, and be deemed Part thereof.

When the Number of Men is ſettled that the Iſle of Wight is to furniſh, the Governor of the Iſland is to appoint the Officers; and he is to act as Lords Lieuts. of Counties are impowered and required; and is to appoint 5 or more Deputies; who are ſeverally to be qualified, and act, as is preſcribed with reſpect to D. Lieuts. and Officers for Wales; and the Militia is to be raiſed as in Com. Southampton, and deemed Part thereof; and they are to

All Fines, Penalties, and Forfeitures, where not otherwiſe directed, are to be recovered, on Proof upon Oath of the Offence before a Juſtice for the County, &c. by Diſtreſs and Sale; and where ſufficient Diſtreſs cannot be had, the Offender is to be committed for three Months; and where not otherwiſe directed, they are to be paid to the regimental Clerk, and made a common Stock, and be accounted for by him to the Colonel or commanding Officer of the Regiment; and are to be applied in erecting Butts, providing Powder and Ball, and in Prizes to the beſt Marksmen, and to other Contingencies of the Regiment.

Where any Perſon ſhall be committed to the H. of Correction, he is to be kept to hard Labour there.

Lords Lieuts. Deputies, and Juſtices, in all Matters to be tried before them, impowered to examine the Witneſſes upon Oath;

and no Order, or Conviction which ſhall be made by them, ſhall be removed, or ſuperſeded, by Writ of Certiorari.

Where a Pariſh ſhall be in more Counties or Ridings than one, the Men ſhall ſerve in the Militia of the County, &c. wherein the Pariſh Church ſtands, and be ſubject to the ſame Juriſdiction.

The Inhabitants of Craike ſhall ſerve in the Militia for the North

Riding of York, and be ſubject to the ſame Juriſdiction.

litia for the ſaid North Riding; and the Deputy Lieutenants and Juſtices of the Peace for the ſaid North Riding, ſhall and are hereby impowered to act in the ſaid Conſtablery.

The Inhabitants of Maker Pariſh ſhall ſerve and be trained with the Militia of Cornwall, and be deemed Part thereof; & thoſe of Wokingham, with the Militia of Com. Berks; of Filey, to ſerve in that of the Eaſt Riding of York; of Threapwood, in that of Flint; and to be exerciſed with that of Worthenbury; and of Saint Martin, called Stamford Baron, in that of Lincoln.

CXXXIV. And be it enacted, That the Inhabitants of that Part of the Pariſh of *Maker*, that lies in the County of *Cornwall*, ſhall ſerve in, and be trained and exerciſed with, the Militia of the County of *Cornwall*, and ſhall, to all Intents and Purpoſes, be deemed, taken, and accepted, as Part thereof.

CXXXV. And be it enacted, That the Inhabitants of the Town and Pariſh of *Wokingham* ſhall ſerve in, and be trained and exerciſed with, the Militia of the County of *Berks*.

CXXXVI. And be it enacted, that the Inhabitants of the Townſhip of *Filey* ſhall ſerve in the Militia of the Eaſt Riding of the County of *York*.

CXXXVII. And be it enacted, That the Inhabitants of *Threapwood* ſhall ſerve in the Militia of the County of *Flint*, and ſhall be trained and exerciſed with the Militia of the Pariſh of *Worthenbury*, within the ſaid County.

CXXXVIII. And be it enacted, That the Inhabitants of and in the Pariſh of *Saint Martin*, called *Stamford Baron*, in the Suburbs of the Borough and Town of *Stamford*, on the South Side of the Waters there, called *Welland*, ſhall ſerve in the Militia of the County of *Lincoln*.

The Tinners in Devon and Cornwall are to be under the Lord Warden of the Stannaries.

CXXXIX. And be it enacted, That nothing in this Act contained ſhall extend to the Tinners in the Counties of *Devon* and *Cornwall*; but the Lord Warden of the Stannaries for the Time being, in purſuance of his Majeſty's Commiſſion in that Behalf, and ſuch as he ſhall commiſſionate and authorize under him, may and ſhall have and uſe the like Powers, and array, aſſeſs, arm, muſter, and exerciſe, the ſaid Tinners within the ſaid Counties, and either of them, as hath been heretofore uſed, and according to the ancient Privileges and Cuſtoms of the ſaid Stannaries.

Lieutenants for London are to liſt and levy the Train Bands as hertofore.

CXL. And be it enacted, that his Majeſty's Lieutenants who are or ſhall be commiſſioned for the Militia of the City of *London*, may and ſhall continue to liſt and levy the Train Bands and Auxiliaries of the ſaid City, in manner as heretofore.

The Conſtable of the Tower is to appoint D. Lieuts. and Officers to train and diſcipline the Militia of the Tower Hamlets, purſuant to Act 13 and 14 Car. 2. c. 3. which are to be formed into 2 Regiments of 8 Companies each; and he is to raiſe Trophy Money annually, to defray the incident Charges thereof,

'CXLI. And whereas the Militia of the *Tower Diviſion* in the County of *Middleſex*, commonly 'known by the Name of *The Tower Hamlets*, is and always has been, under the Command of his 'Majeſty's Conſtable of the *Tower*, or Lieutenant of the *Tower Hamlets*, for the Service and Preſer-'vation of that Royal Fort;' Be it therefore enacted, That it ſhall be lawful for his Majeſty's ſaid Conſtable or Lieutenant, for the Time being, from Time to Time to appoint his Deputy Lieutenants, and to give Commiſſions to a proper Number of Officers to train and diſcipline the Militia to be raiſed within and for the ſaid Diviſion or Hamlets, purſuant to an Act of the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for ordering the Forces of the ſeveral Counties of this Kingdom*, and to form the ſame into two Regiments of eight Companies each, in ſuch manner as the ſaid Conſtable, or Lieutenant, hath uſed to do; and alſo for defraying the neceſſary Charges of Trophies, and other incident Expences of the Militia of the ſame Diviſion or Hamlets, it ſhall be lawful for his Majeſty's ſaid Conſtable or Lieutenant, to continue to raiſe in every Year, the Proportion of a fourth Part of one Month's Aſſeſſment of Trophy Money within the ſaid Diviſion or Hamlets, in ſuch Manner as he hath uſed to do by virtue and in purſuance of the ſaid Act of the thirteenth and fourteenth Years of the Reign of King *Charles* the Second.

and appoint a Treaſurer, who is to render upon Oath an Account yearly, which is to be certified to the Quarter Seſſions; and no Money may be raiſed till the Accounts of the preceding Years are paſſed by the Juſtices; unleſs by the Death of the Treaſurer, ſuch Accounts cannot be paſſed.

CXLII. And be it further enacted, That his Majeſty's ſaid Conſtable of the *Tower*, or Lieutenant of the *Tower Hamlets*, ſhall appoint a Treaſurer of the ſaid Trophy Money, for receiving and paying ſuch Monies as ſhall be levied by virtue of the ſaid Act of the thirteenth and fourteenth Years of the Reign of King *Charles* the Second; which ſaid Treaſurer ſhall yearly account in Writing, and upon Oath, for the ſame, to the ſaid Lieutenant, or his Deputy Lieutenants, or any three or more of them; which Oath they ſhall have Power to adminiſter; and which Accounts for the ſame ſhall be certified to the Juſtices of the Peace for the ſaid Diviſion at their next General or Quarter Seſſions; and that the ſaid Conſtable, or Lieutenant, ſhall not iſſue out Warrants for raiſing any Trophy Money, until the Juſtices of the Peace, or the major Part of them, at ſuch Seſſions, ſhall have examined, ſtated, and allowed, the Accounts of the Trophy Money raiſed, levied, and collected, for the preceding Year, and certified the ſame under the Hands and Seals of four or more of ſuch Juſtices, unleſs in caſe where it ſhall appear to ſuch Juſtices, that, by reaſon of the Death of ſuch Treaſurer, or otherwiſe, ſuch Accounts cannot be paſſed.

The Lord Warden of the Cinque Ports, and his Lieutenants are to execute therein the Powers granted them by former Acts, in like manner as the Lds. Lieuts. and Deputies of Counties may do; and may continue the uſual Number of Soldiers therein; and the Militia thereof is to remain ſeparate from that of the Counties wherein they are ſituate; & they may raiſe and draw out, in purſuance of Orders from the King, conformable to the Act of 13 & 14 Car. 2. the Militia

CXLIII. And be it enacted, that the Lord Warden of the Cinque Ports, two ancient Towns and their Members, and in his Abſence, his Lieutenant or Lieutenants, may and ſhall put in Execution within the ſaid Ports, Towns, and Members, all the Powers and Authorities given and granted by any former Act or Acts, and may and ſhall execute and perform all and every the Things therein contained, in like manner as his Majeſty's reſpective Lieutenants of Counties, and their Deputy Lieutenants, may do; and may keep up and continue the uſual Number of Soldiers in the ſaid Ports, Towns, and Members, unleſs he or they find Cauſe to leſſen the ſame; and the Militia of the ſaid Ports, Towns, and Members, ſhall remain ſeparate from the Militia of the ſeveral Counties within which the ſaid Ports, Towns, and Members are ſituate; any Thing herein contained to the contrary notwithſtanding: And it ſhall and may be lawful for the Lord Warden or his Lieutenant or Lieutenants, in purſuance of Orders from his Majeſty, his Heirs and Succeſſors, and in the Manner preſcribed by an Act made in the thirteenth and fourteenth Years of the Reign of King *Charles* the Second, intituled, *An Act for ordering the Forces in the ſeveral Counties of this Kingdom*, notwithſtanding one or more Months Pay advanced be not reimburſed, to raiſe and draw out the Soldiers into actual Service, and to cauſe the Perſons charged as by the ſaid Act, to provide their Soldiers with Pay in Hand, not exceeding one Month's Pay, in ſuch manner, as if all the Pay advanced and provided had been reimburſed;

imburſed; and to uſe the like Powers, and to array, aſſeſs and arm, muſter and exerciſe the ſaid Soldiers, and to make Aſſeſſments, and iſſue Warrants for the Aſſeſſments made or to be made for raiſing any Trophy Money, and for defraying the neceſſary Charges of Trophies, and other incident Expences of the Militia of the ſaid Ports, Towns and Members, as hath been heretofore uſed, and according to their ancient Privileges and Cuſtoms; any Thing in the ſaid Act to the contrary notwithſtanding. thereof, notwithſtanding the Pay advanced be not reimburſed; and provide the Soldiers with a Month's Pay in Hand; and may exerciſe the uſual Powers for arraying, aſſeſſing, arming and exerciſing, &c. the Men, and raiſing Trophy Money, &c.

CXLIV. And be it enacted, That all former Acts relating to the Raiſing of the Militia within that Part of *Great Britain* called *England*, and the Dominions of *Wales*, ſhall, from and after the paſſing of this Act, be and are hereby repealed, except in ſuch Caſes as are herein ſpecially directed to be ſubject to the Proviſions of the ſaid former Acts, or any of them; and the Militia raiſed by virtue of the ſaid former Acts, ſhall be ſubject to all the ſame Proviſions and Regulations as the Militia directed to be raiſed by virtue of this Act are ſubjected to. All former Militia Acts are repealed, except in Caſes ſubjected to Proviſions in the ſaid Acts;

CXLV. And be it enacted, That nothing in this Act contained ſhall in any wiſe extend to annul or make void any Thing already done in purſuance of the former Acts relating to the Militia Forces, or any of them, or to prevent the compleating any Proceedings already commenced in purſuance of the ſaid Acts. and nothing in this Act is to vacate any Thing done in purſuance of the former Acts; or prevent any Proceedings commenced in purſuance thereof.

'CXLVI. And whereas in the ſeveral Counties, Ridings or Places, where the Militia has been 'already raiſed, ſeveral Precepts have iſſued for the returning Liſts of the Names of ſeveral Perſons 'liable to ſerve in the Militia, many of which Liſts have been returned, and ſeveral Proceedings had 'thereon, in purſuance of the Laws for the better Ordering of the Militia Forces of that Part of *Great* '*Britain* called *England*: And whereas it is neceſſary that ſome Proviſion ſhould be made to empower 'the Deputy Lieutenants and Juſtices of the Peace in their reſpective Subdiviſions, and the Juſtices 'of the Peace in the ſaid ſeveral Counties, Ridings and Diviſions in that Part of *Great Britain* called '*England*, to proceed on ſuch Liſts, and other Matters relative thereto;' Be it therefore enacted, That the ſaid Deputy Lieutenants and Juſtices of the Peace may and ſhall continue to act and put in force the ſeveral Acts of Parliament made in the thirtieth, thirty-firſt, thirty-ſecond, and thirty-third Year of the Reign of his late Majeſty, and in the firſt Year of the Reign of his preſent Majeſty, relating to the better Ordering of the Militia Forces, and the Pay thereof, in that Part of *Great Britain* called *England*, in all Matters and Things ſubſequent to the Precepts ſo iſſued, and the Liſts returned or to be returned thereon; and that the Juſtices of the Peace of the ſaid ſeveral Counties, Ridings and Places may and ſhall cauſe to be levied the Fines, Penalties and Forfeitures already incurred, or which may be incurred, in purſuance of the ſaid Militia Laws, as are in and by the ſaid Laws directed; any Thing in this Act to the contrary notwithſtanding. Where, in purſuance of the former Acts, the Militia has been raiſed, and Preceptsiſſued for returning Liſts, and Proceedings had thereon; the Deputy Lieutenants and Juſtices are to proceed, as thoſe Acts direct, in Execution of all Matters and Things ſubſequent to ſuch Precepts, and the Liſts returned or to be returned thereon; and levy the Fines and Penalties incurred, on that Account, as thoſe Laws direct.

CXLVII. Provided always, and be it enacted, That if any Suit or Suits, Action or Actions, ſhall be brought or commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, the Action or Actions, Suit or Suits, ſhall be commenced within ſix Calendar Months after the Fact committed, and not afterwards; and ſhall be laid in the County where ſuch Action or Actions, Suit or Suits, did ariſe, and not elſewhere; and the Defendant or Defendants in ſuch Suit or Suits, Action or Actions, to be brought, may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence: And if the Jury ſhall find for the Defendant or Defendants in ſuch Suit or Suits, Action or Actions; or if the Plaintiff or Plaintiffs ſhall be nonſuited, or diſcontinue his or their Suit or Suits, Action or Actions, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs; the Defendant or Defendants ſhall have treble Coſts, and have the like Remedy for the ſame as any Defendant or Defendants hath or have in other Caſes to recover Coſts by Law. Limitation of Actions. General Iſſue. Treble Coſts.

CXLVIII. Provided always, and be it enacted by the Authority aforeſaid, That this Act ſhall continue and be in force for the Space of ſeven Years, and from thence to the End of the then next Seſſion of Parliament, and no longer. This Act to be in force for 7 Years. *Explained and amended by 4 Geo. 3. c. 17.*

CAP. XXI.

An Act for Paving, Cleanſing, and Lighting the Squares, Streets and Lanes within the City and Liberty of *Weſtminſter*, the Pariſhes of *Saint Giles in the Fields*, *Saint George the Martyr*, *Saint George Bloomsbury*, that Part of the Pariſh of *Saint Andrew's Holborn* which lies in the County of *Middleſex*, the ſeveral Liberties of the *Rolls* and *Savoy*, and that Part of the Dutchy of *Lancaſter* which lies in the County of *Middleſex*, and for preventing Annoyances therein; and for other Purpoſes therein mentioned.

'WHEREAS the ſeveral Squares, Streets and Lanes, within the City and Liberty of *Weſt-* Preamble.
'*minſter*, the Pariſhes of *Saint Giles in the Fields*, *Saint George the Martyr*, *Saint George Bloomſ-* *Explained and amended by*
'*bury*, that Part of the Pariſh of *Saint Andrew Holborn* which lies in the County of *Middleſex*, the *3 Geo. 3. c. 23. and 4 Geo. 3. c. 39.*
'ſeveral Liberties of the *Rolls* and *Savoy*, and that Part of the Dutchy of *Lancaſter* which lies in the 'County of *Middleſex*, are, in general, very ill paved and cleanſed, and not duly lighted: And 'whereas the preſent Methods preſcribed by Law for paving, cleanſing and lighting the ſaid Squares, 'Streets and Lanes are ineffectual: And whereas it would tend greatly to the Benefit and Safety of 'the Inhabitants of the ſaid Squares, Streets and Lanes, and of all Perſons paſſing through the ſame, 'if the Pavements thereof were properly laid and regulated, and the ſaid Squares, Streets and Lanes 'kept clean, free from Obſtructions and Annoyances, and duly lighted:' May it therefore pleaſe your

your Majeſty, that it may be enacted; and be it enacted by the King's moſt excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the paſſing of this Act, Sir *John Cuſt* Baronet, Speaker of the Houſe of Commons; and the Speaker of the Houſe of Commons for the Time being; the Members for the County of *Middleſex*, and the City of *Weſtminſter*, for the Time being; the Right Honourable *Francis Ruſſel* Eſquire, commonly called Marquis of *Taviſtock*; the Right Honourable *Charles Spencer* Eſquire, commonly called Lord *Charles Spencer*; the Right Honourable *George Broderick* Lord Viſcount *Midleton* in the Kingdom of *Ireland*, the Right Honourable *James Smith Stanley* Eſquire, commonly called Lord *Strange*; the Right Honourable *George Harry Grey* Eſquire, commonly called Lord *Grey*; the Right Honourable *William Pulteney* Eſquire, commonly called Lord *Pulteney*; the Right Honourable *George Montagu* Eſquire, commonly called Lord Viſcount *Mandeville*; the Right Honourable Lord Viſcount *Barrington* in the Kingdom of *Ireland*, the Right Honourable *George Cavendiſh* Eſquire, commonly called Lord *George Cavendiſh*; the Right Honourable *John Cavendiſh* Eſquire, commonly called Lord *John Cavendiſh*; the Right Honourable *Robert Manners*, commonly called Lord *Robert Manners*; the Right Honourable *John* Lord *Carysfort* in the Kingdom of *Ireland*, the Chancellor of the Exchequer for the Time being, the Right Honourable Sir *Francis Daſhwood* Baronet, the Right Honourable *Charles Townſhend*, the Honourable *Thomas Robinſon*, the Honourable *Edward Cornwallis*, Sir *John Philipps*, Sir *William Beauchamp Proctor*, Sir *George Colebrooke*, *Aſhton Curzon*, *Henry Bankes*, *Richard Lowndes*, *William Fitzherbert*, *William Dowdeſwell*, *Richard Bull*, *Peter Burrell*, *George Cooke*, *Edward Eliot*, *Archibald Edmonſtone*, *George Howard*, *Edward Kynaſton*, *William Northey*, *Thomas Pitt*, *John Plumptre*, *Thomas Townſhend* junior, *John Tucker*, *George Forſter Tuffnell*, *James Weſt*, *Charles Whitworth*, *John Wilkes*, *Thomas Worſley*, and the Surveyor of his Majeſty's Board of Works for the Time being, *John Morton* Eſquire, ſhall be Commiſſioners for putting this Act in Execution; and that they, or any fifteen or more of them, ſhall or may, at their firſt Meeting, elect, by Ballot, any Number not exceeding twenty other Perſons to be aſſociated to them in the Execution of the Truſts hereby in them repoſed; which ſaid Perſons ſo elected, ſhall be and continue for the Term of their natural Lives Commiſſioners for putting this Act in Execution, with the like Power, in all Reſpects, as hereby is given to the Commiſſioners herein before firſt appointed: And when any of the Commiſſioners herein named, or at any Time to be elected, except ſuch Perſons who ſhall be Commiſſioners by virtue of any Place or Office, ſhall die or refuſe to act, it ſhall and may be lawful for the remaining Commiſſioners, or any eleven or more of them, at any Meeting for that Purpoſe aſſembled, whereof fourteen Days Notice ſhall have been previouſly given in ſome publick News Papers, to elect, by Ballot, a fit Perſon or Perſons to ſupply the Place or Places of him or them ſo dying, or refuſing to act; and all Perſons who ſhall be ſo elected and qualified as this Act directs, are hereby veſted with the ſame Powers for putting this Act in Execution, as the Perſons in whoſe Stead they ſhall be elected were veſted with.

Commiſſioners appointed for carrying this Act into Execution.

15, or more, at their firſt Meeting, to elect, by Ballot, 20 other Perſons to be aſſociated to them in the Truſt.

11, or more, giving 14 Days Notice, may fill up Vacancies occaſioned by the Death, or Refuſal to act, of any of the Commiſſioners, except of ſuch as are *ex Officio*.

II. Provided always, and be it enacted, That no Perſon ſhall be capable of acting as a Commiſſioner in the Execution of this Act, during the Time he ſhall hold any Office, or enter into any Contract, or have any Share or Intereſt in any Contract, relating to the Execution of any of the Powers of this Act.

Commiſſioners holding any Office, or intereſted in any Contract under the Truſt, are diſqualified from acting as ſuch.

III. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, ſhall meet together at the Office of the Commiſſioners for *Weſtminſter Bridge* in *Weſtminſter*, on the *Thurſday* ſevennight after the paſſing of this Act, between the Hours of Ten in the Forenoon and Two in the Afternoon, and ſhall proceed to the Execution of this Act; and ſhall then, and from Time to Time afterwards, adjourn themſelves to meet at the Place aforeſaid, or at any other Place or Places within the ſaid City and Liberty, or within the ſaid Pariſhes or Places aforeſaid, or any or either of them, as they the ſaid Commiſſioners, or any three or more of them, ſhall think proper or convenient for putting this Act in Execution: And if it ſhall happen that there ſhall not appear at any Meeting which ſhall be appointed to be had or held by the ſaid Commiſſioners, a ſufficient Number of Commiſſioners to act at ſuch Meeting, and to adjourn to another Day, then, and in ſuch Caſe, the Clerk to the ſaid Commiſſioners ſhall, by publick Notice in ſome News Paper printed within the Weekly Bills of Mortality, to be given at leaſt ten Days before the next Meeting, or, in caſe the ſaid Clerk ſhall happen to die before ſuch Notice given, or ſhall neglect or refuſe to give ſuch Notice as aforeſaid, then any two Commiſſioners ſhall and may, by the like publick Notice, appoint the ſaid Commiſſioners to meet at the Place where the laſt Meeting was appointed to be held, within fourteen Days next after the Day on which ſuch laſt Meeting was appointed to be held; and the ſaid Commiſſioners ſhall, at all their Meetings, pay their own Expences.

3, or more, are to hold their firſt Meeting at Weſtminſter Bridge Office, on the Thurſday ſevennight after paſſing this Act; and they are then to adjourn, and meet afterwards, as they ſhall think proper.

On Failure of a ſufficient Number of Commiſſioners at any Meeting to act and adjourn, the Clerk is to appoint another Meeting, giving 10 Days Notice; or, on his Death, Neglect or Refuſal, 2 Commiſſioners may appoint one: They are to bear their own Expences at all their Meetings.

IV. And be it further enacted, That no Perſon ſhall be qualified or capable of acting as a Commiſſioner in the Execution of this Act, unleſs he ſhall be, in his own Right, or in Right of his Wife, in the actual Poſſeſſion or Receipt of the Rents and Profits of Lands, Tenements or Hereditaments of the clear yearly Value of three hundred Pounds; or poſſeſſed of, or intitled to Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the Value of ten thouſand Pounds; or be Heir Apparent to any Peer or Lord of Parliament, or to any Perſon poſſeſſed of or intitled to a Real Eſtate of the clear yearly Value of ſix hundred Pounds.

Qualification of Commiſſioners,

300*l.* per Ann.

or 10,000*l.*

V. And be it further enacted by the Authority aforeſaid, That if any Perſon not being qualified in manner herein before mentioned, ſhall preſume to act as a Commiſſioner for putting this Act, or any of the Powers herein contained, in Execution, contrary to the Intent and Meaning hereof, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record, by

Penalty 100*l.* on their acting, if not qualified;

by Action of Debt, or on the Caſe, or by Bill, Suit or Information, wherein no Eſſoin, Protection or Wager of Law, or more than one Imparlance, ſhall be allowed: And every Perſon ſo proſecuted ſhall prove that he is qualified as aforeſaid, or otherwiſe ſhall pay the ſaid Penalty, upon Proof given of his having acted as a Commiſſioner in the Execution of this Act.

and they are to prove their Qualification, if proſecuted, or pay the Penalty.

VI. And be it further enacted, That the ſaid Commiſſioners, or any eleven or more of them, ſhall and may, by Writing under their Hands and Seals, at their ſecond or any ſubſequent Meeting, giving fourteen Days Notice thereof in ſome publick News Paper, appoint one or more Clerk or Clerks, Treaſurer or Treaſurers, Receiver or Receivers, of the Monies to be raiſed by virtue and for the Purpoſes of this Act, and ſo, from Time to Time, to appoint others as they ſhall find neceſſary or convenient; and alſo one or more Surveyor or Surveyors, to view the Condition of the ſaid Squares, Streets and Lanes, and to ſee that the ſame are properly paved and kept in Repair, and ſufficiently cleanſed and lighted; and alſo ſuch other Officer or Officers as the ſaid Commiſſioners, or any ſeven or more of them, ſhall think neceſſary: And the ſaid Commiſſioners, or any ſeven or more of them, ſhall and may take ſuch Security for the due Execution of the reſpective Offices, by ſuch Perſon and Perſons as aforeſaid, as the ſaid Commiſſioners, or any ſeven or more of them, ſhall think proper; and likewiſe may, from Time to Time, remove any or either of ſuch Officers, or other Perſons, and appoint others in the Room of ſuch of them as ſhall be ſo removed or ſhall die: And ſuch Perſon or Perſons as is or are hereby made liable to pay the ſeveral Rates or Sums of Money hereby granted, ſhall pay the ſame to ſuch Perſon or Perſons as ſhall, from Time to Time, be ſo appointed to collect and receive the ſame, for each reſpective Pariſh and Place, according to the true Meaning of this Act: And all ſuch Officers and Perſons ſo to be appointed as aforeſaid, ſhall, under their Hands, at ſuch Time and Times, and in ſuch Manner, as the ſaid Commiſſioners, or any ſeven or more of them, ſhall direct, deliver to ſuch Commiſſioners, or ſuch Perſon or Perſons as they, or any ſeven or more of them, ſhall appoint, true and perfect Accounts in Writing, of all Matters and Things committed to their Charge by virtue of this Act, and alſo of all the Monies which ſhall have been by ſuch Officer or Officers, and Perſon or Perſons reſpectively, received by virtue and for the Purpoſes of this Act, and how much thereof hath been paid and diſburſed by Order of the ſaid Commiſſioners, or any five or more of them, and for what Purpoſes, together with the proper Vouchers for ſuch Payments; and ſhall pay all ſuch Monies as ſhall remain in their reſpective Hands to the ſaid Commiſſioners, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint; and all the ſaid Officers and Perſons ſo accounting as aforeſaid, ſhall, upon Oath, which Oath the ſaid Commiſſioners, or any two or more of them, are hereby impowered and required to adminiſter, verify their ſaid Accounts: And if any ſuch Officer or Perſon ſhall not make and render, or ſhall refuſe to verify upon Oath any ſuch Account, or to produce or deliver up the Vouchers relating to the ſame, or to make Payment as aforeſaid, or ſhall not deliver to the ſaid Commiſſioners, or any five or more of them, or to ſuch Perſon or Perſons as they ſhall appoint, within ten Days after being thereunto required by any five or more of ſuch Commiſſioners, all the Books, Papers and Writings in his Cuſtody or Power relating to the Execution of this Act, or ſhall refuſe or neglect to pay ſuch Monies as, upon the Balance of any Account or Accounts, ſhall appear to be in their reſpective Hands, to the ſaid Commiſſioners, or any five or more of them, or as they ſhall direct or appoint; then, and in either of the Caſes aforeſaid, ſuch Commiſſioners, or any five or more of them, may, and are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions in the Name of ſuch Commiſſioners, or in the Name or Names of any two or more of them, againſt the Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing as aforeſaid, in order for the Recovery of the Monies that ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons reſpectively; or if Complaint ſhall be made by the ſaid Commiſſioners, or by any five or more of them, or by ſuch Perſon or Perſons as they ſhall appoint for that Purpoſe, of any ſuch Refuſal or Neglect as aforeſaid, to any two or more of the Juſtices of the Peace for the County or Place wherein ſuch Officer or Officers, Perſon or Perſons, ſo neglecting or refuſing, ſhall be and reſide, ſuch Juſtices may, and are hereby authorized and required, by a Warrant or Warrants under their Hands and Seals, to cauſe the Officer or Officers, Perſon or Perſons, ſo refuſing or neglecting, to be brought before them, and upon his and their appearing, or not being to be found, to hear and determine the Matter in a ſummary Way; and if upon the Confeſſion of the Party or Parties, or by the Teſtimony of any credible Witneſs or Witneſſes upon Oath, which Oath ſuch Juſtices are hereby impowered and required to adminiſter, it ſhall appear to ſuch Juſtices, that any of the Monies that ſhall have been collected or raiſed by virtue of this Act, ſhall be in the Hands of ſuch Officer or Officers, Perſon or Perſons, ſuch Juſtices may, and are hereby authorized and required, upon Nonpayment thereof, by a Warrant or Warrants under their Hands and Seals, to cauſe ſuch Money to be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Officer or Officers, Perſon or Perſons reſpectively; and if no Goods or Chattels of ſuch Officer or Officers, Perſon or Perſons, can be found ſufficient to anſwer and ſatisfy the ſaid Money, and the Charges of diſtraining and ſelling the ſame, then, and in either of the Caſes aforeſaid, ſuch Juſtices ſhall commit every ſuch Offender to the Houſe of Correction, until he ſhall give and make a true and perfect Account and Payment as aforeſaid, or until he ſhall compound with the ſaid Commiſſioners, or any five or more of them, and ſhall have paid ſuch Compoſition in ſuch Manner as they ſhall appoint, which Compoſition the ſaid Commiſſioners, or any five or more of them, are hereby impowered to make; or until he ſhall deliver up ſuch Books, Papers and Writings as aforeſaid, and give Satisfaction in reſpect thereof to the ſaid Commiſſioners, or any five or more of them:

11, or more, at their ſecond or any ſubſequent Meeting, may appoint 1 or more Clerks, Treaſurers, and Receivers;

and alſo Surveyors;

and ſuch other Officers as they, or any 7 or more of them, ſhall think neceſſary; taking proper Security; and they may remove them, and appoint others.

Rates to be paid to the Receivers.

Officers, and others, to render an Account upon Oath, at the Times, and in the Manner, 7 or more Commiſſioners ſhall direct;

and pay over the Money in their Hands to the Order of 5 or more Commiſſioners.

2 Commiſſioners may adminiſter the Oath:

And any Perſon refuſing to render ſuch Account, or to verify the ſame, or to produce and deliver up the Vouchers, and pay over the Balance, &c.

may be ſued, by Action brought in the Names of 2 or more Commiſſioners;

or Complaint may be brought againſt him before 2 or more Juſtices,

who are impowered to hear and determine the Matter in a ſummary Way; and to levy, by Diſtreſs and Sale, the Money that ſhall appear to be in ſuch Perſon's Hands;

and for want of ſufficient Diſtreſs, to commit ſuch Offender, until he render an Account and Payment, or ſhall compound with 5 or more Commiſſioners, and have paid the Compoſition, or delivered up the Writings, &c.

11 or more Commiſſioners may appoint Officers Salaries, and make Allowance to ſuch others as have aided or aſſiſted the Execution of this Act.

And the ſaid Commiſſioners, or any eleven or more of them, ſhall and may, out of the Money ariſing by virtue of this Act, make ſuch Allowances to the Treaſurer or Treaſurers, Receiver or Receivers, Surveyor or Surveyors, Clerk or Clerks, and other Officer or Officers, ſo to be appointed as aforeſaid, for and in conſideration of his and their reſpective Office and Offices, and to ſuch other Perſon and Perſons as have been or ſhall be aiding and aſſiſting in and about the Execution of this Act, as to them the ſaid Commiſſioners, or any eleven or more of them, ſhall ſeem reaſonable.

Officers taking any Fee or Reward, other than their Salaries, for doing their Duty,

or being concerned in Intereſt in any Bargain made by the Commiſſioners for the Purpoſes of this Act, are diſqualified from ever ſerving, or being employed under this Act; and forfeit alſo 100 l.

VII. And be it further enacted, That if any Perſon or Perſons who ſhall be employed as a Clerk or Clerks, Treaſurer or Treaſurers, Receiver or Receivers, Surveyor or Surveyors, or any other Officer or Servant, Officers or Servants, who ſhall be any ways employed by the ſaid Commiſſioners in putting this Act or any the Powers thereof in Execution, ſhall exact, take or accept any Fee or Reward whatſoever, other than ſuch Salaries and Rewards as ſhall be appointed, allowed and approved of by the ſaid Commiſſioners, or any eleven or more of them, for or on account of any Thing done or to be done by virtue of this Act, or on any Account whatſoever, relative to the putting this Act in Execution; or ſhall any ways be concerned in Intereſt in any Bargain made or to be made by the ſaid Commiſſioners, or any of them, for the Purpoſes of putting this Act in Execution; every ſuch Perſon ſo offending, ſhall be incapable of ever ſerving or being employed under this Act, and ſhall, over and above, forfeit the Sum of one hundred Pounds, to any Perſon or Perſons who ſhall ſue for the ſame, by Action of Debt, Bill, Plaint or Information in any of his Majeſty's Courts of Record, within ſix Calendar Months after the Offence committed, in which ſaid Suit no Eſſoin, Protection or Wager of Law, nor more than one Imparlance, ſhall be allowed.

Treaſurer to pay over, from Time to Time, the Monies he receives, as ſoon as the ſame amount to 300 l into the Bank, in the Name of the Commiſſioners; which is to be diſpoſed of by an Order of 5 or more of them.

VIII. And be it further enacted, That ſo ſoon as conveniently may be (during the Continuance of this Act) after the Perſon or Perſons, or either of them, acting as Treaſurer or Treaſurers to the ſaid Commiſſioners, ſhall, at any Time, have received the Sum of three hundred Pounds of the Monies appointed to be received by him or them, by virtue of, and for the Purpoſes of, this Act, he and they ſhall, from Time to Time, pay the ſame into the Bank of *England*, in the Name of, and on account of, the ſaid Commiſſioners, and to be diſpoſed of by Order of the ſaid Commiſſioners, or any five or more of them, for the Purpoſes of this Act.

3 or more Commiſſioners are impowered, from time to time, to order any of the publick Squares, Streets and Lanes, within the ſaid City and Liberty, being Thoroughfares for Wheel Carriages, &c. to be paved, altered, cleanſed and lighted, &c.

and alſo ſuch Gravel, Stones, and other Materials, to be dug out of, or brought into the ſame; and ſuch Artificers and Workmen to be employed; and Money iſſued; and all other Acts conducive to the Deſigns of this Act, to be done, as they ſhall think fit.

IX. And, for the better paving, repairing, and keeping in Repair, cleanſing and lighting the ſaid Squares, Streets and Lanes, and keeping the ſame free from Obſtructions and Annoyances, Be it enacted, That from and after the ſaid *Thurſday* ſevennight after the Day of paſſing this Act, the ſaid Commiſſioners, or three or more of them, ſhall have full Power and Authority, from Time to Time, to order and direct any of the ſaid publick Squares, Streets and Lanes now in being, or hereafter to be made, within the ſaid City and Liberty, and Pariſhes and Places aforeſaid, and which are Thoroughfares uſed for the Paſſage of Wheel Carriages, or any Part or Parts of ſuch Squares, Streets and Lanes, as well thoſe Parts uſed by Foot Paſſengers as thoſe uſed by Carriages, to be paved, repaired, raiſed or altered, cleanſed and lighted, when, in ſuch Manner, and as often as they the ſaid Commiſſioners, or any three or more of them, ſhall think fit.

X. And be it further enacted, That the ſaid Commiſſioners, or any three or more of them, ſhall alſo have full Power and Authority to cauſe to be dug, carted and carried out of, or brought into, the ſaid Squares, Streets and Lanes, or into any of them, ſuch Gravel, Stones, and other Materials, and to employ ſuch Artificers, Workmen, Labourers, Carters and others, and to iſſue ſuch Money on thoſe Accounts, and to do all and every ſuch other Acts and Things as the ſaid Commiſſioners, or any three or more of them, ſhall judge neceſſary or conducive to the accompliſhing of the Ends and Deſigns of this Act.

Clauſe in Act 5 Eliz. c. 4. repealed, with reſpect to Perſons employed in conſequence of this Act, in paving, &c. the ſaid Squares and Streets.

'XI. And whereas by a Clauſe in an Act made in the fifth Year of the Reign of Queen *Elizabeth*, 'intituled, *An Act containing divers Orders for Artificers, Labourers, Servants of Huſbandry, and Apprentices*, it is provided, that no Perſon ſhall uſe any manual Occupation except he hath been brought 'up therein ſeven Years at the leaſt, which Proviſion may be attended with Inconveniencies with re'ſpect to this Act;' Be it therefore further enacted by the Authority aforeſaid, That the ſaid Clauſe, with reſpect to ſuch Perſon or Perſons only as ſhall, by virtue and in conſequence of this Act, be employed in the Paving and Repairing the ſaid Squares, Streets and Lanes, or any Part thereof, ſhall be and the ſame is hereby repealed.

Five or more Commiſſioners may contract for the paving, cleanſing and lighting the Squares and Streets, &c.

giving 14 Days previous Notice for Perſons to deliver in Propoſals.

XII. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, may and are hereby impowered from Time to Time, at any of their ſaid Meetings, as Occaſion ſhall require, to contract with any fit Perſon or Perſons for paving, keeping in Repair, cleanſing and lighting all or any of the ſaid Squares, Streets and Lanes; which Contract and Contracts ſhall ſpecify the ſeveral Works to be done, and the Prices to be paid for the ſame, and the Time or Times when the ſaid Works ſhall be completed, and the Penalties to be ſuffered in caſe of Non-performance thereof, and ſhall be ſigned by the ſaid Commiſſioners, or any five or more of them, and by the Perſon or Perſons contracting to perform ſuch Works; but previous to the making of any ſuch Contract, fourteen Days Notice ſhall be given in ſome publick News Paper, expreſſing the Intention of the intended Contract, in order that any Perſons willing to undertake the ſame, may make Propoſals for that Purpoſe, to be offered and preſented to the ſaid Commiſſioners at a certain Time and Place in each Notice to be mentioned.

Contractors for cleanſing the Streets may, by Leave and Order of two or more Juſtices, and making Sa-

XIII. Provided always, That the Perſon ſo contracted with for cleanſing the ſaid Squares, Streets and Lanes, or any Part or Parts thereof, ſhall have Liberty, by the Approbation and Order of the Juſtices of the Peace for the County of *Middleſex*, or City and Liberty of *Weſtminſter* reſpectively, at

their Petit Seſſions, or any two or more of them, to lodge their Dirt, Duſt, Aſhes, or other Filth, in ſuch vacant and publick Places in or near the ſaid Squares, Streets or Lanes, as ſhall not appear to the ſaid Juſtices to be intended to be built upon, and ſhall be thought convenient by the ſaid Juſtices for the Accommodation of the Country Carts; they the ſaid Perſons ſo contracted with, giving ſuch Satisfaction to the Owners and Occupiers of ſuch vacant Places as the Juſtices in their Petit Seſſions ſhall direct.

tisfaction, lodge their Dirt, for the Accommodation of Country Carts, in ſuch Places as ſhall not appear to be intended to be built upon.

XIV. And be it further enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any three or more of them, and they are hereby directed to cauſe all and every the Works done in purſuance of this Act, to be inſpected by their Surveyor or Surveyors, or by ſuch other Perſon or Perſons as they ſhall, from Time to Time, appoint; and in caſe the ſame ſhall not be well and ſufficiently performed, according to the true Senſe and Meaning of ſuch Contract or Contracts, or ſhall not be finiſhed and completed at or within the Time or Times that the ſame are agreed to be completed by the ſaid Contract or Contracts, the ſaid Surveyors or other Perſons ſhall report the ſame to the ſaid Commiſſioners at their next Meeting, who ſhall and may thereupon, in their own Names, or in the Name of any two of them, bring an Action of Debt in any of his Majeſty's Courts of Law at *Weſtminſter*, againſt any Perſon or Perſons ſo contracting and neglecting to perform ſuch Contract or Contracts, and for any Penalty or Penalties which ſhall be contained in ſuch Contract or Contracts; and on the proving the Signing of the ſaid Contract or Contracts, and Non-performance thereof, at the Time or Times for that Purpoſe therein mentioned, the ſaid Commiſſioners ſhall be intitled to, and ſhall recover, ſuch Penalty or Penalties, which, when recovered, ſhall be applied for the Purpoſes of this Act.

3 or more Commiſſioners may order all Works done in purſuance of this Act, to be inſpected by their Surveyor; and where any ſhall be found to be not well and duly performed, may ſue the Contractors for the Penalties;

Repealed by 4 *Geo.* 3. c. 39.

to be applied to the Purpoſes of this Act.

XV. Provided always, and be it further enacted, That nothing in this Act contained ſhall be deemed or taken to make void any Contract, Covenant or Agreement between Landlord and Tenant, touching or concerning the Paving, Lighting or Cleanſing any or any Part of the ſaid Squares, Streets or Lanes, or either of them; but that every Perſon who is now, by virtue of any ſuch Contract or Agreement, obliged to pave, keep in Repair, cleanſe or light any Part of the ſaid Squares, Streets or Lanes, or either of them, ſhall, in lieu thereof, be obliged to pay the Rates hereby directed to be made and aſſeſſed, or ſo much thereof as ſhall by the ſaid Commiſſioners, or any five or more of them, be deemed juſt and reaſonable, according to the true Meaning of ſuch Contract, Covenant or Agreement, for and during ſuch Time as ſuch Contract, Covenant or Agreement ſhall remain in force: And in caſe any Diſpute ſhall ariſe concerning ſuch Agreement, the ſaid Commiſſioners, or any five or more of them, ſhall have Power to hear and finally determine the ſame.

Agreement between Landlord and Tenant, touching the paving, lighting and cleanſing the Streets, not vacated by this Act;

but the Rates made by the Commiſſioners are to be paid in lieu thereof;

and all Diſputes concerning ſuch Agreements are to be ſettled by 5 or more Commiſſioners.

XVI. And, for the better Information of the ſaid Commiſſioners, as to the Prices which are reaſonable to be paid for any ſuch Works as aforeſaid; Be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Perſon or Perſons authorized by them, or any three or more of them, ſhall have Leave to inſpect, and to take Copies of, or Extracts out of, any Books kept by any Pariſh Officer or Officers, or other Officer or Officers appointed by Authority of Parliament, within the Cities of *London* or *Weſtminſter*, or County of *Middleſex*, for the cleaning, paving or lighting any Street, Square, Place or Diſtrict in *London*, *Weſtminſter* or *Middleſex*; the Expence thereof to be defrayed out of the Money ariſing by virtue of this Act.

Commiſſioners, or Perſons authorized by them, may inſpect and take Copies of the Books kept for cleanſing, paving or lighting the Streets and Places in London, Weſtminſter or Middleſex.

XVII. And be it further enacted, That the Property of the ſaid Pavements, Lamps, Iron, Timber, Furniture, and of all other Materials and Things which ſhall be made uſe of for the Purpoſes of this Act, ſhall be and the ſame are hereby veſted in the Commiſſioners for the Time being, and they, or any three or more of them, are hereby authorized and impowered to bring, or cauſe to be brought, any Action or Actions, in the Name or Names of any one or more of them, or to prefer, and order and direct the preferring of Indictments againſt any Perſon or Perſons who ſhall ſteal, take or carry away any or any Part of ſuch Materials or Things; and, if any Perſon or Perſons ſhall wilfully or maliciouſly break up, deſtroy, or otherwiſe damage or ſpoil any of the ſaid Materials or Things, or any of the Works done in purſuance of this Act, or any Part or Parts thereof, every Perſon ſo offending therein, and being thereof convicted by the Oath of one or more Witneſs or Witneſſes, before any one or more Juſtice or Juſtices of the Peace for the County of *Middleſex*, or for the ſaid City and Liberty, ſhall for the firſt Offence forfeit any Sum not exceeding forty Shillings, nor leſs than ten Shillings; and for the ſecond, and every other Offence, any Sum not exceeding three Pounds, nor leſs than twenty Shillings; to be levied and recovered by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, by Warrant under the Hand and Seal, or Hands and Seals of the Juſtice or Juſtices before whom ſuch Conviction ſhall be made, which Forfeitures ſhall be applied to the Purpoſes of this Act: And in caſe the Perſon or Perſons ſo offending, and convicted, ſhall have no Goods or Chattels whereupon the ſame can be levied, then, and in every ſuch Caſe reſpectively, it ſhall and may be lawful to and for one or more ſuch Juſtice or Juſtices of the Peace as aforeſaid, by Warrant under his or their Hand and Seal, or Hands and Seals, to commit ſuch Perſon or Perſons reſpectively to the Houſe of Correction, there to remain for any Space not exceeding two Calendar Months, nor leſs than ten Days, to be reckoned from the Day of Commitment; and the Perſon or Perſons ſo incurring, and being convicted of any of the ſaid pecuniary Penalties, ſhall not be diſcharged, until he, ſhe or they ſhall have paid the Sum forfeited as aforeſaid, or until the Expiration of the ſaid reſpective Times.

Property of all Materials for the Purpoſes of this Act, veſted in the Commiſſioners.

3 may bring Actions, or prefer Indictments, againſt any Perſons who ſhall ſteal any Part thereof; and Perſons wilfully damaging the ſame, forfeit,

for the 1ſt Offence, not exceeding 40 s. nor leſs than 10 s. and for the 2d and every other Offence, not exceeding 3 l. nor leſs than 20 s. to be levied by Diſtreſs and Sale;

and for want of Diſtreſs the Offender to be committed to the Houſe of Correction, not exceeding 2 Months, nor leſs than 10 Days.

XVIII. And it is hereby further enacted, That the ſaid Commiſſioners, or any five or more of them, ſhall have full Power and Authority to ſell and diſpoſe of all or any Part of the old Materials,

5 or more Commiſſioners may ſell the old Materials, and apply the Mo-

ney to the Purpoſes of this Act.

to ſuch Perſon or Perſons as ſhall be willing to buy and purchaſe the ſame, and to apply the Purchaſe Money to the Purpoſes of this Act.

Pavements taken up by the Workmen of any of the Water Companies, are to be repaired by the Commiſſioners Paviour, at the Expence of ſuch Company; but where any of the Pipes or Plugs ſhall be raiſed, ſunk, or altered, for the Purpoſes of this Act, the Expence is to be defrayed out of the Rates.

XIX. And whereas the reſpective Companies who furniſh Water to the Inhabitants of the City and Liberty of *Weſtminſter*, are by Law now authorized or permitted to take up the Pavements, by their own Paviours, who may be guilty of Neglects in repairing the ſame; Be it therefore further enacted by the Authority aforeſaid, That from and after the ſaid *Thurſday* ſevennight after the paſſing this Act, when and ſo often as any Part of the Pavements of the ſaid Squares, Streets or Lanes, which ſhall be completed by virtue of this Act, ſhall be taken up by any Perſon or Perſons employed by any of the ſaid Companies, the ſame ſhall with all convenient Speed be repaired, at the Expence of the reſpective Company, by the Paviour or Paviours contracting with or employed by the ſaid Commiſſioners; but if, for the Purpoſes of this Act, it ſhall at any Time be found neceſſary to raiſe, ſink, or any otherwiſe alter the Poſition of any of the Pipes or Plugs laid down or placed by any of the ſaid Companies for the Purpoſe of ſupplying the ſaid City and Liberty, Pariſhes or Places, with Water as aforeſaid, the ſame ſhall be paid for out of the Monies ariſing by virtue of this Act, and alſo at all Times with as little Detriment or Inconvenience to the ſaid reſpective Companies as the Circumſtance of the Caſe will admit of.

5 or more Commiſſioners may contract with the ſaid Companies for relaying ſuch Pavements.

XX. Provided always, and be it enacted, That it ſhall and may be lawful for the ſaid Commiſſioners, or any five or more of them, from Time to Time, during the Continuance of this Act, to compound and agree with any of the ſaid reſpective Companies for a certain Sum of Money by the Foot, or other Meaſure, as the ſaid Commiſſioners, or any five or more of them, ſhall think reaſonable, in lieu and in ſtead of laying down or repairing ſuch Parts of the ſaid Squares, Streets or Lanes as ſhall be neceſſary to be taken up by the Workmen of the ſaid Companies, for the Purpoſes of laying down, replacing, altering or amending any of the Pipes.

Pavements taken up by the Commiſſioners of Sewers, are to be relaid at their Expence, by the Commiſſioners Paviour.

XXI. And whereas the Commiſſioners of Sewers are by Law now authorized or permitted to take up the Pavements for the Purpoſe of making or repairing Sewers; Be it therefore enacted, That when and ſo often as any of the Pavements of the ſaid Squares, Streets or Lanes, which ſhall be completed by virtue of this Act, ſhall be taken up for either of the ſaid Purpoſes, the ſame ſhall, with all convenient Speed, be repaired, at the Expence of the ſaid Commiſſioners of Sewers, by the Paviour or Paviours contracting with or employed by the Commiſſioners appointed to put this Act in Execution.

5 or more Commiſſioners may contract with the Commiſſioners of Sewers for relaying ſuch Pavements.

XXII. Provided always, That it ſhall and may be lawful for the Commiſſioners appointed to put this Act in Execution, or any five or more of them, from Time to Time, during the Continuance of this Act, to compound and agree with the Commiſſioners of Sewers for the Time being, for a certain Sum of Money by the Foot, or other Meaſure, as the Commiſſioners for putting this Act in Execution, or any five or more of them, ſhall think reaſonable, in lieu and in ſtead of laying down or repairing ſuch Parts of the ſaid Squares, Streets or Lanes, as ſhall be neceſſary to be taken up by the Workmen of the ſaid Commiſſioners of Sewers, for the Purpoſes aforeſaid.

No Alteration to be made in the Form of the Streets, &c. without the Conſent, &c. of 5 or more Commiſſioners, on Penalty of 5l. over and above all Expences of reinſtating the ſame.

XXIII. And be it further enacted, That no Perſon or Perſons ſhall make, or cauſe to be made, any Alteration in the Form of any of the Pavements of the ſaid Squares, Streets or Lanes, which ſhall be completed by virtue of this Act, or of any Part thereof, or any Incroachment therein, without the Conſent and Direction of the ſaid Commiſſioners, or any five or more of them, under their Hands and Seals; upon pain of forfeiting, for every ſuch Offence, the Sum of five Pounds, over and above all Expences incurred, or to be incurred, in reinſtating the ſame; to be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender, by Warrant under the Hands and Seals of any two or more Juſtices of the Peace for the ſaid County of *Middleſex*, or for the ſaid City and Liberty, together with the Charges of ſuch Diſtreſs and Sale, rendering the Overplus, if any be, to the Owner of ſuch Goods and Chattels, when demanded.

5000 l. to be iſſued and applied out of the Aids granted to his Majeſty for the Service of the Year 1762; to be paid to 5 or more Commiſſioners, or to their Order, and applied in new paving the ſaid Squares, Streets and Lanes.

XXIV. And be it further enacted, That out of all or any of the Aids or Supplies granted to his Majeſty, for the Service of the Year one thouſand ſeven hundred and ſixty-two, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding in the Whole the Sum of five thouſand Pounds, which ſhall be paid to the ſaid Commiſſioners, or any five or more of them, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall, by Writing under their Hands and Seals, appoint to receive the ſame, and ſhall be applied towards new paving the ſaid Squares, Streets and Lanes.

Receiver to account quarterly to the Commiſſioners.

XXV. And be it further enacted, That four Times at leaſt in every Year, or oftener if required, an Account from the Books to be kept by the Receiver or Receivers of the ſaid Rates, Duties, and Sum and Sums of Money, as aforeſaid, ſhall be fairly ſtated and ſigned by the ſaid Receiver or Receivers, and delivered by him or them to the ſaid Commiſſioners, who, or any five or more of them, are hereby impowered to diſcharge ſuch Receiver or Receivers of all ſuch Monies as he or they ſhall have fairly and truly accounted for; and Copies of the ſaid Accounts, together with Copies of all Proceedings, Contracts or Agreements, from Time to Time, had and made by the ſaid Commiſſioners, for any of the Purpoſes of this Act, ſhall be delivered to each Houſe of Parliament, within thirty Days after the Opening of every Seſſion of Parliament.

Copies of the ſaid Accounts, and of the Proceedings of the Commiſſioners, to be delivered in every Seſſions to Parliament, within 30 Days after the Opening.

Penalty of laying Aſhes, or other Annoyances in the Streets before the

XXVI. And be it further enacted, That no Perſon or Perſons whatſoever ſhall throw, caſt or lay, or cauſe or permit or ſuffer to be thrown, caſt or laid any Aſhes, Duſt, Dirt, Soil, or other Filth or Annoy-

Annoyance whatſoever, before any Dwelling-houſe, Shop, Stable, Building or Wall in any or either of the ſaid Squares, Streets or Lanes, being Thoroughfares for Wheel Carriages, and which ſhall be completed by virtue of this Act, but ſhall keep, or cauſe the ſame to be kept, in their reſpective Houſes or Yards, until ſuch Time as the Perſon or Perſons contracted with or employed to carry away ſuch Aſhes, Duſt, Dirt, Filth or Soil do come by or near their Houſes, Doors or Places, where they dwell, with a Cart or Carts, or other Conveniencies for carrying away the ſame; upon pain of forfeiting for the firſt Offence the Sum of five Shillings, for the ſecond Offence the Sum of ten Shillings, and for the third, and every other Offence, the Sum of twenty Shillings; to be levied and applied in ſuch manner as any of the Penalties and Forfeitures hereby inflicted are directed to be levied and applied.

Scavenger comes to carry away the ſame,

is for the 1ſt Offence 5 s. for the 2d 10 s. and for the 3d and every other Offence, 20 s.

XXVII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall, for the future, ſet out, lay, drive or carry, or cauſe or procure, permit or ſuffer to be ſet out, laid, drove or carried any Coach, Cart, Dray, Waggon, or other Carriage, Wheels, Timber, Stones, or any other Material, Matter or Thing, which may occaſion any Annoyance, Nuiſance or Obſtruction whatever, in any of the ſaid Squares, Streets or Lanes, being Thoroughfares uſed for Wheel Carriages, and which ſhall be compleated by virtue of this Act, ſo as to ſtop, obſtruct, incommode or endanger any Perſon or Perſons, Carriage or Carriages whatſoever, paſſing thereon; or if any Cart, Waggon, or other Carriage, ſhall be ſuffered to remain in any of ſuch Squares, Streets or Lanes, any longer than is needful and proper for the neceſſary loading or unloading thereof reſpectively; it ſhall and may be lawful for the ſaid Commiſſioners, or any three or more of them, upon Complaint of any ſuch Obſtruction, Nuiſance or Incroachment, to cauſe the ſame to be removed, taken, carried away, and depoſited in ſuch Place or Places as the ſaid Commiſſioners, or any three or more of them, ſhall direct or appoint, there to remain until the Offender or Offenders ſhall have paid and diſcharged all Coſts, Charges and Expences attending the carrying away and depoſiting the ſame as aforeſaid, as alſo a Sum not exceeding forty Shillings; to be levied, recovered and applied in ſuch manner as any Penalties hereby inflicted are directed to be levied, recovered and applied.

Obſtruction, Nuiſance, or Incroachment occaſioned by ſetting out any Carriages, Timber, or other Material, Matter or Thing in the Streets, &c.

or by Carts, &c. ſuffered to remain longer therein than is neceſſary for the loading or unloading thereof, may be removed, by Order of 3 Commiſſioners, upon Complaint thereof, at the Charges of the Offender, he paying moreover a Sum not exceeding 40 s.

'XXVIII. And whereas Perſons concerned in building and repairing Houſes, and other Works, frequently incloſe Parts of the publick Streets with Boards, and otherwiſe, to make Mortar in, and depoſit Bricks, Lime and other Materials, to the great Annoyance and Danger of Paſſengers and Carriages paſſing and repaſſing;' Be it therefore further enacted, That from and after the firſt Meeting of the ſaid Commiſſioners no Perſon or Perſons ſhall erect, build or ſet up, or cauſe or procure to be erected, built or ſet up, in any Part of the Squares, Streets or Lanes aforeſaid, which ſhall be compleated by virtue of this Act, which are or ſhall be Thoroughfares for Wheel Carriages, any Incloſure, Poſts, Bars or Rails, or other Matter or Thing whatſoever for the Purpoſes aforeſaid, without the Conſent of the ſaid Commiſſioners, or any three or more of them, in Writing under their Hands and Seals firſt had and obtained; upon pain of forfeiting, for every twelve Hours ſuch Nuiſance ſhall remain and continue, a Sum not exceeding twenty Shillings; to be levied, recovered and applied in ſuch manner as any of the Penalties and Forfeitures hereby inflicted are directed to be levied, recovered and applied.

No Incloſure, for the building or repairing of Houſes, to be made in any of the Streets, &c. which ſhall be compleated by virtue of this Act, without the Conſent of 3 or more Commiſſioners, on penalty of forfeiting not exceeding 20 s. for every 12 Hours ſuch Nuiſance ſhall remain.

XXIX. And, for defraying the Charges and Expences of paving, repairing, cleanſing and lighting the ſaid Squares, Streets and Lanes, now being or hereafter to be made within the ſaid City and Liberty, and Pariſhes and Places aforeſaid, which are or ſhall be Thoroughfares for Wheel Carriages, and for preventing Annoyances therein; Be it further enacted, That from and after the paſſing of this Act, one or more Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall, twice in every Year, or oftener, if it ſhall be thought needful by the ſaid Commiſſioners, or any five or more of them, be made, laid and aſſeſſed by the ſaid Commiſſioners, or any five or more of them, of and upon all and every the Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, within the ſaid City and Liberty, and Pariſhes and Places, in ſuch competent Sum and Sums of Money as the ſaid Commiſſioners, or any five or more of them, ſhall yearly and every Year order and direct, ſo as ſuch Rates or Aſſeſſments do not exceed in the Whole the Sum of one Shilling and ſix Pence in the Pound, in any one Year, of the yearly Rent of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, as the ſame ſhall have been aſcertained and rated towards the Relief of the Poor in ſuch Pariſh or Place reſpectively for each preceding Year; which Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be paid quarterly by ſuch Perſon and Perſons, and in ſuch Proportion, Manner and Form as the Rates towards the Relief of the Poor are now paid.

A Rate, not exceeding 1 s. 6 d. in the Pound, to be made on all Houſes, &c. by 5 or more Commiſſioners, half-yearly, or oftener, for defraying the Expences of paving, repairing, cleanſing and lighting the Streets,

to be aſcertained by the Poor Rate of the reſpective Pariſhes, and to be paid quarterly.

XXX. And be it further enacted, That it ſhall and may be lawful for the ſaid Receiver or Receivers to be appointed in purſuance of this Act, or any or either of them, at all convenient Times, firſt having an Order under the Hands of the ſaid Commiſſioners, or any three or more of them, for that Purpoſe, to inſpect the Books or Rates made for raiſing Money for the Relief and Maintenance of the Poor of all or any the Pariſhes or Places comprehended within this Act, in order to aſcertain the Rates and Aſſeſſments to be raiſed by virtue of this Act, and to take Copies thereof; the Expence to be defrayed out of the Money ariſing by virtue of this Act.

Receivers authorized by an Order of 3 or more Commiſſioners, may inſpect the Pariſh Books concerning their Poor's Rate;

and take Copies thereof.

'XXXI. And whereas many Houſes within the ſaid City and Liberty, Pariſhes and Places, are by the ſeveral Owners or Proprietors thereof let out in Lodgings or Tenements to divers Tenants, whereby it will be difficult to rate and aſſeſs ſuch Houſes, or to recover ſuch Rates and Aſſeſſments when made;' For Remedy whereof, Be it enacted by the Authority aforeſaid, That from and after the ſaid *Thurſday* ſevennight after paſſing of this Act, it ſhall and may be lawful to and for the ſaid Com-

Where Houſes are let out in Lodgings to divers Tenants,

Commiſſioners, or any five or more of them, from Time to Time, and at all Times when they meet, to make a Rate in purſuance of this Act, to rate and aſſeſs the Owner or Owners of ſuch Houſes or Tenements as ſhall be let to or occupied by two or more Tenants, which Rate and Aſſeſſment ſhall be paid by one or more of the Tenants or Occupiers of any Part or Parts of ſuch Houſes; and in caſe any Occupier or Occupiers of any Part of ſuch Houſes or Tenements ſhall refuſe to pay the ſame, then the ſaid Rate and Aſſeſſment ſhall be levied by Diſtreſs and Sale of the Goods of him, her or them ſo refuſing to pay the ſame; which Diſtreſs and Sale ſhall be made in ſuch Manner as other Diſtreſſes and Sales are by this Act directed to be made: And ſuch Occupier or Occupiers of ſuch Tenements are hereby required and authorized to pay ſuch Sum and Sums of Money as ſhall be ſo rated or aſſeſſed on the Owner or Owners thereof in purſuance of this Act, and to deduct the ſame out of the Rent thereof; and the Owner or Owners, Proprietor or Proprietors thereof, are hereby required to allow ſuch Deductions and Payments upon the Receipt of the Reſidue of their Rents; and every ſuch Tenants paying ſuch Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be acquitted and diſcharged for ſo much Money as the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall amount unto, as if the ſame had been actually paid to ſuch Perſon or Perſons to whom his, her, or their Rent ſhould have been due and payable.

the Owners are to be aſſeſſed;

but the Rate may be levied on the Occupiers,

which is to be allowed them in their Rent.

XXXII. And be it further enacted, That in caſe it ſhall ſo happen that any of the Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or any Part or Parts thereof, within the ſaid City and Liberty, Pariſhes and Places, ſhall, at any Time from and after the making of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, be empty, untenanted, or unoccupied, that then, and in every ſuch caſe, one half of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, or the one half of ſuch other Rates as may be aſſeſſed by virtue of this Act, ſhall be paid by the Owner or Proprietors of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements; and in caſe of Non-payment thereof, ſuch Lands, Houſes, Shops, Warehouſes, Vaults, Cellars, or other Tenements, ſhall be, and the ſame are hereby made a Security for, and chargeable with, ſuch Arrears.

Where Houſes, &c. ſhall be empty, untenanted, or unoccupied,

the Owners are to be charged with one half of the ſaid Rates,

and the Premiſſes are to remain a Security for the Arrears.

XXXIII. And be it further enacted, That if any ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or any Part or Parts thereof, ſhall, at any Time from and after the making of the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, be occupied or held by any Ambaſſador or Miniſter from any foreign Prince or State, or other Perſon or Perſons not liable by Law to pay the Rate or Rates, Aſſeſſment or Aſſeſſments, hereby to be made and laid, that then, and in every ſuch Caſe, the ſaid Rate or Rates, Aſſeſſment or Aſſeſſments, ſhall be wholly paid by the Owner or Owners, Proprietor or Proprietors, of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements; and in caſe of Non-payment thereof, ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or any Part or Parts thereof, ſhall be, and the ſame are hereby made, a Security for, and chargeable with, ſuch Arrears: And that the ſaid Commiſſioners, or any five or more of them, ſhall and may, if they think proper, bring or cauſe to be brought any Action or Actions, in the Name of their Treaſurer for the Time being, againſt any ſuch Owner or Proprietor for the Money at any Time in Arrear.

Where Houſes, &c. are occupied by Foreign Miniſters, or others not liable by Law to pay the Rates,

the Owners are to pay the ſame;

and the Premiſſes to remain a Security for the Arrears; and an Action may be brought againſt the Owner.

XXXIV. And to the end the ſaid Rates may be more effectually collected and received, Be it further enacted, That all and every Tenant or Tenants, Occupier or Occupiers, of Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, are and ſhall be liable to pay the whole of ſuch Rates to the Receiver or Receivers to be appointed by the ſaid Commiſſioners, as herein is directed; and in caſe of ſuch Payment, ſuch Tenant or Tenants, Occupier or Occupiers, ſhall be at liberty, and is and are hereby authorized to deduct and detain out of his, her, or their Rent, ſuch Proportion of ſuch Rates as he, ſhe, or they ſhall reſpectively pay on account of the ſeveral Owner or Owners, Proprietor or Proprietors, of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, and ſhall be hereby ſaved and kept harmleſs from any further Payment of any ſuch Rate or Rates to any Perſon or Perſons to whom any ſuch Rent or Rents ſhould or ought to be paid.

Tenants and Occupiers are to pay the Rates,

and deduct the Proportion paid on account of the Owner or Proprietor out of their Rent.

'XXXV. And, foraſmuch as it is reaſonable that all publick Buildings, dead Walls, and void 'Spaces of Ground, ſhould be rated and aſſeſſed towards the better paving, cleanſing, and lighting 'the ſaid City and Liberties, Pariſhes and Places,' Be it therfore further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, at their Diſcretion, and they are hereby required, when and at ſuch Time and Times as the Rates and Aſſeſſments hereby directed to be made ſhall from Time to Time be made, to rate and aſſeſs all Pariſh Churches, Church Yards, Chapels, Meeting Houſes, Schools, Inns of Court, Halls, Societies, Markets, Warehouſes, void Spaces of Ground, and all other publick Buildings whatſoever, ſituate, ſtanding, lying, and being within the ſaid City and Liberty, Pariſhes and Places, at a Rate to be ſettled by five or more of the ſaid Commiſſioners, for every ſquare Yard belonging to every ſuch Pariſh Church, Church Yard, Chapel, Meeting Houſe, Inn of Court, School, Hall, Society, Market, Warehouſe, dead Wall, void Space of Ground, and other publick Buildings whatſoever; the Rate or Rates, Aſſeſſment or Aſſeſſments, to be made and paid for ſuch Pariſh Churches, Chapels, and Church Yards, to be paid by the reſpective Church or Chapel Wardens; and the Rate or Rates, Aſſeſſment or Aſſeſſments, to be made and paid for ſuch Meeting Houſes, Schools, Inns of Court, Halls, Societies, Markets, Warehouſes, dead Walls, void Spaces of Ground, and all other Publick Buildings, ſhall be paid by the Owner or Owners, Proprietor or Proprietors thereof.

All publick Buildings, dead Walls, and void Spaces of Ground, to be rated by the Square Yard.

The Rates for Pariſh Churches, Chapels, and Church-yards, to be paid by the Church or Chapel Wardens; and for other Places, by the reſpective Proprietors.

XXXVI.

XXXVI. And be it further enacted, That if any Perſon or Perſons ſhall neglect, or refuſe, to pay the Sum or Sums of Money on him, her, or them rated and aſſeſſed by virtue of this Act, for the Space of ten Days after perſonal Demand thereof, or Demand in Writing, left at the Place of Abode or Occupation of ſuch Perſon or Perſons ſo rated and aſſeſſed, and neglecting or refuſing to pay ſuch Rate and Aſſeſſment, that then, and in every ſuch caſe, it ſhall and may be lawful to and for ſuch Receiver or Receivers appointed to receive the ſaid Rates or Aſſeſſments (by Warrant under the Hands and Seals of two or more Juſtices of the Peace for the County of *Middleſex*, or for the ſaid City and Liberty of *Weſtminſter*, as the Caſe may happen, which Warrant the ſaid Juſtices are hereby authorized and required to grant) by and with the Aſſiſtance of a Conſtable of the Pariſh or Place where ſuch Neglect or Refuſal ſhall happen, who is hereby required to be aiding and aſſiſting, to enter into any Part of the Premiſſes, within the ſaid City and Liberty, Pariſhes or Places, occupied by the Perſon or Perſons ſo rated and aſſeſſed, and to diſtrain his, her, and their Goods and Chattles; and if the ſame ſhall not be replevied, or the Monies paid within five Days after ſuch Diſtreſs made, together with the Coſts of making ſuch Diſtreſs, to be aſcertained by any two or more of the ſaid Juſtices of the Peace for the ſaid County, or City and Liberty, as the Caſe may require, then to appraiſe and ſell ſo much and ſuch Part thereof as will be ſufficient to pay the ſaid Rate and Aſſeſſment, together with all Coſts and Charges attending the ſaid Diſtreſs and Sale, returning the Overplus (if any) to the Owner or Owners of ſuch Goods and Chattles.

Where the Rates ſhall not be paid within 10 Days after Demand,

the Receiver, by Warrant of 2 Juſtices,

with the Aſſiſtance of a Conſtable,

may levy the ſame, with all Charges, by Diſtreſs and Sale.

XXXVII. And be it further enacted by the Authority aforeſaid, that all the Money raiſed by virtue of this Act, and all Monies appropriated, given, or paid, for the Purpoſes of this Act, ſhall be, and the ſame are, hereby veſted in the ſaid Commiſſioners, and ſhall be by them applied for the Purpoſes of this Act, and to or for no other Uſe or Purpoſe whatſoever.

All the Monies raiſed & appropriated by this Act are veſted in the Commiſſioners, to be applied for the Purpoſes of this Act only.

XXXVIII. And be it further enacted by the Authority aforeſaid, That all Penalties and Forfeitures by this Act impoſed (the manner of levying and recovering whereof is not hereby otherwiſe particularly directed) ſhall be levied and recovered by Diſtreſs and Sale of the Offender's Goods and Chattles, by Warrant under the Hand and Seal of ſuch Juſtice of the Peace for the ſaid County of *Middleſex*, or the City and Liberty of *Weſtminſter*, as the Caſe may be, which Warrant ſuch Juſtice is hereby impowered and required to grant, upon the Confeſſion of the Party or Parties, or upon the Information of any one or more credible Witneſs or Witneſſes, upon Oath (which Oath ſuch Juſtice is hereby impowered to adminiſter); and the Penalties and Forfeitures when recovered, after rendering the Overplus (if any be) upon Demand, to the Party or Parties whoſe Goods and Chattles ſhall be ſo diſtrained and ſold, (the Charges of ſuch Diſtreſs and Sale being firſt deducted) ſhall be paid to the Treaſurer to the ſaid Commiſſioners for the Time being, and be applied towards the Purpoſes of this Act.

Penalties and Forfeitures in general, to be levied by Diſtreſs and Sale, by Warrant of a Juſtice;

and to be paid to the Commiſſioners Treaſurer.

XXXIX. And be it further enacted, That if any Receiver or Receivers ſhall happen to die before he or they ſhall have fully paid and ſatisfied all the Money by him or them received by virtue of this Act, then, and in every ſuch Caſe, the Executors or Adminiſtrators, Executrix or Adminiſtratrix, or other legal Repreſentative or Repreſentatives, or Perſon or Perſons poſſeſſing the late Eſtate and Effects of every ſuch Receiver or Receivers, ſhall, out of ſuch Eſtate or Effects, pay the ſaid Treaſurer or Treaſurers for the Time being, all ſuch Sums of Money by ſuch Receiver or Receivers ſo received and not paid, or ſo much thereof as the ſaid Eſtate or Effects will extend to pay; and the Receipt of three or more of the ſaid Commiſſioners ſhall be a good Diſcharge for ſuch Money; and every Executor or Adminiſtrator, or other Perſon as aforeſaid, may, to any Action or Suit commenced or brought againſt him, her or them, plead or give in Evidence the Payment of the ſame, and ſhall be allowed Payment of the ſame out of ſuch Eſtate or Effects; and in caſe of Non-payment of the ſame, by the Space of twenty-one Days after the ſame ſhall be demanded, it ſhall and may be lawful to and for the ſaid Treaſurer or Treaſurers for the Time being, and he or they is and are hereby directed and required, in his or their own Name or Names, to commence and bring one or more Action or Actions in any of his Majeſty's Courts of Record at *Weſtminſter*, againſt ſuch Executors or Adminiſtrators, or other Perſon or Perſons as aforeſaid, for the Recovery of the ſame.

Balance of Money received, and not paid over at the Time of the Receiver's Death, is to be paid by the Executors of the Deceaſed's Eſtate;

and the Receipt of 3 or more Commiſſioners is a ſufficient Diſcharge for the ſame; but on Non-payment within 21 Days after demanded, the Treaſurer may ſue the Executors.

'XL. And whereas it may happen that many Perſons liable to, and that may be charged and rated 'towards defraying the Expence of paving, repairing, cleanſing and lighting, the ſaid Squares, Streets 'and Lanes, may, before the Sums which ſhall be ſo rated on them reſpectively ſhall be paid, quit and 'leave their Dwelling-houſes, Warehouſes, Shops, Vaults, Cellars, or Tenements, in the Pariſh or 'Place where they ſhall be ſo rated and aſſeſſed, and remove into ſome other of the ſaid Pariſhes or Pla'ces, or out of the Limits thereof, and thereby endeavour to evade the Payment of ſuch Rates and 'Aſſeſſments;' Be it therefore further enacted, That where any Perſon or Perſons who hath or have been ſo rated and aſſeſſed, ſhall quit his, her, or their Dwelling-houſe, Warehouſe, Shop, Vault, Cellar, or Tenement, in the Pariſh or Place wherein ſuch Rate or Aſſeſſment has been made, before he, ſhe, or they, ſhall have paid the ſame, and ſhall afterwards refuſe to pay the ſame when due and demanded by the Perſon or Perſons authorized and appointed to collect and receive the ſame; that then, and in every ſuch Caſe, it ſhall and may be lawful to and for the ſaid Receiver or Receivers, and every or any of them, by Warrant obtained under the Hands and Seals of any two or more Juſtices of the Peace for the County of *Middleſex*, or for the ſaid City and Liberty, as the Caſe ſhall happen; which Warrant the ſaid Juſtices are hereby authorized and required to grant in any Place within the ſaid City and Liberty, Pariſhes or Places, or out of the Limits thereof, ſuch Warrant being firſt backed or counter-ſigned by ſome Magiſtrate in the County, City, or Liberty, where the Diſtreſs is to be made; to

Where Perſons rated ſhall quit their Houſes, &c. before they have paid the Rates,

the Receiver, by Warrant of 2 Juſtices for Middleſex, or City and Liberty of Weſtminſter,

(the ſame being firſt backed by ſome Magiſtrate for the Place where the Diſtreſs is to be made)

may levy the Rates, and all Charges, by Diſtreſs and Sale.

to diſtrain the Goods and Chattles of ſuch Perſon or Perſons ſo neglecting or refuſing, and the ſame to ſell, rendering the Overplus, if any ſuch ſhall be, after having deducted the reaſonable Charges and Expences of ſuch Diſtreſs and Sale, to the Owner of ſuch Goods and Chattles demanding the ſame, to be aſcertained in like manner as the Coſts and Charges of other Diſtreſſes and Sales are herein before provided and directed to be aſcertained.

No Rate to be made upon any Place, till the Pavement is compleated; and all Contracts before made (except between Landlord and Tenant) for paving, cleanſing, or lighting the Streets, are then to ceaſe.

XLI. And be it enacted, That no ſuch Rate, or Aſſeſſment ſhall be made upon upon any Square, Street, or Lane, until the Pavement of ſuch Square, Street, or Lane, ſhall be compleated, by virtue of this Act; and that after the Pavement of ſuch Square, Street, or Lane, ſhall be compleated, all Contracts before made, except between Landlord and Tenant, for paving, repairing, lighting, or cleanſing the ſame, ſhall be void.

Perſons paying to theſe Rates, are exempted from all other Charges and Penalties on account thereof.

XLII. And be it enacted, That all and every Perſon or Perſons paying the Rates and Aſſeſſments by this Act laid, ſhall be, and they and every of them is and are hereby exempted and diſcharged from the Charge and Expence of paving, cleanſing, lighting, or keeping in Repair, the ſaid Squares, Streets, or Lanes, or any of them; and alſo from all Penalties which may or might be incurred by reaſon or means of their neglecting to pave, cleanſe, light, or keep the ſame, in Repair.

As ſoon as any Rate ſhall be made by virtue of this Act, the Owners or Occupiers of Houſes, &c. aſſeſſed thereto,

are diſcharged from Payment of like Rates made in purſuance of former Acts.

'XLIII. And whereas Proviſion has been made in ſeveral former Acts of Parliament, either for 'paving, cleanſing, lighting, or keeping in Repair, ſome or all of the Squares, Streets, or Lanes, or 'ſome Part thereof, intended to be paved, cleanſed, lighted, and kept in Repair by this Act;' Be it therefore enacted by the Authority aforeſaid, That as ſoon as any Rate or Aſſeſſment ſhall be made, laid, or aſſeſſed, by the ſaid Commiſſioners, or any five or more of them, by virtue and in purſuance of this Act, on the Owners or Occupiers of any Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or on any Church or Chapel-Wardens for and on account of any Ground belonging to any Church, Church-yard, or Chapel, ſuch Owners, or Occupiers, and ſuch Church or Chapel-Wardens reſpectively, ſhall be no longer liable to be charged to any Rate or Aſſeſſment, for and on account of ſuch Lands, Houſes, Shops, Warehouſes, Cellars, Vaults, or other Tenements, or for or on account of ſuch Church, Church-yard, or Chapel, by virtue and in purſuance of the ſaid former Acts, or any of them.

Inhabitants of St. James's Square, being included in an Act of 12 Geo. 1. c. 25.

* So in Original; but the Act referred to is the 12 Geo. the First, as in the marginal Note.

Lincoln's Inn Fields, in an Act of 8 Geo. 2. c. 26.

and Golden Square, in an Act of 24 Geo. 2. c. 27. are exempted out of this Act.

XLIV. Provided always, and be it enacted, That nothing in this Act contained ſhall extend, or be conſtrued to extend, to any Place or Places whatſoever, which are already under or included in an Act made in the twelfth Year of the Reign of his late Majeſty King *George* the Second*, intituled, *An Act to enable the preſent and future Inhabitants of the Eaſt, North, and Weſt Sides or Lines of* Saint James's Square, *to make a Rate on themſelves, for raiſing Money ſufficient to clean, adorn, and beautify the ſaid Square, and continue the ſame in Repair*; or in an Act made in the eighth Year of the Reign of his ſaid late Majeſty, intituled, *An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in* Lincoln's Inn Fields, *in the County of* Middleſex, *to make a Rate on themſelves for raiſing Money ſufficient to incloſe, clean, and adorn the ſaid Fields*; or in an Act made in the twenty-fourth Year of the Reign of his ſaid late Majeſty, intituled, *An Act to enable the preſent and future Proprietors and Inhabitants of the Houſes in* Golden-Square, *in the Pariſh of* Saint James's, Weſtminſter, *in the County of* Middleſex, *to make and levy a Rate on themſelves, for raiſing Money ſufficient for the better incloſing, paving, enlightening, and adorning of the ſaid Square, and ſupporting and keeping of the ſame in Repair for the future.*

This Act not to extend to ſuch Parts of Streets, &c. as are already directed to be paved, lighted, or cleanſed, by any Road Act; nor to Dean's Yard, and Places adjoining to the South and Weſt Doors Weſtminſter Abbey.

XLV. Provided alſo, and be it enacted, That nothing in this Act contained ſhall extend or be conſtrued to extend, to any Part or Parts of any Street, Road, or Place, which is already directed to be paved, repaired, cleanſed, or lighted, under and by virtue of any Act or Acts of Parliament for repairing any Road or Highway; nor to a Place called *Dean's Yard*, and ſuch other Places as are adjoining to the Weſt and South-Eaſt Doors of *Weſtminſter Abbey*, not being Street Pavement, but within the Poſts and Rails; but that ſuch laſt mentioned Place and Places be paved, repaired, cleanſed, and lighted at the Expence of the Dean and Chapter of *Weſtminſter*, as has been accuſtomed to be done.

Seven or more Commiſſioners may make a new Paſſage, or widen the old one, from Drury Lane into Great Queen Street, at the Devil's Gap; and purchaſe Houſes and Ground for that Purpoſe, &c. not exceeding ſix in Number; and if they make a new one, may incloſe and ſell the old Paſſage for building upon; and may pave, repair, and cleanſe the ſame, in like manner as the Squares and Streets, &c. before mentioned.

XLVI. And be it enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any ſeven or more of them, may, and they are hereby impowered, to make a new Paſſage, or widen the old one, from *Drury Lane* into *Great Queen Street*, in the Pariſh of *Saint Giles in the Fields*, in the County of *Middleſex*, at or near a certain Place called the *Devil's Gap*, and near adjoining to the Eaſt End of *Long Acre*, and for that Purpoſe to purchaſe any Houſe or Houſes, with the Appurtenances and the Ground and Soil thereof, on the South Side of the ſaid Gap, not exceeding ſix in Number, and to lay ſuch Part of the Soil and Ground of ſuch Houſe or Houſes ſo purchaſed, as they ſhall ſee proper and moſt convenient for the Publick towards widening the ſaid Gap; and if a new Paſſage ſhall be found moſt proper and convenient, the ſaid Commiſſioners, or any ſeven or more of them, may incloſe, ſell, and diſpoſe of the ſaid Paſſage for the Purpoſe of building thereon; and after the ſaid new Paſſage ſhall be made, or the preſent one widened, the ſaid Commiſſioners may pave, repair, cleanſe, and amend, the ſaid new or widened Paſſage, in like manner, and under the ſame Powers, Proviſions, Rules, Regulations, and Authorities, as is herein before provided, in reſpect of the Squares, Streets, and Lanes before-mentioned.

XLVII. Provided always, That no Part of the Monies that ſhall be given by Parliament for the Purpoſes of this Act, nor any Part of the Monies that ſhall be raiſed by the Rates to be made and levied by virtue of this Act, ſhall be applied to the Purpoſe of purchaſing the ſaid Houſes, or any of them, or the Ground or Soil thereof.

No Part of the Rates, or Money granted by Parliament, to be applied in the Purchaſe of the ſaid Houſes or Ground.

XLVIII. Provided always, and be it further enacted by the Authority aforeſaid, That if any Perſon ſhall think himſelf or herſelf aggrieved by any Thing done in purſuance of this Act, and for which no particular Method of Relief hath been already appointed, ſuch Perſon may appeal to the Juſtices of the Peace, at any General Quarter Seſſions of the Peace, to be held for the County or Place wherein the Cauſe of Complaint ſhall ariſe, and within three Months after the Cauſe of ſuch Complaint ſhall have ariſen; ſuch Appellant firſt giving or cauſing to be given twenty-one Days Notice at the leaſt in Writing, of his or her Intention to bring ſuch Appeal, and of the Matter thereof, to the Clerk or Treaſurer to the ſaid Commiſſioners, and within two Days after ſuch Notice, entering into Recognizance before ſome Juſtice of the Peace for ſuch County or Place, with two ſufficient Sureties, conditioned to try ſuch Appeal at, and abide the Order of, and to pay ſuch Coſts as ſhall be awarded by, the Juſtices at ſuch Quarter Seſſions; and the ſaid Juſtices at ſuch Seſſion, upon due Proof of ſuch Notice being given as aforeſaid, and of the entering into ſuch Recognizance, ſhall hear and finally determine the Cauſes and Matter of ſuch Appeal in a ſummary Way, and award ſuch Coſts to the Parties appealing or appealed againſt, as they the ſaid Juſtices ſhall think proper; and the Determination of ſuch Quarter Seſſions ſhall be final, binding and concluſive to all Intents and Purpoſes.

Perſons aggrieved, where no other Method of Relief is appointed, may appeal to the Quarter Seſſions within 3 Months; giving 12 Days Notice of ſuch Appeal to the Clerk or Treaſurer, and entering into Recognizance, with Security, to try the ſame, &c. Juſtices to determine ſuch Appeal in a ſummary Way, and award Coſts.

XLIX. And be it further enacted by the Authority aforeſaid, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Default or Want of Form in any Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards done by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity may recover full Satisfaction for the Special Damage in an Action on the Caſe.

Diſtreſs not to be deemed unlawful, nor the Party making it, a Treſpaſſer, for want of Form in the Proceedings; nor the Party diſtraining a Treſpaſſer *ab initio*, on account of any ſubſequent Irregularity. Party to recover full Satisfaction only for the Damage, in an Action on the Caſe:

L. Provided always, That no Plaintiff or Plaintiffs ſhall recover in any Action for any ſuch Irregularity, Treſpaſs, or other Proceedings, if Tender of ſufficient Amends ſhall be made by or on the Behalf of the Party or Parties who ſhall have committed, or cauſed to be committed, any ſuch Irregularity, Treſpaſs, or wrongful Proceedings, before ſuch Action brought: And in caſe no ſuch Tender ſhall have been made, it ſhall and may be lawful for the Defendant or Defendants in any ſuch Action, by Leave of the Court where ſuch Action ſhall depend, at any Time before Iſſue joined, to pay into Court ſuch Sum of Money as he or they ſhall ſee fit; whereupon ſuch Proceedings, or Orders and Judgments, ſhall be had, made and given in and by ſuch Court, as in other Actions where the Defendant is allowed to pay Money into Court.

But where ſufficient Tender ſhall have been made before the Action brought, the Plaintiff is not to recover. Defendant, with Leave, may pay Money into Court, &c.

LI. Provided always, and be it enacted by the Authority aforeſaid, That no Nomination, Contract, Bond, Warrant, Judgment, or other Writing whatſoever, under the Hand and Seal, or Hands and Seals, of or only ſigned by any Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace, or exhibited before them, or under the Hand and Seal, or Hands and Seals, of or only ſigned by any other Perſon or Perſons whatſoever, relating to the Execution of this Act, ſhall be chargeable with any Duty whatſoever.

Contracts and other Writing not chargeable with any Duty.

LII. And be it further enacted by the Authority aforeſaid, That all Orders and Proceedings of the ſaid Commiſſioners at their Meetings, ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch Orders and Proceedings ſo entered ſhall be ſigned by the Clerk or Clerks, at any Meeting of three or more of the ſaid Commiſſioners aſſembled, as the Caſe ſhall require; and ſuch Orders ſhall be deemed and taken to be original Orders: Which ſaid Book or Books ſhall and may be produced and read in Evidence in all Courts whatſoever.

Orders and Proceedings of Commiſſioners to be entered in Books, and ſigned by the Clerk; which may be produced and read in Evidence.

LIII. And be it enacted by the Authority aforeſaid, That no Act or Order of the ſaid Commiſſioners ſhall be valid, unleſs done or made at ſome publick Meeting.

No Act, &c. of the Commiſſioners valid, unleſs done at a publick Meeting.

LIV. And be it further enacted by the Authority aforeſaid, That no Proceeding to be had touching the Conviction of any Offender or Offenders againſt this Act, or any Order made, or other Matter or Thing to be done or tranſacted in, or relating to, the Execution of this Act, ſhall be vacated or quaſhed for want of Form; or be removed by *Certiorari*, or any other Writ or Proceſs whatſoever, into any of his Majeſty's Courts of Record at *Weſtminſter*; any Law or Statute to the contrary notwithſtanding.

Proceedings againſt Offenders not liable to be quaſhed for want of Form; or removable by Certiorari.

LV. And be it further enacted by the Authority aforeſaid, That no Action or Suit ſhall be commenced againſt any Perſon or Perſons for any Thing done in purſuance of this Act, until twenty-one Days Notice ſhall be thereof given in Writing to the Clerk or Treaſurer to the ſaid Commiſſioners, or after ſufficient Satisfaction or Tender thereof hath been made to the Party or Parties aggrieved, or after ſix Months next after the Fact committed for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought; and every ſuch Action ſhall be brought, laid and tried in the County or Place where ſuch Matters and Things reſpectively ſhall be committed or done, and not in any other County or Place;

Limitation of Actions,

General Iſſue.

Place; and that the Defendant or Defendants in ſuch Actions and Suits, and every of them, may plead the General Iſſue, and give this Act and the Special Matter in Evidence, at any Trial or Trials which ſhall be had thereupon; and that the Matter or Thing for which ſuch Action or Actions, Suit or Suits, ſhall be ſo brought, was done in purſuance and by the Authority of this Act: And if the ſaid Matter or Thing ſhall appear to have been ſo done, or if it ſhall appear that ſuch Action or Suit was brought before twenty-one Days Notice thereof given as aforeſaid, or that ſufficient Satisfaction was made or tendered as aforeſaid; or if any ſuch Action or Suit ſhall not be commenced within the Time before for that Purpoſe limited, or ſhall be laid in any other County or Place than as aforeſaid; then the Jury or Juries ſhall find for the Defendant or Defendants therein; and if a Verdict or Verdicts ſhall be found for ſuch Defendant or Defendants; or if the Plaintiff or Plaintiffs in ſuch Action or Actions, Suit or Suits, ſhall become nonſuited, or ſuffer a Diſcontinuance of ſuch Action or Actions; or if, upon any Demurrer or Demurrers, in ſuch Action or Actions, Judgment ſhall be given for the Defendant or Defendants therein, then, and in either of the Caſes aforeſaid, ſuch Defendant or Defendants ſhall have treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants may have for his, her or their Coſts in any other Caſes by Law.

Treble Coſts.

See further 3 *Geo.* 3. c. 23.

CAP. XXII.

An Act for the keeping regular, uniform and annual Regiſters of all Pariſh Poor Infants under a certain Age, within the Bills of Mortality.

Preamble.

'WHEREAS the keeping regular, uniform and annual Regiſters of all Pariſh Poor Infants under four Years of Age, within the Bills of Mortality, may be a Means of preſerving the Lives of ſuch Infants;' May it therefore pleaſe your Majeſty, that it may be enacted; and Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Churchwardens and Overſeers of the Poor of every Pariſh within the Bills of Mortality, or ſome one or more of them, ſhall, on or before the firſt Day of *July* in the preſent Year one thouſand ſeven hundred and ſixty-two, provide, or cauſe to be provided, at the Expence of their reſpective Pariſh, one Book of *Royal* Paper; and the Book belonging to ſuch reſpective Pariſh wherein there is or ſhall be any Workhouſe, Hoſpital, or other Houſe or Place provided for the Maintenance of the Poor, ſhall, in every Page, be ruled with diſtinct Columns, and the Title of each Column ſhall be wrote or printed in ſuch Page, agreeable to the Schedule hereunto annexed, marked (A); and the Book belonging to each reſpective Pariſh wherein there is not, nor ſhall be, any ſuch Workhouſe, Hoſpital-houſe or Place, ſhall, in every Page, be ruled with diſtinct Columns, and the Title of each Column ſhall be wrote or printed in ſuch Page, agreeable to the Schedule hereunto annexed, marked (B).

A Regiſter Book is to be provided in every Pariſh, by 1 July 1762;

That for any Pariſh wherein there is a Workhouſe, &c. is to be ruled and diſtinguiſhed into Columns, according to the annexed Schedule marked (A); and that where there is no ſuch Workhouſe, &c. according to the Schedule marked (B).

II. And be it further enacted by the Authority aforeſaid, That the ſaid Churchwardens and Overſeers of the Poor, or ſome one or more of them, ſhall enter, or cauſe to be entered, in the Book belonging to their reſpective Pariſh, and provided in purſuance of this Act, all the Infants under the Age of four Years, which, on the ſaid firſt Day of *July*, ſhall be in the Workhouſe or Workhouſes, Hoſpital or Hoſpitals, or other Houſe or Houſes, Place or Places, provided for the Maintenance of the Poor of each Pariſh reſpectively, or under the Care of the ſaid Churchwardens or Overſeers of the Poor, with the Times when they were received, their Names, Age, and whatever Deſcription relates to them, as far as can be traced, being agreeable to the Schedules annexed.

All Infants under 4 Years of Age, which ſhall be in any ſuch Workhouſe, &c.

or under the Care of the Churchwardens or Overſeers of the Poor, on the ſaid 1ſt July, ſhall be entered therein agreeable to the ſaid Schedules;

III. And be it enacted by the Authority aforeſaid, That from and after the ſaid firſt Day of *July* all Infants under the Age of four Years, who ſhall be brought to any Work-houſe or Hoſpital-houſe, or Place provided for the Maintenance of the Poor, or be under the Care of the ſaid Churchwardens or Overſeers of the Poor, in their reſpective Pariſhes, or any of them, ſhall be, by the ſaid Churchwardens or Overſeers of the Poor, or ſome one or more of them, or by the Direction or Command of ſome one or more of them, entered regularly in the Book aforeſaid, with the Times of their Admittance, and all Circumſtances relating to them, agreeable to the Titles and Heads of the Columns in the ſaid Schedules mentioned and ſet forth.

as ſhall alſo all Infants under the ſaid Age, which ſhall be brought to the Workhouſe, or be under the Care of the Churchwardens, after the ſaid Day.

IV. And be it further enacted by the Authority aforeſaid, That the firſt annual Regiſter hereby intended and directed to be kept, ſhall commence on the ſaid firſt Day of *July*, and ſhall end on the thirty-firſt Day of *December* enſuing; and, after that Time, the ſaid annual Regiſter ſhall commence the firſt Day of *January*, and end the thirty-firſt Day of *December* following.

The firſt annual Regiſter is to commence on the ſaid 1 July, and end on 31 Dec. enſuing; and afterwards to commence on 1 January, and end on 31 December following.

V. And be it further enacted by the Authority aforeſaid, That after the Expiration of each Year, the Names of all the Infants under four Years of Age, then living and regiſtered in the ſaid annual Regiſters,

At the Expiration of each Year, all Infants under the Age afore-

Regiſters, and not diſcharged from being under the Care of the Churchwardens or Overſeers of the Poor, ſhall be transferred to the Regiſters for the Year enſuing, under their proper Dates of Reception, and under the Deſcription in which they ſtand in the preceding Regiſters, previous to any further Entry; ſo that each annual Regiſter ſhall contain a full and diſtinct Regiſter of the whole Number of Infants under the Age above-mentioned, under the Care of the Pariſh at that Time, as well as the Children received under the ſaid Age, in the current Year, without being intermixed or blended with the Deaths or Diſcharges of any in the preceding Years.

ſaid, then living and regiſtered, and not diſcharged, ſhall be transferred to the Regiſter for the enſuing Year, previous to any further Entry;

VI. And be it further enacted by the Authority aforeſaid, That the ſaid annual Regiſters, and every of them, ſhall be ſigned within thirty Days after the Expiration of each reſpective Year by the Veſtry, or any five of them, and by the Churchwardens, Overſeers, Veſtry Clerk, and Maſter of the Work-houſe, for the Time being; and where there is no Veſtry or Veſtry Clerk, by the Churchwardens, Overſeers, and Maſter of the Work-houſe; and where there is no Maſter of the Work-houſe, by the Churchwardens and Overſeers of the Poor.

and be ſigned by the Veſtry, Churchwardens, Overſeers, Veſtry Clerk, and Maſter of the Workhouſe, where there are any ſuch.

VII. And be it further enacted by the Authority aforeſaid, That in caſe any Infant is received into the Workhouſe, or under the Care of the ſaid Churchwardens or Overſeers of the Poor, before the ſaid Infant is baptized, or known to be baptized, due Care ſhall be taken to baptize the ſame within fourteen Days after the Reception of ſuch Infant, ſo that the Chriſtian and the true Surname, if known, and, if not known, a Surname to be given by the Churchwardens and Overſeers of the Poor, or any one of them, be regularly entered in the ſaid Book; and the Name and Surname of ſuch Infant ſhall alſo be regiſtered in the Pariſh Regiſter of ſuch Pariſh: And in caſe of a Difficulty of diſtinguiſhing Children, ſome proper Mark ſhall be affixed to the Child's Cloaths, or hung round his or her Neck.

Infants received before baptized, or known to be ſo, ſhall be baptized within 14 Days after; and be named, if not known, by the Churchwardens and Overſeers, and regiſtered accordingly; and they may be diſtinguiſhed by affixing ſome Mark to them.

VIII. And be it further enacted by the Authority aforeſaid, That nothing herein contained ſhall extend, or be conſtrued to extend, to ſuch Children whoſe Parents receive Money from the Pariſh in Aid of the Maintenance and Support of ſuch Children, they not being in the Workhouſe, or other Pariſh Houſe.

Children whoſe Parents receive Money from the Pariſh towards their Support, are not included in the Act.

IX. And be it further enacted by the Authority aforeſaid, That a Copy of the ſaid Regiſter wrote up, from Time to Time, ſhall, every Month, be laid by the Veſtry Clerk, or other Perſon appointed for that Purpoſe, before the reſpective Veſtries, or other parochial Meetings aſſembled in Veſtry, that the ſame may be reviſed by them.

Copy of the Regiſter is to be laid monthly before the Veſtry;

X. And be it further enacted by the Authority aforeſaid, That the ſaid Copy of the Regiſter being completed at the End of the Year, ſhall be depoſited in the Veſtry Room, or other Place of parochial Meetings, to remain there for the Uſe of the Veſtry-men, or other parochial Meetings.

and at the End of every Year, a Copy for the Year to be depoſited in the Veſtry Room;

XI. And be it further enacted by the Authority aforeſaid, That the original Regiſter Book ſhall remain and be carefully preſerved and kept with the reſt of the Pariſh Books in the Hands of the Pariſh Officers for the Time being.

and the Original is to be preſerved with the Pariſh Books;

XII. And be it further enacted by the Authority aforeſaid, That all the reſpective Pariſhes within the Bills of Mortality by the Hand of their Veſtry Clerk, or, where there is no Veſtry Clerk, by the Hands of the Churchwardens, or one of them, ſhall, on or before the fifteenth Day of *February* in every Year, deliver fair Copies of their reſpective Regiſters of Children under the Age of four Years, ſigned in manner hereby directed, into the Hands of the Clerk of the Maſter, Wardens, and Court of Aſſiſtants of the Company of Pariſh Clerks, or ſuch Perſon as the ſaid Maſter, Wardens, and Court of Aſſiſtants of the ſaid Company, ſhall appoint, he returning a Receipt for the ſame ſigned by himſelf.

and ſigned Copies of the ſeveral Regiſters for the reſpective Pariſhes are to be delivered yearly by 15 Feb. to the Clerk of the Company of Pariſh Clerks; for which he is to give a Receipt;

XIII. And be it further enacted by the Authority aforeſaid, That the ſaid Clerk, or other Perſon appointed by the ſaid Maſter, Wardens, and Court of Aſſiſtants of the ſaid Company, ſhall receive the ſaid Copies of Regiſters, and cauſe the ſame to be bound in a Book, collecting and ranging together the Regiſters of the ninety-ſeven Pariſhes within the Walls of the City of *London*, thoſe of the ſeventeen Pariſhes without the Walls of the City of *London*, thoſe of the twenty-three Pariſhes in *Middleſex* and *Surrey*, and thoſe of the ten Pariſhes in the City and Liberty of *Weſtminſter*, in alphabetical Order; and in this Order he ſhall, on or before the twenty-fifth Day of *March* in every Year, make out, or cauſe to be made out, one General Abſtract of the ſame.

and is to cauſe the ſaid Copies to be bound up in alphabetical Order;

and make out from thence one general Abſtract, by 25 March yearly;

XIV. And be it further enacted by the Authority aforeſaid, That the ſaid Regiſters of the reſpective Pariſhes, together with the ſaid General Abſtract, being bound in a Book together, ſhall remain depoſited in the Hands and Cuſtody of the ſaid Maſter, Wardens, and Court of Aſſiſtants of the ſaid Company of Pariſh Clerks.

and depoſit the ſaid Abſtract, bound up with the Regiſters, with the Maſter and Wardens of the Company;

XV. And be it further enacted by the Authority aforeſaid, That the ſaid Clerk, or other Perſon appointed by the ſaid Maſter, Wardens, and Court of Aſſiſtants of the ſaid Company of Pariſh Clerks, ſhall print, or cauſe to be printed, the ſaid General Abſtract, and deliver ſix Copies thereof to every Veſtry Clerk, or to one of the Churchwardens, of all the reſpective Pariſhes within the Bills of Mortality, for the Uſe of the Pariſhioners and Pariſh Officers.

and he is to print the ſaid Abſtract, and deliver 6 Copies thereof, for the Uſe of each Pariſh, to the reſpective Veſtry Clerks or Churchwardens;

XVI. And be it further enacted by the Authority aforeſaid, That for and in conſideration of the Expence and Trouble of receiving the ſaid Copies of Regiſters, making an exact Abſtract thereof,

for all which he is to be paid by each ſuch Veſtry Clerk, or Churchwar-

den, on Delivery of the ſaid Copies, 15s. paſſing a Receipt for the ſame.

thereof, binding the Regiſters and Abſtracts in a Book to remain as a Depoſitary of the ſame, printing the General Abſtract, diſtributing the Copies thereof, with other contingent Expences relating to the ſame, each Pariſh ſhall, by the Hands of the Veſtry Clerk or Churchwarden, pay into the Hands of the Clerk or other Perſon appointed by the ſaid Maſter, Wardens, and Court of Aſſiſtants of the ſaid Company of Pariſh Clerks, the Sum of fifteen Shillings at the Time the ſaid Copies of Regiſters are delivered to him, he paſſing a Receipt for the ſame.

Churchwardens and others neglecting their Duty in the Premiſſes, forfeit to the Informer 40s. for every Offence;

XVII. And be it further enacted by the Authority aforeſaid, That if any Churchwarden, Overſeer of the Poor, Veſtryman, Clerk of the Veſtry, Maſter of the Workhouſe, Maſter or Warden of ſuch Company of Pariſh Clerks, or any Clerk of ſuch Company, or any other Perſon or Perſons, ſhall neglect his Duty as directed in and by this Act, ſuch Churchwarden, Overſeer of the Poor, Clerk of the Veſtry, or Maſter of the Workhouſe, Maſter or Warden of ſuch Company of Pariſh Clerks, or ſuch Clerk of ſuch Company, Perſon or Perſons, ſhall, for every Offence, forfeit and pay to the Informer the Sum of forty Shillings; to be recovered before any one of his Majeſty's Juſtices of the Peace, and to be levied by Diſtreſs and Sale of the Goods and Chattels of the Offender, by virtue of a Warrant under the Hand and Seal of ſuch Juſtice before whom the ſame ſhall be recovered, directed to any Conſtable or other Peace Officer.

to be recovered by Diſtreſs and Sale, by Warrant of a Juſtice.

ANNUAL

CAP. XXIII.

An Act to indemnify ſuch as have omitted to qualify themſelves for Offices and Employments, and to indemnify Juſtices of the Peace, Deputy Lieutenants, and Officers of the Militia, or others, who have omitted to regiſter or deliver in their Qualifications within the Time limited by Law, and for giving further Time for thoſe Purpoſes; and for the making and filing of Affidavits of Articles of Clerkſhip. *E. X. P. Farther Time given for theſe Purpoſes to* 28 *Nov.* 1762.

See 3 *Geo.* 3. *c.* 5.

CAP. XXIV.

An Act for Importing Salt from *Europe* into the Colony of *Nova Scotia* in *America*.

Preamble. *For former Laws concerning Salt refer to* 5 *W. & M. c.* 7. 10 & 11 *W.* 3. *c.* 22. 1 *Ann. ſt.* 1. *c.* 21. 2 & 3 *Ann. c.* 14. 4 *Ann. c.* 12. 5 *Ann. c.* 29. 6 *Ann. c.* 12. 9 *Ann. c.* 23. 12 *Ann. ſt.* 2. *c.* 2. 5 *Geo.* 1. *c.* 18. 8 *Geo.* 1. *c.* 4 & 16. 11 *Geo.* 1. *c.* 30. 3 *Geo.* 2. *c.* 20. 5 *Geo.* 2. *c.* 6. 8 *Geo.* 2. *c.* 12. 14 *Geo.* 2. *c.* 22. 26 *Geo.* 2. *c.* 3 & 32.

'WHEREAS Doubts have ariſen, whether his Majeſty's Subjects may lawfully import Salt directly from any foreign Port in *Europe* into the Colony of *Nova Scotia* in *America* for the Uſe of the Fiſhery there, in like manner as is allowed for the Fiſheries of *New England* and *Newfoundland*, by virtue of an Act of Parliament made in the fifteenth Year of the Reign of King *Charles* the Second: And whereas very conſiderable Eſtabliſhments have lately been made in the ſaid Colony by Fiſhermen from different Parts of his Majeſty's Dominions, with a view to carry on the Fiſhery upon the adjacent Banks: In order therefore to remove ſuch Doubts as aforeſaid, and for the Encouragement of ſo valuable a Branch of the Commerce of his Majeſty's Subjects, which was one principal Object of the Settlement of this Colony, and of the Encouragement given by Parliament for the Support of ſuch Settlement, May it may pleaſe your moſt Excellent Majeſty that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the firſt Day of *July* one thouſand ſeven hundred and ſixty-two, it ſhall and may be lawful to and for any of his Majeſty's Subjects to carry and import Salt from any Part of *Europe* into the Colony of *Nova Scotia* in *America*, in *Britiſh* Ships and Veſſels, manned and navigated according to the Act of Parliament made in the twelfth Year of the Reign of King *Charles* the Second, intituled, *An Act for the encouraging and encreaſing of Shipping and Navigation*; and in the ſame manner as Salt may be imported from *Europe* into *New England* and *Newfoundland*, by an Act made in the fifteenth Year of the Reign of the ſaid King *Charles* the Second, intituled, *An Act for the Encouragement of Trade*; any Law, Statute, Uſage, or Cuſtom to the contrary in any wiſe notwithſtanding.

From and after 1 July, 1762. Salt may be imported by his Majeſty's Subjects from any Part of Europe into Nova Scotia, in Britiſh Veſſels navigated according to Act 12 Car. 2. *c.* 18. and in like manner as Salt may be imported from Europe into New England, &c.

CAP. XXV.

An Act for Naturalizing ſuch foreign Proteſtants as have ſerved, or ſhall ſerve for the Time therein mentioned, as Officers or Soldiers in his Majeſty's Royal *American* Regiment, or as Engineers in *America*.

Preamble, reciting Act 13 Geo. 2. c. 7. and 29 Geo. 2. c. 5.

'WHEREAS by an Act made in the thirteenth Year of the Reign of his late Majeſty King *George* the Second intituled, *An Act for Naturalizing ſuch foreign Proteſtants, and others therein mentioned, as are ſettled or ſhall ſettle, in any of his Majeſty's Colonies in* America; all Perſons born out of the Legiance of his Majeſty, his Heirs, or Succeſſors, who ſhall have inhabited and reſided, or ſhall inhabit or reſide, for the Space of ſeven Years, or more, in any of his Majeſty's Colonies in *America*, or ſhall not have been abſent out of the ſaid Colonies, for a longer Space than two Months at any one Time during the ſaid ſeven Years, are, upon the Conditions preſcribed by the ſaid Act, naturalized and made Partakers of all the Benefits and Privileges which the natural-born Subjects of this Realm do enjoy, other than ſuch as are ſpecified in a Proviſo in the ſaid Act contained: And whereas Commiſſions have been granted to a certain Number of foreign Proteſtants in *America*, in purſuance of a Power given by a ſubſequent Act of the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act to enable his Majeſty to grant Commiſſions to a certain Number of foreign Proteſtants, who have ſerved abroad as Officers or Engineers, to act and rank as Officers or Engineers in* America *only, under certain Reſtrictions and Qualifications*; which ſaid Officers have been very uſeful to his Majeſty's Service, by the raiſing of a great Number of Men, and training them to diſcipline as Soldiers: And whereas ſeveral of the ſaid Officers, ſince the paſſing of the above recited Acts, have purchaſed Eſtates in *America*, by which, as well as by their faithful Services, they have given the ſtrongeſt Aſſurances of their Attachment and Fidelity to his Majeſty's Government: And whereas it is juſt to reward the paſt Services of the ſaid Officers and Soldiers, and to give Encouragement for their future good Conduct; and it is likewiſe expedient to add Inducements to ſuch foreign Proteſtants as have ſettled, or may hereafter ſettle, in *America*, to engage in his Majeſty's Service;' Be it therefore enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That all ſuch foreign Proteſtants, as well Officers as Soldiers, who have ſerved, or ſhall hereafter ſerve, in the Royal *American* Regiment, or as Engineers in *America*, for the Space of two Years, and ſhall take and ſubſcribe the Oaths, and make, repeat, and ſubſcribe the Declaration appointed by an Act made in the firſt Year of the Reign of his Majeſty King *George* the Firſt, intituled, *An Act for the further Security of his Majeſty's Perſon and Government*,

Foreign Proteſtants ſerving in the Royal American Regiment, or as Engineers in America, for the Space of 2 Years, & qualifying themſelves as the Act 1 Geo. 1. directs,

ment, and the Succession of the Crown in the Heirs of the late Princess Sophia, *being Protestants; and for extinguishing the Hopes of the pretended Prince of* Wales, *his open and secret Abettors*; and shall, at the Time of subscribing the said Oaths, and making, repeating, and subscribing the said Declaration, produce Certificates, signed in manner directed by the above recited Act of the thirteenth of his late Majesty, of their having received the Sacrament in some Protestant and Reformed Congregation within the Kingdom of *Great Britain*, or within some of the said Colonies in *America*, within six Months before that Time, shall be deemed adjudged, and taken to be, his Majesty's natural-born Subjects of this Kingdom, to all Intents, Constructions, and Purposes, as if they, and every of them, had been or were born within this Kingdom; and that no Estates, of what Nature or Kind soever, purchased by them or any of them, in any of his Majesty's Colonies in *America*, since the passing of the above recited Act of the twenty-ninth Year of the Reign of his said late Majesty, shall be liable to Seizure into the Hands of his Majesty, his Heirs, or Successors, or their Titles thereto be otherwise impeached by reason of their having been Aliens at the Time of their making the said Purchases; the above recited Acts, or any other Statute, Law, or Thing whatsoever to the contrary notwithstanding.

and producing Certificates of their having received the Sacrament in some Protestant Church, to be deemed natural-born Subjects; and all Purchases made by them since the passing Act 20 Geo. 2. declared to be valid.

None are to be deemed naturalized by this Act, who, by Act 4 Geo. 2. c. 21. are declared not to be intitled to the Benefit of the Act of 7 Ann. c. 5.

So in Orig. but the Act referred to is the 4th of Geo. the Second, as in the marginal Note.

II. Provided always, and be it enacted by the Authority aforesaid, That nothing in this Act contained shall extend, or be construed to extend, to naturalize any Person or Persons whatsoever, who, by virtue of an Act made in the 4th Year of the Reign of his late Majesty King *George* the *First*,* (intituled, *An Act to explain a Clause in an Act made in the seventh Year of the Reign of her late Majesty Queen* Anne, *for naturalizing foreign Protestants, which relates to the Children of natural-born Subjects of the Crown of* England, *or of* Great Britain) are declared and enacted not to be intitled to the Benefit of the said Act of the seventh Year of her said Majesty's Reign; but that all such Persons shall be and remain in the same State, Plight, and Condition, to all Intents, Constructions, and Purposes whatsoever, as they would have been in if this Act had never been made; any thing herein contained to the contrary in any wise notwithstanding.

Persons naturalized by this Act, not thereby capable of being Privy Counsellors, or Members of either House of Parliament, or of holding Offices of Trust, in G. Britain or Ireland.

III. Provided also, and be it further enacted, That no Person who shall become a natural-born Subject of this Kingdom by virtue of this Act, shall be thereby enabled to be of the Privy Council, or a Member of either House of Parliament, or to be capable of taking, having, or enjoying, any Office or Place of Trust within the Kingdoms of *Great Britain* or *Ireland*, either Civil or Military; or of having, accepting, or taking any Grant from the Crown to himself, or to any other in Trust for him, of any Lands, Tenements, or Hereditaments, within the Kingdoms aforesaid; any thing herein contained to the contrary thereof in any wise notwithstanding.

CAP. XXVI.

See 4 Geo. 3. c. 38.

An Act for allowing further Time for Inrollments of Deeds and Wills made by Papists; and for Relief of Protestant Purchasers. *Farther Time given to 25 December 1762.*

CAP. XXVII.

An Act for enabling the Judges of the Court of Session in *Scotland* to make an Adjournment of the said Court for such Time, betwixt the twentieth Day of *December* and the fifteenth Day of *January* yearly, as they shall judge most convenient, not exceeding twenty Days.

Preamble, reciting Act 3 Geo. 2. c. 32.

'WHEREAS by an Act passed in the third Year of the Reign of his late Majesty King *George* the Second, intituled, *An Act for enabling the Judges of the Court of Session in* Scotland, *to make an Adjournment of the said Court*, which recites that the said continued Sittings of the Court of Session in *Scotland*, from the first Day of *November* to the last Day of *February* yearly had been found inconvenient and burthensome: For Remedy whereof, it is thereby enacted, That it shall and may be lawful for the Judges of the said Court of Session, and they are hereby impowered to make an Adjournment of their Sessions, on such Day betwixt the fifteenth Day of *December* and the fifteenth Day of *January* yearly, and for such Time as they shall judge most convenient, not exceeding ten Days: And whereas it has been found by Experience, that an Adjournment of ten Days in so long a Session is not at all Times sufficient for answering the Purposes thereby intended, and that the Course of Business, before the said Court, may often require an Adjournment for some Time longer, not only for enabling the Judges to advise such Causes as they cannot overtake during their Sittings, but also for enabling the Councel more fully and accurately to prepare their Causes for the Decision of the Court, whereby great Delays and Expence in carrying on Business before the said Court would be prevented;' Be it therefore enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That it shall and may be lawful for the Judges of the said Court of Session in *Scotland*, and they are hereby impowered to make an Adjournment of their Sessions, on such Day betwixt the twentieth Day of *December* and the fifteenth Day of *January* yearly, and for such Time as they shall judge expedient, not exceeding the Space of twenty Days; any Law, Statute, or Usage, to the contrary notwithstanding.

Judges impowered to make an Adjournment of the Court of Session, for any Time not exceeding 20 Days, between 20 Dec. and 15 Jan. yearly.

CAP.

CAP. XXVIII.

An Act to prevent the committing of Thefts and Frauds by Persons navigating Bum Boats, and other Boats, upon the River *Thames*.

Preamble.

'WHEREAS many ill-disposed Persons, using and navigating upon the River *Thames* certain Boats commonly called *Bum Boats*, and other Vessels, under Pretence of selling Liquors of different Sorts; and also Slops, Tobacco, Brooms, Fruit, Greens, Gingerbread, and other such like Ware and Things, to and amongst the Seamen and Labourers employed in and about Ships, Vessels, and other Craft there, do frequently take occasion to cut, damage, and spoil the Cordage, Cables, Buoys, and Buoy Ropes, and the Headfasts and other Fasts belonging to such Ships, Vessels, and Craft, and fraudulently carry away the same; likewise encourage such Seamen and Labourers to dispose of such Cordage, Cables, and Buoys, and such Goods, Merchandizes, Materials, and Stores, secretly and unlawfully, whereby great Losses are sustained by Merchants, and Owners of such Ships, Vessels, and other Craft, in the said River:' For Remedy whereof, Be it enacted by the King's most Excellent Majesty, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That from and after the twenty-fourth Day of *June* one thousand seven hundred and sixty-two, if any Person or Persons shall use, lett out to Hire, lend, or navigate, or shall be aiding or assisting in using or navigating upon the said River, any Bum Boat, or other Boat, for the Purpose of selling, bartering, exchanging, or exposing to Sale, to and amongst the Seamen and Labourers employed in and about Ships, Vessels, and other Craft, any Liquors, Slops, Tobacco, Brooms, or any Fruit, Greens, Gingerbread, or other such like Ware; or shall sell, barter, exchange, or expose to Sale as aforesaid, any Sort of Liquor, or any Slops, Tobacco, Brooms, or any Fruit, Greens, Gingerbread, or other such like Ware or Things in, from, or out of, any Bum Boat, or other Boat (other than and except such Bum Boats and other Boats and Vessels, as shall be entered in the Office of the Master, Wardens, and Assistants of the Guild, Fraternity, or Brotherhood, of the most glorious and undivided *Trinity*, and of *Saint Clement* in the Parish of *Deptford Strond* in the County of *Kent*, in manner herein after mentioned, and shall be used and navigated for the Purposes aforesaid, in the Day-time, between Sun-rising and Sun-setting only); or if any Person or Persons shall take in Exchange, or by way of Barter, or shall unlawfully receive, or procure to be delivered to them, any Ropes, Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Loading of any Ships or Vessels in the said River; all and every such Person or Persons respectively shall, upon Conviction thereof before any Justice or Justices of the Peace of and within any County, City, Division, Liberty, or Place adjoining to the said River, upon the Oath of one or more credible Person or Persons, be deemed guilty of a Misdemeanor; and it shall and may be lawful for any Person or Persons to apprehend and detain all Persons then on board such Boat, and also to seize, search, and detain, in some Place of Safety, such Boat, and the Tackle, Apparel, and Furniture, and Loading thereof; and the Person and Persons so apprehended shall be (as soon as conveniently may be) conveyed before such Justice or Justices of the Peace as aforesaid; and such Boat, with the said Tackle, Apparel, Furniture, and Loading thereof, shall, upon such Conviction as aforesaid, be forfeited and disposed of as is herein after mentioned.

From and after 24 June, 1762, Persons using, letting out to Hire, lending or navigating, &c. Bum Boats, or other Boats, on the River, for the Purpose of selling Liquors, Slops, Tobacco, Brooms, Gingerbread, or Garden Ware, &c. except such Boats as shall be entered at the Office of the Trinity House, &c.

and Persons taking in Exchange, or by way of Barter, or unlawfully receiving, &c. any Ropes, Cordage, Goods, Stores, or Merchandize, of Vessels in the River; being convicted before a Justice shall be deemed guilty of a Misdemeanor; and the Boat, with those on Board, may be seized and searched, and the Persons conveyed before a Justice; and the Boat, with her Furniture and Lading, upon such Conviction shall be forfeited.

II. And be it enacted by the Authority aforesaid, That from and after the twenty-fourth Day of *June* one thousand seven hundred and sixty-two, every Bum Boat, or other Boat whatsoever, used and navigated for the Purposes aforesaid, upon the said River between *London Bridge* and the *Lower Hope Point*, shall be entered by the Owner or Owners thereof with the Master, Wardens, and Assistants at their Office at the *Trinity House* in *Water Lane*, *London*, specifying the Name or Names, and Place or Places of Abode of such Owner or Owners; to the Intent that the said Master, Wardens, and Assistants may register every such Entry, and deliver in Writing to such Owner or Owners a Number to be marked on one or more Part or Parts of every such Bum Boat, or other Boat; and every such Owner or Owners shall cause the Number so delivered to be forthwith marked, together with his, her, or their Christian and Surname or Names, and Place or Places of Abode, upon such Part or Parts of the said Boat so entered as aforesaid, in such manner as the said Master, Wardens, and Assistants shall, from Time to Time, direct and appoint, in pursuance of the Authorities and Directions herein after given for that Purpose.

Bum Boats, and others, used upon the River for the Purposes aforesaid, are to be entered by the Owners at the Office of the Trinity House in Water Lane, and a Number thereupon is to be given them, to be marked out with their Christian and Surnames and Places of Abode, on the said Boats, as the Trinity Company shall direct.

III. Provided also, That every time, and so often as the Property of any such Bum Boat, or other Boat, shall be varied or altered, the new Owner or Owners shall forthwith make a fresh Entry of the same, and cause the Number delivered in pursuance thereof to be marked on the said Boat, together with his, her, or their Christian and Surname or Names, and Place or Places of Abode, upon such Part or Parts of the said Boat, and in like manner as is herein before directed, at the first entering of any such Boat.

A fresh Entry is to be made, and every Thing else to be done, as above directed, by the new Owner, every Time the Property of such Boat shall be altered.

IV. And be it further enacted, That the said Master, Wardens, and Assistants, shall, and they are hereby impowered and required, to receive and register every such Entry in a Book or Roll to be provided and kept for that Purpose, and to deliver out a Number, in Writing, to such Owner or Owners, to be marked on one or more Part or Parts of such Boat, in such manner as shall be directed and appointed in pursuance of this Act; for the registering which Entry, and delivering out such Number, the Sum of five Shillings shall be paid, and no more; and the said Master, Wardens, and Assistants,

The said Company is to receive and register all such Entries, and deliver out Numbers to be marked on the Boats, upon being paid 5s. for the same;

and they are to make Orders, &c. for aſcertaining the Manner in which the Number and the Names and Abode of the Owners are to be marked on the Boat, and on what Part thereof the ſame ſhall be done, and how renewed, and kept legible; which after Publication in the London Gazette, and Copies thereof affixed at the

ſiſtants, are hereby authorized and impowered to take and receive the ſame, and, from Time to Time, to make ſuch Orders, Rules and Regulations as they ſhall think requiſite and proper, for the aſcertaining the Part or Parts of ſuch Boat, on which the ſaid Number, and the Names and Place or Places of Abode of the Owner or Owners thereof ſhall be marked, and in what Manner, and of what Dimenſions the Figure or Figures and Letters, compoſing ſuch Number, and Names and Place or Places of Abode, ſhall be made, and how the ſame ſhall be, from Time to Time, renewed, and kept fair and legible; and that all ſuch Orders, Rules and Regulations, after one Publication thereof in the *London Gazette*, and printed Copies of the ſame being affixed at *Iron Gate*, the *Hermitage*, *Execution Dock*, *Shadwell Dock*, *Rotherhithe Old Stairs*, *Deptford*, *Radcliffe Croſs*, and *Blackwall*, ſhall be obſerved by and binding upon every Owner or Owners of ſuch Boats ſo entered as aforeſaid.

proper Places, ſhall be obſerved by the Owners of ſuch Boats.

The Maſter and Wardens of the ſaid Company, or Perſons deputed by them, alſo all Owners or Maſters of Veſſels in the River, or Perſons authorized by 7 or more of them,

may ſtop and ſearch any Boat ſuſpected to have Ropes and Stores, or other Materials, &c. ſtolen or unlawfully procured from out of Veſſels in the River; and carry the Perſons ſuſpected of being concerned therein before a Juſtice, and they not giving a ſatisfactory Account how they came by the ſame, ſhall be adjudged guilty of a Miſdemeanor; and the Boat and Loading, &c. ſhall be forfeited.

V. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for the ſaid Maſter, Wardens and Aſſiſtants, or ſuch Perſon or Perſons as they ſhall from Time to Time depute and appoint under the Seal of their Corporation, and for all Owners or Maſters of Ships or Veſſels, either in Whole or in Part, in the ſaid River reſpectively, or for ſuch Perſon and Perſons as the ſaid Owners and Maſters, or any ſeven or more of them, by Writing under their Hands and Seals, ſhall, for that Purpoſe, nominate, depute and appoint (and which it ſhall be lawful for them, from Time to Time, to do) at any Time or Times from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-two, to ſtop, ſearch and detain, in ſome Place of Safety, any Boat, which there ſhall be reaſon to ſuſpect has any Ropes, Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Lading, ſtolen or unlawfully procured from or out of any Ship or Veſſel in the ſaid River; and alſo to apprehend and detain, or cauſe to be apprehended and detained, any Perſon or Perſons who may be reaſonably ſuſpected of having or conveying any ſuch Goods, Stores or Things in ſuch Boat; and ſuch Perſon or Perſons ſo apprehended ſhall be (as ſoon as conveniently may be) conveyed before one or more Juſtice or Juſtices of the Peace for any County, City, Diviſion, Liberty or Place adjoining to the ſaid River: And if ſuch Perſon or Perſons ſhall not produce the Party or Parties from whom he, ſhe or they bought or received ſuch Merchandizes, Goods, Stores or Things aforeſaid, or ſome credible Perſon to depoſe, upon Oath, the Sale or Delivery thereof, or ſhall not give an Account to the Satisfaction of ſuch Juſtice or Juſtices how he, ſhe or they came by the ſame; that then the ſaid Perſon or Perſons ſo apprehended ſhall be deemed and adjudged guilty of a Miſdemeanor; and ſuch Boat, with her Tackle, Apparel, Furniture and Loading, ſhall, upon ſuch Conviction, be forfeited and diſpoſed of as is herein after directed.

Conſtables and Beadles, and Watchmen when on Duty, may ſeize all Ropes, Stores, or other Goods ſuſpected to be ſtolen, or unlawfully procured from out of Veſſels in the River, and carry the Perſons concerned therein before a Juſtice,

and they, not giving a ſatisfactory Account how they came by the ſame,

ſhall be adjudged guilty of a Miſdemeanor.

VI. And be it further enacted by the Authority aforeſaid, That every Conſtable, Headborough and Beadle, and every Watchman (during ſuch Time as he ſhall be on Duty) of every Pariſh and Place where he ſhall be an Officer, ſhall and may apprehend and detain, or cauſe to be apprehended and detained, all and every Perſon and Perſons, who may reaſonably be ſuſpected of having or carrying, or any ways conveying, any Ropes, Cordage, Tackle, Apparel, Furniture, Stores, Materials, or any Part of any Cargo or Lading, ſtolen or unlawfully procured from or out of any Ship or Veſſel in the ſaid River *Thames*, and alſo ſhall and may ſeize and detain in ſome Place of Safety ſuch Merchandizes, Goods, Stores and Things aforeſaid, and ſhall, as ſoon as conveniently may be, convey, or cauſe the Perſon or Perſons ſo apprehended to be conveyed, before any one or more Juſtice or Juſtices of the Peace for any County, City, Diviſion, Liberty or Place adjoining to the ſaid River; and if ſuch Perſon or Perſons ſhall not produce the Party or Parties from whom he, ſhe or they bought or received the ſame, or ſome credible Perſon to depoſe upon Oath the Sale or Delivery thereof, or ſhall not give an Account, to the Satisfaction of ſuch Juſtice or Juſtices, how he, ſhe or they came by the ſame, that then the ſaid Perſon and Perſons ſo apprehended ſhall be deemed and adjudged guilty of a Miſdemeanor.

Juſtices, upon Information on Oath of a Suſpicion of the Concealment of ſtolen Goods or Merchandizes,

may grant a Search Warrant; and the Goods thereupon found, are to be ſecured; and the Perſons of the Houſe, &c. are to be brought before a Juſtice;

and they, not giving a ſatisfactory Account how they came by the ſame, ſhall be adjudged guilty of a Miſdemeanor.

VII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Juſtice of the Peace, upon Information made to him on Oath, by any credible Perſon or Perſons, that there is Cauſe to ſuſpect that any Merchandizes, Goods, Stores or Things (ſuſpected to have been ſtolen or unlawfully come by, or taken from ſome Ship or Veſſel in the ſaid River) are concealed in any Dwelling-houſe, Warehouſe, Outhouſe, Yard, Garden, or other Place, by Warrant under his Hand and Seal, to cauſe every ſuch Dwelling-houſe, Warehouſe, Outhouſe, Yard, Garden and Place to be ſearched in the Day-time; and if any ſuch Merchandizes, Goods, Stores or Things ſhall be found therein, to cauſe the ſame to be depoſited and kept in ſome Place of Safety; and alſo to cauſe the Perſon or Perſons in whoſe Houſe, Warehouſe, Outhouſe, Yard, Garden or other Place the ſame ſhall be found, to be brought before him, or any other Juſtice or Juſtices of the Peace for the ſame County, City, Diviſion, Liberty or Place; and if ſuch Perſon or Perſons ſhall not give an Account to the Satisfaction of ſuch Juſtice or Juſtices how he, ſhe or they came by the ſame, or ſhall not within ſome reaſonable and convenient Time, to be ſet by ſuch Juſtice or Juſtices, produce the Party or Parties of or from whom he, ſhe or they bought or received the ſame Merchandizes, Goods, Stores or Things, that then the Perſon or Perſons in whoſe Houſe, Warehouſe, Outhouſe, Yard, Garden, or other Place the ſame ſhall be found, ſhall be deemed and adjudged guilty of a Miſdemeanor.

Where Perſons ſhall be convicted of either of the laſt-mentioned Miſdemeanors, the Juſtice may cauſe the Goods to be depoſited with the Churchwardens, &c.

VIII. And be it enacted by the Authority aforeſaid, That upon any Perſon or Perſons being convicted of either of the ſaid laſt-mentioned Miſdemeanors, it ſhall and may be lawful for ſuch Juſtice or Juſtices, before whom ſuch Perſon or Perſons was or were convicted, to cauſe ſuch Merchandizes, Goods, Stores or Things to be depoſited in the Cuſtody of the Churchwardens or Overſeers of the Poor of the Place where they ſhall have been ſo firſt depoſited as aforeſaid (who are hereby required to

receive

receive the ſame) or in any other convenient Place, for any Time not exceeding thirty Days; and to order ſuch Churchwardens and Overſeers of the Poor, or one of them, if the ſame ſhall happen to be in any of the Pariſhes or Places within the Bills of Mortality, to inſert immediately an Advertiſement in ſome publick News Paper; and if the ſame ſhall happen to be in any other Pariſh or Place, to cauſe Notice to be immediately given by ſome publick Cryer, and by affixing on the Church or Chapel Door a Notice in Writing, deſcribing ſuch Merchandizes, Goods, Stores or Things, and where the ſame ſhall have been ſo depoſited, to the end that Perſons having loſt any ſuch, or any reputable Perſon on their Behalf, may come and claim the ſame, within thirty Days from the Time of giving and affixing ſuch Notice as aforeſaid; and in caſe any Perſon or Perſons do or ſhall, within the Space of ſuch thirty Days, prove his, her or their Property in and to the ſaid Merchandizes, Goods, Stores or Things, upon Oath, to the Satisfaction of one or more Juſtice or Juſtices as aforeſaid, that then ſuch Juſtice or Juſtices ſhall order Reſtitution of ſuch Merchandizes, Goods, Stores or Things to be made to the Owner or Owners thereof, after paying the reaſonable Charges of ſeizing, removing, depoſiting and giving publick Notice as aforeſaid, and alſo reaſonable Compenſations to the Perſon or Perſons giving ſuch Information as aforeſaid; ſuch Charges and Compenſations to be ſettled and aſcertained by ſuch Juſtice or Juſtices: But if at the End of the ſaid thirty Days (Notice having been given as aforeſaid) no ſuch Proof ſhall be made as aforeſaid, the ſaid Merchandizes, Goods, Stores or Things ſhall be ſold by the Churchwardens or Overſeers, in whoſe Cuſtody the ſame ſhall have been depoſited as aforeſaid, for the beſt Price that can reaſonably be had; and, after deducting the Charges ſo ſettled as aforeſaid, the Remainder of the Money ariſing from ſuch Sale ſhall be given, one Moiety thereof to the Perſon or Perſons ſo apprehending or giving Information as aforeſaid (as the Caſe ſhall be) of the Party or Parties guilty of the Miſdemeanors as aforeſaid, or either of them, and the other Moiety to the Poor of the Pariſh or Place where ſuch Merchandizes, Goods, Stores or Things ſhall have been ſo firſt depoſited as aforeſaid.

who are to advertiſe the ſame, if within the Bills of Mortality; and if not, Notice is to be given by the publick Cryer, and alſo affixed on the Church or Chapel Door, that the Owners may come and make their Claim, within 30 Days; and they proving their Property therein, the Juſtice ſhall order Reſtitution thereof, upon their paying reaſonable Charges, and Compenſation to the Perſons giving Information;

but if no ſuch Proof be made, the Goods, &c. ſhall be ſold by the Churchwardens; and the Money, after deducting the Charges aforeſaid, is to go, one Moiety to the Informer, and the other to the Poor of the Pariſh.

IX. And be it further enacted by the Authority aforeſaid, That every Perſon to whom any Goods, Stores or Things belonging to Ships or Veſſels ſhall be brought and offered to be ſold, pawned or delivered, ſhall, and he or ſhe is hereby impowered and required (there being reaſonable Cauſe to ſuſpect that ſuch Merchandizes, Goods, Stores or Things were ſtolen, or unlawfully come by, from or out of any Ship or Veſſel in the ſaid River) to apprehend, ſecure and carry before a Juſtice of the Peace for the County, City, Diviſion, Liberty or Place where the ſame ſhall be ſo brought or offered, the Perſon or Perſons ſo bringing or offering the ſame, and in the mean Time to ſecure ſuch Merchandizes, Goods, Stores or Things; and ſuch Perſon or Perſons ſo apprehended ſhall be dealt with, and ſuch Merchandizes, Goods, Stores or Things ſhall be depoſited and diſpoſed of in the ſame Manner as if he, ſhe or they had been apprehended by the Conſtable, Headborough, Beadle or Watchman as aforeſaid.

Perſons to whom any Stores or Ship Goods, &c. ſuſpected to be ſtolen, &c. ſhall be offered to be ſold, pawned or delivered, may ſtop the ſame, and carry the Parties before a Juſtice; and the Goods ſhall be depoſited and diſpoſed of; and the Parties dealt with, as if they had been apprehended by the Conſtable, &c.

X. And be it further enacted, That every Perſon deemed and adjudged guilty of any of the Miſdemeanors aforeſaid, ſhall, for every ſuch Miſdemeanor, forfeit, for the firſt Offence, the Sum of forty Shillings; for the ſecond Offence the Sum of four Pounds, and for every ſubſequent Offence the Sum of four Pounds; all which ſaid reſpective Forfeitures ſhall and may be levied by Diſtreſs and Sale of the Goods and Chattels of every ſuch Offender (rendering to him, her or them the Overplus, after Charges of the ſaid Diſtreſs and Sale deducted) by Warrant under the Hand and Seal, or Hands and Seals, of any one or more of ſuch Juſtice or Juſtices before whom ſuch Offender was convicted; which Forfeiture ſhall be paid, one Moiety thereof to the Perſon apprehending ſuch Offender or Offenders, or giving Information, as the Caſe ſhall be, and the other Moiety thereof to the ſaid Maſter, Wardens, and Aſſiſtants of the ſaid Corporation, to be diſtributed among the poor decayed Seamen and their Widows, under the Care of the ſaid Corporation; and if the ſaid reſpective Forfeitures ſhall not be paid, nor ſufficient Diſtreſs ſhall be found whereon to levy the ſame, then the ſaid Juſtice or Juſtices ſhall and may commit every ſuch Offender ſo convicted as aforeſaid to the common Gaol, or other Priſon or Houſe of Correction within his or their Juriſdiction, without Bail or Mainprize, for the Space of one Month for the firſt Offence, and for the ſecond Offence for the Space of two Months, and for every ſubſequent Offence, until ſuch Offender ſhall be diſcharged by Order of the Court of General or Quarter Seſſions.

Perſons adjudged guilty of any of the Miſdemeanors aforeſaid, forfeit for the 1ſt Offence 40 s. and for the 2d and every ſubſequent Offence 4 l. to be levied by Diſtreſs and Sale; one Moiety to go to the Apprehender, or Informer, and the other to the Maſter and Wardens of the Trinity Houſe for the Uſe of their Poor; and for want of Diſtreſs, the Offender to be committed, for the 1ſt Offence 1 Month; for the 2d two Months; and for every other Offence, till diſcharged by Order of the Court of Seſſions.

XI. And be it further enacted, That every Conviction of any Offender in any of the ſaid Miſdemeanors ſhall be certified by the Juſtice or Juſtices of the Peace making the ſame, to the next General or Quarter Seſſion of the Peace, to be filed and entered amongſt the Records of the ſaid Seſſion; and that ſuch Conviction ſhall and may be drawn up on Parchment, and certified as follows (that is to ſay)

Convictions to be certified to the next Quarter Seſſions, and filed there.

Form of Conviction.

'*Middleſex*, } BE it remembered, That on the Day of in the Year
' to wit, } *A. B.* was convicted before of the Juſtices of the Peace for the County,
' City, Diviſion, Liberty or Place aforeſaid (*as the Caſe ſhall be*) of a Miſdemeanor in one or more of
' the Inſtances before mentioned, *ſpecifying the ſame particularly in the Words by which the ſame is or are*
' *deſcribed in and by this Act, or in any other Form of Words to the like Effect.*

' Given under Hand and Seal the Day and Year aforeſaid.

Which ſaid Conviction, in the ſame or the like Form of Words, ſhall be good and effectual in Law, to all Intents and Purpoſes, and ſhall not be quaſhed, ſet aſide, or be adjudged void or inſufficient for want of any other Form or Words whatſoever; nor be liable to be removed by *Certiorari* into his Majeſty's Court of *King's Bench*, but ſhall be deemed and taken to be final, to all Intents and Purpoſes whatſoever.

Conviction not to be quaſhed for want of Form; nor removeable by Certiorari.

Perſons convicted of knowingly buying or receiving ſtolen Goods from Veſſels in the River; or of privately buying or receiving at any Time any ſuch Goods clandeſtinely, or by ſuffering any Door, Window, or Shutter at Night to be left open or unfaſtened for that Purpoſe, ſhall be tranſported for 14 Years.

XII. And be it further enacted by the Authority aforeſaid, That from and after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-two, every Perſon who ſhall buy or receive any Part of the Cargo or Loading of, or any Goods, Stores or Things, of or belonging to any Ship or Veſſel in the ſaid River, knowing the ſame to be ſtolen or unlawfully come by; or ſhall privately buy or receive any ſuch Goods, Stores or Things, or any Part of ſuch Cargo or Loading, by ſuffering any Door, Window or Shutter to be left open or unfaſtened between Sun-ſetting and Sun-riſing for that Purpoſe, or ſhall buy or receive the ſame, or any of them, at any Time, in any clandeſtine Manner, from any Perſon or Perſons whomſoever, ſhall, being thereof convicted by due Courſe of Law (although the principal Felon or Felons, Offender or Offenders, has or have not been convicted of ſtealing or unlawfully procuring the ſame) be tranſported for fourteen Years to any of his Majeſty's Colonies or Plantations in *America*, according to the Laws in force for the Tranſportation of Felons.

Perſons convicted of cutting or ſpoiling any Cordage, Cable, Buoys, Buoy Ropes, Headfaſt, or other Faſt, or Ropes of Veſſels, at Anchor or Moorings, in the River, with Intent to ſteal the ſame, ſhall be

XIII. And be it further enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall cut, damage or ſpoil any Cordage, Cable, Buoys, Buoy Rope, Headfaſt, or other Faſt, fixed to any Anchor or Moorings belonging to any Ship or Veſſel at Anchor or Moorings in the River *Thames*, or any Rope uſed for the Purpoſe of Mooring or Rafting Maſts or Timber, or ſhall be aiding or aſſiſting therein, with an Intent to ſteal the ſame; ſuch Perſon or Perſons ſhall, being convicted thereof on the Oath of two or more credible Witneſſes, be tranſported to ſome of his Majeſty's Plantations in *America* for the Space of ſeven Years, according to the Laws now in force for the Tranſportation of Felons.

tranſported, together with their Aiders therein, for 7 Years.

Any Perſon out of Priſon concerned in ſtealing, or unlawfully receiving, Goods or Merchandize from any Veſſel in the River, who ſhall diſcover and convict two others of the like Offence,

ſhall be intitled to his Majeſty's Pardon.

XIV. And be it further enacted by the Authority aforeſaid, That if any Perſon, being out of Priſon, ſhall, after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-two, by ſtealing, or unlawfully receiving, any Part of any Cargo or Lading of, or any Goods, Stores or Things, belonging to, or out of or from any Ship or Veſſel in the ſaid River, and ſhall afterwards diſcover two or more Perſons who ſhall have bought or received any ſtolen or unlawfully procured Goods, Stores or Things, or any Part of any Cargo or Lading of, or belonging to, or by, from, or out of any Ship or Veſſel in the ſaid River, after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-two, knowing the ſame to be ſtolen, or unlawfully procured, ſo as two or more of the Perſons diſcovered ſhall be convicted of ſuch Buying or Receiving; every Perſon ſo diſcovering ſhall have and be intitled to the gracious Pardon of his Majeſty, his Heirs and Succeſſors, for all ſuch Felonies by him or her committed at any Time or Times before ſuch Diſcovery made; which Pardon ſhall be likewiſe a Bar to any Appeal brought for ſuch Felony.

Perſons rowing or navigating ſuch Boats, not being entered, marked, and numbered according to the Order of the Trinity Company; or having a falſe or fictitious Number or Mark,

forfeit, on Conviction before a Juſtice, 40 s.

one Moiety to the Informer, and the other to the Trinity Company for the Uſe of their Poor.

Upon Diſcovery of ſuch Offence, the Boat and Tackle, &c. may be ſeized, and within 48 Hours after Information is to be given to a Juſtice, who is to hear and determine thereupon.

If the Forfeiture be not paid within 24 Hours, the ſame ſhall be raiſed by Sale of the Boat, &c. by Warrant of the Juſtice.

XV. And be it enacted by the Authority aforeſaid, That if after the Publication of any ſuch Orders, Rules and Regulations by the ſaid Maſter, Wardens and Aſſiſtants, any Perſon or Perſons ſhall row or navigate, within the Limits aforeſaid, any ſuch Boat as is herein before directed to be entered, marked and numbered, not being ſo entered, marked and numbered, as aforeſaid; or having a falſe Mark or Number, or not having the real Name or Names, and Places of Abode, of the Owner or Owners of ſuch Boat inſcribed thereon, or not having ſuch Names and Figures kept fair and legible, in ſuch manner as ſhall have been directed and required, from Time to Time, by ſuch Orders, Rules and Regulations; in each of the Caſes aforeſaid, every ſuch Perſon, being thereof convicted before one or more Juſtice or Juſtices of the Peace of any County, City, Diviſion, Liberty or Place, near or adjoining to the ſaid River, upon his or her own Confeſſion, or the Oath of one or more credible Perſon or Perſons, ſhall, for every ſuch Offence, forfeit and pay the Sum of forty Shillings; one Moiety whereof to be paid to the Perſon or Perſons who ſhall give Information of, and proſecute to Conviction, ſuch Offender or Offenders as aforeſaid, and the other Moiety to the ſaid Maſter, Wardens and Aſſiſtants of the ſaid Corporation, to be applied by them as aforeſaid: And it ſhall and may be lawful for any Perſon or Perſons, upon Diſcovery of any ſuch Offence or Offences, to ſeize and detain any ſuch Boat, with all the Tackle, Apparel and Furniture thereunto belonging; and ſhall thereupon, within the Space of forty-eight Hours after ſuch Seizure made, give Information thereof, and of the Nature of the Offence, to any one or more Juſtice or Juſtices of the Peace as aforeſaid, who ſhall proceed to hear, and ſhall determine, as ſoon as conveniently may be, upon ſuch Information; and if ſuch Forfeiture ſhall not be paid within the Space of twenty-four Hours after Conviction, then the ſame ſhall be raiſed by Sale of the ſaid Boat, and her Tackle and Appurtenances; and every Juſtice of the Peace, within his Juriſdiction, is hereby authorized and required to iſſue his Warrant under his Hand and Seal, directed to the Conſtable, or ſome other Peace Officer of the Pariſh or Place in which ſuch Boat, ſo ſeized as aforeſaid, ſhall be detained, to cauſe Sale to be made thereof, and all her Tackle and Appurtenances, with all convenient Speed, for raiſing the Money forfeited for the ſaid Offence as aforeſaid, rendering to the Offender or Offenders the Overplus (if any there ſhall be) after deducting the Charges of detaining and ſelling ſuch Boat.

Upon Complaint to the Maſter and Wardens of the Company, of any Thefts or illegal Practices being carried on in any Boat, or ſuſpected to be carried on, they may ſummon the Owner to appear, and inquire into ſuch Complaint in a ſummary Way; and, on Conviction, may take

XVI. And be it further enacted by the Authority aforeſaid, That the ſaid Maſter, Wardens and Aſſiſtants ſhall and may, and they are hereby authorized and required, on any Complaint to be made to them by any credible Perſon or Perſons, of any Thefts, Robberies, Frauds, or other illegal Practices being carried on, or reaſonably ſuſpected to be carried on, in any Boat ſo to be numbered and marked as aforeſaid, to ſummon the Owner or Owners thereof to appear before them, or any five or more of them, at the *Trinity Houſe* in *Water-Lane*, or other uſual Place of Meeting appointed, or to be appointed, at ſuch Time as they ſhall appoint; at which Time and Place the ſaid Maſter, Wardens and Aſſiſtants, or any five or more of them, ſhall inquire into the ſaid Complaint in a ſummary Way; and in caſe the ſaid Complaint ſhall be proved to their Satisfaction, and they ſhall ſo think fit, they the ſaid Maſter, Wardens and Aſſiſtants, or any five or more of them, being a Majority

rity of the Members then preſent, may thereupon take away and totally aboliſh the ſaid Number ſo given to the ſaid Boat as aforeſaid; and alſo may, for the future, refuſe to enter, as before directed, any Boat of or belonging to ſuch Owner or Owners; any Thing herein before contained to the contrary notwithſtanding.

away his Number, and refuſe to enter any Boat of his for the future.

XVII. And be it enacted by the Authority aforeſaid, That where any Perſon or Perſons ſhall be convicted of any Offence againſt this Act, by which is incurred the Forfeiture of any Boat, with her Tackle and Appurtenances, and concerning which, after ſuch Conviction, no Proviſion is hereby made, it ſhall and may be lawful to and for ſuch Juſtice or Juſtices of the Peace, before whom ſuch Conviction ſhall be had, or any other Juſtice or Juſtices of the Peace of and for any County, City, Diviſion, Liberty or Place adjoining to the ſaid River *Thames*, on Conviction had, and they are hereby reſpectively authorized and required, to cauſe ſuch Boat, with her Tackle and Appurtenances, to be totally burnt and deſtroyed, within ſix Days next after ſuch Conviction as aforeſaid, by Warrant under the Hand and Seal, or Hands and Seals of ſuch Juſtice or Juſtices, directed to the Conſtable or other Peace Officer of the Pariſh or Place adjoining to the ſaid River, or where ſuch Conviction ſhall be had; which ſaid Conſtable, or other Peace Officer, ſhall thereupon cauſe ſuch Boat, Tackle and Appurtenances to be ſo burnt and deſtroyed, within the Time aforeſaid.

Where, on Conviction, the Forfeiture of a Boat, &c. is incurred, and no further Proviſion made concerning the ſame, the Juſtice, by his Warrant, may order the ſame to be burnt within 6 Days.

XVIII. And be it enacted by the Authority aforeſaid, That it ſhall and may be lawful for any Perſon or Perſons, by the Authority of this Act, and without any other Warrant, to apprehend any Offender or Offenders committing any of the Offences herein before mentioned, and intended by this Act to be redreſſed, and, with all convenient Speed, to convey or deliver every ſuch Offender or Offenders to a Conſtable, or ſome other Peace Officer of the County, City, Diviſion, Liberty or Place in or near to which the Offence ſhall be committed, or the Offender or Offenders ſhall be apprehended, in order to be conveyed before ſome Juſtice of the Peace of ſuch County, City, Liberty or Place, there to be dealt with according to Law.

Any Perſons may apprehend an Offender, and deliver him over to a Conſtable, to be carried before a Juſtice.

XIX. And be it enacted by the Authority aforeſaid, That in caſe any Perſon or Perſons acting in the Execution of any of the Powers granted by this Act, ſhall be obſtructed therein, every Perſon ſo obſtructing, and all ſuch as ſhall act in their Aſſiſtance, ſhall, on being thereof convicted before the Juſtices of the Peace, at the General or Quarter Seſſion of the County or City adjoining to the ſaid River, upon the Oath of two or more credible Perſons, be tranſported to any of his Majeſty's Plantations in *America*, for the Space of ſeven Years, according to the Law or Laws now in force for the Tranſportation of Felons.

Perſons obſtructing the Execution of this Act, being convicted at the Quarter Seſſions, ſhall be tranſported for 7 Years.

XX. And be it further enacted by the Authority aforeſaid, That in all Actions, Suits, Trials, and other Proceedings, which ſhall or may be had in purſuance of this Act, or in relation to any Matter or Thing herein contained, any Member of the ſaid Corporation, or any Inhabitant of the Pariſh, Town or Place in which any Offence ſhall be committed, contrary to the true Intent and Meaning of this Act, or wherein any Conviction ſhall be made purſuant hereto, ſhall be admitted to give Evidence, and ſhall be deemed a competent Witneſs, notwithſtanding his being ſuch Member of the ſaid Corporation, or his or her being ſuch Inhabitant as aforeſaid.

Any Member of the Corporation, or Inhabitant of the Place, where the Offence is committed, may be admitted to give Evidence.

XXI. And be it alſo enacted by the Authority aforeſaid, That in all Caſes where an Oath is by this Act directed to be taken by any Perſon or Perſons, it ſhall and may be lawful for any one or more Juſtice or Juſtices of the Peace within the County, City, Diviſion, Liberty or Place, where the Matter to be ſworn to ſhall ariſe, and he and they is and are reſpectively hereby authorized and required to adminiſter the ſame, without Fee or Reward.

Juſtices to adminiſter Oaths gratis.

XXII. And be it further enacted by the Authority aforeſaid, That if any Action or Suit ſhall be commenced or brought againſt any Juſtice or Juſtices of the Peace, or the ſaid Maſter, Wardens and Aſſiſtants, or any of them, or other Officer or Perſon whatſoever, acting in the Execution of any of the Powers in them hereby veſted, for doing, or cauſing to be done, any Thing in purſuance of this Act, concerning any of the ſaid Offences, the ſame ſhall be laid in the County of *Middleſex*, or City of *London*, and not elſewhere; and ſhall be commenced within ſix Months next after ſuch Cauſe of Action accrued; and the Defendant or Defendants therein may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear ſo to have been done, or that ſuch Action or Suit was brought after the Time before limited, or in any other Place; that then the Jury ſhall find for the Defendant or Defendants; and if upon ſuch Action a Verdict ſhall be given for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become non-ſuited, or diſcontinue his, her or their Action or Suit, after the Defendant or Defendants ſhall have appeared; or if, upon Demurrer, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, then the Defendant or Defendants ſhall and may recover treble Coſts, and have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have in any Caſe by Law.

Limitation of Actions. General Iſſue. Treble Coſts.

XXIII. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed, adjudged, and taken to be a publick Act; and be judicially taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whomſoever, without the ſame being ſpecially pleaded.

Publick Act.

CAP. XXIX.

An Act to amend ſo much of an Act made in the firſt Year of the Reign of King *James* the Firſt, intituled, *An Act for the better Execution of the Intent and Meaning of former Statutes made againſt Shooting in Guns, and for the Preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare Pipes, and tracing Hares in the Snow*; as relates to the Preſervation of Houſe Doves and Pigeons, by making the manner of convicting ſuch Perſon or Perſons as ſhall offend therein, more eaſy and expeditious.

Preamble, reciting Clauſe in the Act 1 Jac. 1. c. 27.

'WHEREAS by an Act made in the firſt Year of the Reign of his Majeſty King *James* the Firſt, intituled, *An Act for the better Execution of the Intent and Meaning of former Statutes made againſt Shooting in Guns, and for the Preſervation of the Game of Pheaſants and Partridges, and againſt the deſtroying of Hares with Hare Pipes, and tracing Hares in the Snow*; it is amongſt other Things therein enacted, That all and every Perſon and Perſons who ſhall kill or deſtroy any Houſe Dove or Pigeon, and ſhall be thereof convicted by the Confeſſion of the Party, or by the Teſtimony of two ſufficient Witneſſes, upon Oath before two or more Juſtices of the Peace, of the County, City, or Town Corporate, wherein the Offence ſhall be committed, or the Parties apprehended, ſuch Juſtices ſhall commit every ſuch Offender ſo apprehended, to the common Gaol of the ſaid County, City, or Town Corporate, where the Offence ſhall be committed, or the Party apprehended, there to remain for three Months without Bail or Mainprize, unleſs that the ſaid Offender do or ſhall forthwith upon the ſaid Conviction pay, or cauſe to be paid, to the Churchwardens of the ſaid Pariſh where the ſaid Offence ſhall be committed, or the Party apprehended, to the Uſe of the Poor of the ſaid Pariſh, the Sum of twenty Shillings for every Houſe Dove or Pigeon which every ſuch Perſon or Perſons, ſo offending and convicted as aforeſaid, ſhall take, kill, or willingly deſtroy, contrary to the true Purport and true Meaning of that Act; or after one Month after his Commitment, together with two ſufficient Sureties, become bound by Recognizance in the Sum of twenty Pounds apiece, to the King's Majeſty's Uſe, his Heirs and Succeſſors, with Condition that he the ſaid Party ſo offending ſhall not at any Time thereafter ſhoot at, kill, take, or deſtroy, any Houſe Dove or Pigeon, by any ſuch Means as in the ſaid Act are mentioned; which ſaid Recognizance ſhall be taken by any two or more Juſtices of the Peace, of the ſaid County, City, or Town Corporate, where the Offender ſhall be ſo impriſoned as aforeſaid, and ſhall be returned to the then next Quarter Seſſions, and there to remain of Record as other Recognizances taken for the Peace, as by the ſaid in Part recited Act, relation for greater Certainty being thereunto had, may more fully appear: And whereas the Method of convicting Offenders againſt the above recited Act, hath hitherto been found, in a great degree, ineffectual, to anſwer the good Intentions of the ſaid Act: Therefore for more ſpeedy convicting and puniſhing Perſons who ſhall be guilty of the ſaid miſchievous Practice of wilfully killing or deſtroying Houſe Doves or Pigeons, belonging to other Perſons; May it pleaſe your Majeſty that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That after the twenty-fourth Day of *June* one thouſand ſeven hundred and ſixty-two, if any Perſon or Perſons ſhall ſhoot at, with an Intent to kill, or ſhall by any means whatever, kill or take, with a wilful Intent to deſtroy, any Houſe Dove or Pigeon, and ſhall be thereof convicted by the Confeſſion of the Party offending, or the Oath of one or more credible Witneſs or Witneſſes, before one or more Juſtice or Juſtices of the Peace of the County, City, Town Corporate, Diviſion, Riding, or Place, (which Oath ſuch Juſtice or Juſtices are hereby authorized to adminiſter) wherein any ſuch Offence or Offences ſhall be committed, or the Party or Parties offending ſhall be apprehended, every Perſon ſo offending, and who ſhall be convicted as aforeſaid of any ſuch Offence, ſhall, for every ſuch Offence, forfeit and pay the Sum of twenty Shillings, to the Perſon or Perſons who ſhall inform againſt, and proſecute to Conviction, any ſuch Offender or Offenders; and in caſe the Money ſo forfeited ſhall not be forthwith paid on every ſuch Conviction, it ſhall and may be lawful for ſuch Juſtice or Juſtices to commit any ſuch Offender or Offenders, who ſhall be ſo convicted as aforeſaid, to the common Gaol of the County, or the Houſe of Correction in the Diviſion or Place where the Party is convicted or apprehended, there to remain and be kept to hard Labour for any Time not exceeding three Calendar Months, nor leſs than one Calendar Month, as any ſuch Juſtice or Juſtices ſhall order, unleſs the Money forfeited ſhall be ſooner paid.

After 24 June, 1762, any Perſon who ſhall wilfully ſhoot at, or deſtroy any Houſe Doves or Pigeons belonging to other Perſons,

ſhall forfeit on Conviction, 20s. to the Proſecutor; and if not forthwith paid, he may be committed, and kept to hard Labour for any Time not exceeding 3, nor leſs than one Month, unleſs the Forfeiture be ſooner paid.

II. Provided always, and it is hereby alſo enacted, That nothing in this Act contained ſhall be conſtrued, deemed, or taken, to hinder any Owner of a Dove Cote, Pigeon Houſe, Pigeon Chamber, or any other Place, built up or erected, or to be built up or erected, for the Preſervation or Breeding of Pigeons, from taking, killing, or deſtroying, by himſelf, or any other Perſon by him appointed or authorized for that purpoſe, all or any Houſe Doves, or Pigeons, which ſhall at any Time be taken in the proper Dove Cote, Pigeon Houſe, Pigeon Chamber, or any other Place, as aforeſaid, for the Preſervation or Breeding of Pigeons, of any Owner of ſuch Dove Cote, Pigeon Houſe, Pigeon Chamber, or other Place.

The Owners of Dove Cotes, or other Places built for the Preſervation or Breeding of Pigeons, and thoſe appointed by them, excepted.

III. Provided further, and it is hereby alſo enacted, That no Perſon who ſhall be convicted of any Offence againſt this Act, ſhall be liable to be convicted for any ſuch Offence under any former or other Act; and that no Perſon ſhall be proſecuted for any Offence againſt this Act, unleſs the Proſecution

Offender is liable only to one conviction for the ſame Offence; and Proſecutions are to be com-

ſecution for the ſame ſhall be commenced and carried on with Effect within the Space of two Calendar months after every ſuch Offence ſhall be committed; and that where any Perſon ſhall ſuffer Impriſonment for Default of Payment of any Penalty impoſed under this Act, ſuch Perſon ſhall not be liable afterwards to pay ſuch Penalty.

Penalties to be commenced, and carried on with Effect, within two Months after the Offence; and where Perſons ſuffer Impriſonment, they are not liable afterwards to pay the Penalty.

CAP. XXX.

An Act for enlarging and improving the North East Avenue of *London Bridge*.

Preamble, reciting Clauſe in Act 29 Geo. 2. c. 40.

'WHEREAS by an Act made in the twenty-ninth Year of the Reign of his late Majeſty King *George* the Second, intituled, *An Act to improve, widen, and enlarge the Paſſage over and through* London Bridge, the Mayor, Aldermen, and Commons of the City of *London*, in Common Council aſſembled, were impowered to make ſuch Purchaſes, and take down ſuch Houſes, Edifices, and Buildings, ſtanding or being on the ſaid Bridge, or contiguous or adjoining thereto, as they ſhould judge neceſſary, for the Enlargement and Improvement of the Paſſage over, and the Avenues leading to and from, the ſaid Bridge: And whereas the ſaid Mayor, Aldermen, and Commons, of the ſaid City, have proceeded in the Execution of the Powers granted by the ſaid Act, and the Paſſage over the ſaid Bridge is already, on the Eaſtern Side thereof, ſecured by a proper and uniform Baluſtrade, which, in order to avoid the Water-works of *London Bridge*, and preſerve with Regularity, the Connexion of the Paſſage of the ſaid Bridge with *Fiſhſtreet Hill*, ranges Northward upon the Pariſh Church of the United Pariſhes of *Saint Magnus* and *Saint Margaret New Fiſhſtreet*, *London*, at the North East Avenue of the ſaid Bridge, almoſt in a Line with the Arch of the Tower or Steeple of the ſaid Church, which forms a ſpacious Paſſage through the ſaid Tower from North to South: And whereas the good Ends and Purpoſes of the ſaid Act cannot be anſwered unleſs the Site or Ground of the ſaid Pariſh Church, on the North and South Sides of the ſaid Tower, is, with the ſaid Paſſage through the ſame, laid into the North East Avenue of the ſaid Bridge: But in regard the Alteration aforeſaid cannot be made without the Authority of Parliament, May it pleaſe your moſt Excellent Majeſty, that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons in this preſent Parliament aſſembled, and by the Authority of the ſame, That the Site or Ground of the ſaid Pariſh Church of the united Pariſhes of *Saint Magnus* and *Saint Margaret New Fiſhſtreet*, *London*, on the North and South Sides of the ſaid Tower or Steeple of the ſame Church, together with the ſaid Paſſage through the ſaid Tower, from North to South, ſhall be, and the ſame are hereby veſted in the Mayor, and Commonalty, and Citizens, of the City of *London*, and their Succeſſors, for the Enlargement and Improvement of the North East Avenue of *London Bridge*, as well for the Benefit of all Perſons paſſing on Foot over the ſaid Bridge, as for the ſafe and commodious Paſſage of Carriages, at the North Weſt Angle of the ſaid Church; and for effecting the Purpoſes aforeſaid, the ſaid Mayor, Aldermen, and Commons, of the ſaid City, in Common Council aſſembled, ſhall, and they are hereby authoriſed and required, with all convenient Speed after the paſſing of this preſent Act, to cauſe ſo much of the Fabrick of the ſaid Pariſh Church to be taken down and removed, as ſhall be neceſſary for laying the Site or Ground aforeſaid, with the ſaid Paſſage, into the ſaid North East Avenue of the ſaid Bridge.

The Ground on the North and South Sides of the Tower of St. Magnus Church New Fiſh Street, with a Paſſage through the Tower from North to South, is veſted in the City of London, for the Enlargement of the North East Avenue of London Bridge; and ſo much of the Fabrick of the ſaid Church is to be taken down and removed, as ſhall be neceſſary for that Purpoſe:

II. And be it further enacted by the Authority aforeſaid, That the ſaid Mayor, Aldermen, and Commons, of the ſaid City, in Common Council aſſembled, ſhall, with all convenient Speed, after ſo much of the Fabrick as aforeſaid ſhall be taken down and removed in manner aforeſaid, cauſe the Weſtern Walls of the ſaid Church to be rebuilt in a Line with the Eaſt Side of the ſaid Tower or Steeple, and united thereto, and to the North and South Sides of the ſaid Fabrick, in the moſt proper and effectual manner, as well in point of Ornament as Safety; and ſhall alſo cauſe, not only ſuch new Works to be ſuitably and ſubſtantially performed and completely finiſhed, in all reſpects, as well within the Body of the ſaid Church as without, but alſo all ſuch other Works as ſhall be neceſſary for the Safety and Ornament of the ſaid Tower or Steeple of the ſaid Church: And if, in the Execution of the Works aforeſaid, any Injury or Injuries ſhall be done, either by Accident or otherwiſe to the ſaid Tower or Steeple, or to the Fabrick or Body of the ſaid Church, either within Side or without, or to any of the other Works or Ornaments thereof; then, and in ſuch caſe, the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhall, with all convenient Speed, cauſe ſuch Injury or Injuries to be repaired and made good, in all reſpects, and in the moſt proper and effectual manner.

and the City is thereupon to rebuild, in a ſuitable Manner, the Weſtern Walls of the Church, in a Line with the Eaſt Side of the ſaid Tower; and alſo all other Works within the Body of the Church, and without, neceſſary to the Safety and Ornament of the Tower; and all Injuries occaſioned thereby, are to be repaired and made good.

III. And be it further enacted by the Authority aforeſaid, that the great Weſtern Doors of the ſaid Church, now placed on the Weſt Side of the ſaid Tower, within the Arch thereof, which forms a Paſſage through the ſame from Eaſt to Weſt, ſhall be removed and placed in the moſt ſuitable and commodious manner on the Eaſt Side of the ſaid Tower; and that the ſame Paſſage ſhall be preſerved, in all Times to come, for the publick Weſtern Entrance into the ſaid Church, for the Benefit of all Perſons reſorting thereto, and returning from the ſame.

The great Weſtern Doors of the Church are to be removed, and placed on the Eaſt Side of the Tower; and the ſame Paſſage to be preſerved for the publick Weſtern Entrance into the Church; and the Ground laid into the North East Avenue of the Bridge may be uſed as a Cemetery; but the Pavement broke up on that Account is to be relaid by the Churchwardens.

IV. Provided always, and it is hereby enacted by the Authority aforeſaid, That the ſaid Site or Ground ſo to be laid into the ſaid North East Avenue of the ſaid Bridge as aforeſaid, ſhall be conſidered, and may, in all Times to come, be uſed, as Part of the Cemetery of the ſaid Church; any Thing herein before contained to the contrary thereof in any wiſe notwithſtanding: But if the Pavement there ſhall be broke up on account of the burying any Perſons, the ſame ſhall be laid down, repaired, and made good, from Time to Time, by the Churchwardens for the Time being of the ſaid united Pariſhes.

The City is alſo to build a commodious Veſtry Room,

and Engine Houſe, in the Church Yard;

and the Materials of ſuch Part of the Fabric as ſhall be taken down are veſted in the City; and what ſhall be found proper, may be employed in the Works; and the reſt is to be ſold; and the Money paid over to the Churchwardens for the Suſtentation of the ſaid Works, &c.

and the City is to pay, by way of Compenſation, 25 l. per Ann. chargeable on the Bridge-houſe Eſtates;

to be paid half-yearly, viz.

5 l. thereof to the Rector; and 8 l. to the Churchwardens for the Suſtentation of the ſaid Works, &c.

to commence on 29 Sept. 1762.

Charges of this Act to be paid out of the Money granted by Parliament for improving the Bridge.

Powers, &c. in the recited Act of 29 Geo. 2. and 31 Geo. 2.

extended in all applicable Caſes to this Act.

Limitation of Actions.

General Iſſue.

Treble Coſts.

Publick Act.

V. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Mayor, Aldermen, and Commons, in Common Council aſſembled, ſhall, with all convenient Speed, cauſe to be erected, built and finiſhed, in a ſuitable and ſubſtantial Manner, in the Church-yard of the ſaid Church, on the South Side thereof, near the South Weſt Angle of the ſame Church, a proper and commodious Veſtry Room for the Service of the ſaid Church, with two Doors, one opening into the Church, and the other into the Church-yard; and alſo a proper Engine Houſe to adjoin to the ſaid Veſtry Room for the Reception and Preſervation of the Fire Engine of the ſaid United Pariſhes, and the Utenſils belonging thereto; and ſuch Veſtry Room and Engine Houſe ſhall be conſidered as Part of the publick Works of the ſaid Church.

VI. And be it further enacted by the Authority aforeſaid, That all the Stone, Timber, Lead, Iron, Glaſs, and other Materials of ſuch Part of the Fabrick of the ſaid Church, as ſhall be taken down by virtue and in purſuance of this Act, ſhall be, and the ſame are hereby, veſted in the ſaid Mayor and Commonalty, and Citizens of the ſaid City, and their Succeſſors; and ſuch of the ſaid Materials as ſhall be found proper or ſerviceable for that Purpoſe, ſhall be uſed or employed in the Works directed by this Act, and the Reſidue thereof the ſaid Mayor, Aldermen and Commons, in Common Council aſſembled, ſhall forthwith cauſe to be ſold, for the beſt Price or Prices that can be gotten for the ſame; and the Monies to ariſe by ſuch Sale ſhall be paid over to the Churchwardens for the Time being of the ſaid United Pariſhes, for the better Suſtentation of the ſaid Works and Ornaments of the ſaid Church.

VII. And it is hereby further enacted by the Authority aforeſaid, That the clear yearly Sum of thirteen Pounds ſhall, in compenſation for any Loſſes which may hereafter be ſuſtained by the Rector and Pariſhioners for the Time being of the ſaid United Pariſhes reſpectively, in conſequence of this Act, be, and the ſame is hereby, charged and chargeable for ever upon all and ſingular the Manors, Meſſuages, Lands, Tenements and Hereditaments of the City of *London*, commonly called *The Bridge-houſe Eſtates*, and ſhall be payable and paid half-yearly out of the Rents, Iſſues and Profits thereof, by equal Payments, on *Lady-day* and *Michaelmas-day* in every Year, in manner following; that is to ſay, The Sum of five Pounds, Part of the ſaid yearly Sum of thirteen Pounds, to the Rector of the ſaid United Pariſhes for the Time being, for his own proper Uſe and Benefit; and the Sum of eight Pounds, Reſidue of the ſaid yearly Sum of thirteen Pounds, to the Churchwardens for the Time being of the ſaid United Pariſhes, for the better Suſtentation of the Works and Ornaments of the ſaid Church; the firſt of which ſaid half-yearly Payments ſhall begin and be made on *Michaelmas-day* one thouſand ſeven hundred and ſixty-two.

VIII. And be it further enacted by the Authority aforeſaid, That the Charges and Expences of obtaining and paſſing this preſent Act, and of carrying the ſame into Execution, ſhall be paid out of the Monies already granted, or to be granted, by Authority of Parliament, for improving, widening and enlarging the Paſſage over and through *London Bridge*.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Powers, Clauſes, Proviſoes, Matters and Things contained in the ſaid recited Act of the twenty-ninth Year of his ſaid late Majeſty, and alſo in another Act made in the thirty-firſt Year of his ſaid late Majeſty, intituled, *An Act for applying a Sum of Money granted in this Seſſion of Parliament for rebuilding* London Bridge, *and for rendering more effectual an Act paſſed in the twenty-ninth Year of his preſent Majeſty's Reign, intituled*, An Act to improve, widen and enlarge the Paſſage over and through *London Bridge*, ſhall, ſo far as they, or any of them, are applicable to this preſent Act, be extended to, and be in full Force and executed, as well for the Purpoſes of this Act as of the ſaid former Acts, as amply and effectually as if the ſame were in and by this Act expreſly re-enacted and declared to take Effect and be in force.

X. And be it further enacted by the Authority aforeſaid, That if any Action ſhall be brought, or Suit commenced, againſt any Perſon or Perſons for any Thing done in purſuance of this Act, or in relation to the Premiſſes, or any of them, ſuch Action or Suit ſhall be laid or brought within ſix Calendar Months next after the Fact done, and ſhall be laid or brought in the City of *London*, and not elſewhere; and the Defendant or Defendants in ſuch Action may plead the General Iſſue, and give this Act, and the Special Matter, in Evidence, at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if the ſame ſhall appear to have been ſo done, or if any ſuch Action or Suit ſhall not be brought within the Time before limited, or ſhall be brought in any other County or Place than as aforeſaid, then the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuit, or ſuffer a Diſcontinuance of his, her or their Action or Actions, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, the ſaid Defendant or Defendants ſhall have treble Coſts, and ſhall have ſuch Remedy for recovering the ſame, as any Defendant or Defendants hath or have for Coſts in other Caſes by Law.

XI. And be it further enacted by the Authority aforeſaid, That this Act ſhall be deemed a publick Act, and ſhall be taken Notice of as ſuch by all Judges, Juſtices, and other Perſons whatſoever, without ſpecially pleading the ſame.

CAP. XXXI.

An Act for making perpetual an Act for the better Regulation and Government of Seamen in the Merchants Service; and for extending the Proviſions thereof to his Majeſty's Colonies in *America*.

Preamble.

'WHEREAS the Law herein after mentioned, which hath, by Experience, been found uſeful and beneficial, is near expiring;' May it therefore pleaſe your moſt Excellent Majeſty, that it may be enacted; and be it enacted by the King's moſt Excellent Majeſty, by and with the Advice

vice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That an Act made in the ſecond Year of his late Majeſty's Reign, intituled, *An Act for the better Regulation and Government of Seamen in the Merchants Service*, which was to be in force for five Years, from the twenty-fourth Day of *June* one thouſand ſeven hundred and twenty-nine, and from thence to the End of the then next Seſſion of Parliament; and which Act was, by an Act made in the eighth Year of the Reign of his ſaid late Majeſty, further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and forty-nine, and from thence to the End of the then next Seſſion of Parliament; and which Act was, by an Act made in the twenty-third Year of the Reign of his ſaid late Majeſty, further continued until the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-four, and from thence to the End of the then next Seſſion of Parliament, is temporary, and near expiring; ſhall be, and is hereby, made perpetual.

Act of 2 Geo. 2. c. 36. which was continued by ſeveral ſubſequent Acts, is made perpetual.

II. And be it further enacted by the Authority aforeſaid, That from and after the firſt Day of *May* one thouſand ſeven hundred and ſixty-four, all the Proviſions, Penalties, Clauſes, Matters and Things contained in the ſaid Act of the ſecond Year of his ſaid late Majeſty's Reign, ſhall be, and the ſame are hereby, extended to all his Majeſty's Colonies in *America*; and that all Penalties and Forfeitures to be incurred by the ſaid Act, and directed to be applied to and for the Uſe of *Greenwich Hoſpital*, ſhall be paid to ſuch Officer or Officers in the ſaid Colonies, as ſhall on that Behalf be appointed by the Lord High Admiral of *Great Britain*, or the Commiſſioners for executing the Office of Lord High Admiral of *Great Britain* for the Time being: And in caſe any Maſters or Commanders, or Owners, of any Ships or Veſſels, ſhall deduct out of the Wages of any Seaman or Mariner any of the Penalties and Forfeitures which, by the ſaid Act, are directed to be deducted and applied to and for the Uſe of *Greenwich Hoſpital*, and ſhall not pay the Money ſo deducted to ſuch Officer or Officers ſo to be appointed in the Port or Place in the ſaid Colonies where ſuch Deduction ſhall be made, within three Months after ſuch Deduction; every Perſon ſo neglecting to pay the Money deducted as aforeſaid, ſhall forfeit and pay the treble Value thereof to the Uſe of the ſaid Hoſpital; which, together with the Money deducted as aforeſaid, ſhall and may be recovered by the ſame Means and Methods as any Penalties and Forfeitures can or may be recovered by the ſaid Act.

From and after 1 May 1764, all the Proviſions, Penalties, Matters and Things in the ſaid Act of 2 Geo. 2. are extended to his Majeſty's Colonies in America; and the Forfeitures applicable to Greenwich Hoſpital are to be paid there to the Officer conſtituted by the Admiralty; and Maſters of Ships deducting any of the ſaid Forfeiture out of the Seamens Wages, and not duly paying over the ſame, forfeit treble the Value to the Uſe of the ſaid Hoſpital.

CAP. XXXII.

An Act for draining and preſerving certain low Lands called *The Fens*, lying on both Sides of the River *Witham*, in the County of *Lincoln*; and for reſtoring and maintaining the Navigation of the ſaid River, from the *High Bridge* in the City of *Lincoln*, through the Borough of *Boſton*, to the Sea.

Preamble.

'WHEREAS the River *Witham*, in the County of *Lincoln*, was formerly navigable for Lighters, Barges, Boats, and other Veſſels from the Sea, through *Boſton*, to the *High Bridge* in the City of *Lincoln*; but, by the Sand and Silt brought in by the Tide, the Outfall thereof into the Sea hath, for many Years laſt paſt, been greatly hindered and obſtructed, and is now, in a great meaſure, ſtopped up, loſt and deſtroyed, and thereby great Part of the low Lands and Fens lying on both Sides of the ſaid River (and which contain together about one hundred thouſand Acres) are frequently overflowed, and rendered uſeleſs and unprofitable, to the great Loſs of the reſpective Owners thereof, the Decay of Trade and Commerce, and the Depopulation of the Country: And whereas, in the Judgment and Opinion of experienced Engineers, and Perſons of known Skill and Ability, the Navigation of the ſaid River *Witham*, and the Outfall thereof into the Sea, are capable of being reſtored and maintained, and the ſaid low Lands and Fens of being drained, cultivated and improved; but as the neceſſary Works, for the effecting the good Purpoſes aforeſaid, cannot be made, done and performed without the Authority of Parliament;' May it therefore pleaſe your Majeſty, that it may be enacted; and Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That the ſaid low Lands and Fens, herein after-mentioned and deſcribed, ſhall and may be drained and improved by, with, and under ſuch Powers and Authorities, and ſubject to ſuch Rules, Orders, Directions and Proviſions, and by ſuch Ways and Means, as are herein after-mentioned, directed, preſcribed, appointed and provided.

II. And, for the better deſcribing, ſpecifying and aſcertaining the low Lands and Fens, ſo intended to be drained and improved, Be it further enacted and declared, That the ſame are ſituate, lying, and compriſed within the ſeveral Pariſhes, Townſhips, Precincts, Territories and Places herein after-mentioned; that is to ſay, Such of them as are on the South Side of the River *Witham*, do lie in the City of *Lincoln*, *Lincoln Common*, *Canwick*, *Waſhingborough*, *Heighington*, *Branſton*, *Potter Hanworth*, *Nocton*, *Dunſton*, *Metheringham*, *Blankney*, *Linwood*, *Marton*, *Timberland*, *Timberland Thorpe*, *Walcot*, *Billinghay*, *Billinghay Dales*, *Dog-dyke*, *North Kyme Fen*, *South Kyme Fen*, *Hart's Grounds*, *Great Beets*, *Little Beets*, *Rakes*, *Heckington Fen*, including Lady *Frazer*'s ſix hundred Acres, *Ewerby*, *Howell*, *Aſgarby*, *Great Hale*, *Little Hale*, and ſome low Lands in *Swineſhead*; *Brothertoft*, *Anwick*, *Ruſkington*, *Dorrington*, *Digby* and *Holland Fen*; and ſuch of them as are on the North Side of the River *Witham*, do lie in *Monks*, *Greetwell*, *Willingham*, *Fiſkerton*, *Barlings*, *Stainfield*, *Bardney*, *Southrey*, *Tupholm*, *Bucknall*, *Horſington*, *Stixwould*, *Swineſike*, *Woodhall*, *Thornton*, *Kirkſtead*, *Tatterſhall Thorpe*, *Tatterſhall Coningsby*, *Mareham*, *Hundle-houſe*, *Reveſby*, *Middleham*, *Moorhouſe*, *Meerbooth*,

The Boundaries of the low Lands and Fens deſcribed.

Hermitage, *Newholme*, *Weſt-houſe*, *Langrike*, *Langworth*, *Swinecote*, *Hagnaby*, *Stickney*, *Wildmore Fen* and *Weſt Fen*; and the ſaid low Lands and Fens are bounded as follows; that is to ſay, By the high Grounds of *Lincoln*, *Canwick* and *Waſhingborough*, and thence by the *Car-dyke* from *Waſhingborough* to *Thorpe Tilney*, and by the high Grounds of *Thorpe Tilney* and the *Car-dyke*, from *Tilney* aforeſaid to *Billinghay Skirths*, by the high Grounds of *Walcott* and *Billinghay* aforeſaid, *Digby*, *Dorrington*, *Ruſkington*, *Anwick*, *Ewerby*, *Howell*, *Heckington*, *Great Hale*, and *Little Hale*, from *Billinghay* aforeſaid to *Helpringham Fen* on the Weſt; by the common Fens of *Helpringham*, *Bicker*, and *Donnington*, and by the Southern Boundary of *Holland Fen*, from *Helpringham Fen* aforeſaid to *Boſton* on the South; by *Kirton Holme*, the South Bank of *Old Hammond-Beck*, *Boſton-Weſt*, *Sibſey*, and *Stickney*, from *Boſton* aforeſaid to *Stickney-bar Green* on the Eaſt; and by the high Grounds of *Hagnaby*, Grounds of *Eaſt-Kirkby*, high Grounds of *Reveſby* and *Mareham*, Grounds of *Tumby*, and high Grounds of *Coningſby*, from *Stickney-bar Green* aforeſaid to *Tatterſhall-bane*, and the high Grounds of *Tatterſhall*, *Tatterſhall Thorpe*, *Kirkſtead*, *Towery Moor*, *Woodhall*, *Stixwould*, *Horſington*, *Bucknall*, *Tupholm*, *Southrey*, *Bardney*, *Stainfield*, *Barlings*, *Fiſkerton*, *Willingham*, *Greetwell*, and *Monks*, from *Tatterſhall-bane* aforeſaid to *Lincoln*, on the North-Eaſt and North; and from the ſaid River *Witham* to the high Grounds of *Lincoln Common*, leaving *Sincil-dyke* twenty Yards on the Weſt: And the ſame low Lands and Fens

Lands divided into ſix Diſtricts.

ſhall be deemed to conſiſt of, and be divided into, ſix ſeveral Diſtricts or Diviſions, to be reſpectively compriſed within the ſeveral Limits herein after mentioned, and for the ſeveral Purpoſes herein after declared; that is to ſay, The low Lands in *Lincoln*, *Lincoln Common*, *Canwick*, *Waſhingborough*, *Heighington*, *Branſton*, *Potter Hanworth*, *Noſton*, *Dunſton*, *Metheringham*, *Blankney*, *Linwood*, *Marton*, *Timberland*, *Timberland Thorpe*, *Walcott*, *Billinghay*, *Billinghay Dales*, and *Dog-dyke*; and which ſaid low

First Diſtrict;

Boundaries thereof.

Lands are bounded as follows; that is to ſay, From twenty Yards below the North End of *Sincil-dyke* in *Lincoln* to *Kyme Eau*, by the River *Witham*, on the North; from the *Little Bargate Bridge* in *Lincoln*, to *Kyme Eau* aforeſaid, by the high Grounds of *Lincoln*, *Canwick* and *Waſhingborough*, the *Car-dyke*, *Thorpe Tilney*, and *North Kyme Fen*, on the South; and from the ſaid River *Witham* to the high Grounds of *Lincoln Common*, by a Line drawn at all Places parallel within twenty Yards from the Eaſt Side of *Sincil-dyke* on the Weſt, ſo that no Part of the ſaid *Sincil-dyke*, or the Rivers or Drains running under the Bar-gates, or either of the Gowt Bridges, ſhall be included within the ſaid Boundaries; and from the River *Witham* to *North Kyme Fen*, by *Kyme Eau* and *South Kyme* on the Eaſt, ſhall conſti-

Second Diſtrict:

Boundaries thereof.

tute and be contained in the firſt Diſtrict: And *Holland Fen*, *Harts Grounds*, *Great Beets*, *Little Beets*, the *Rakes*, *Brothertoft*, and all other the Incloſures in *Holland Fen*, and being bounded as follows; that is to ſay, By *Kyme Eau*, the River *Witham*, *Boſton Weſt*, and *Kirton Holme*, on the Eaſt and North; *South Kyme*, *Heckington*, and *Great Hale*, on the Weſt; and the South Banks of *Old Hammond Beck Swineſhead*, on the South, ſhall conſtitute and be contained in the ſecond Diſtrict: The low Lands in

Third Diſtrict:

Boundaries thereof.

Monks, *Greetwell*, *Willingham*, *Fiſkerton*, *Barlings*, *Stainfield*, *Bardney*, *Southrey*, *Tupholm*, *Bucknall*, *Horſington*, *Stixwould*, *Swineſike*, *Woodhall*, *Thornton*, *Kirkſtead*, *Tatterſhall Thorpe*, and *Tatterſhall*, being bounded as follows; that is to ſay, By the high Lands of the laſt-mentioned Places on the North, the River *Witham* on the South, the River *Bane* on the Eaſt, and *Lincoln* on the Weſt, ſhall conſtitute

Fourth Diſtrict:

Boundaries thereof.

and be contained in the third Diſtrict: The low Lands in *Coningsby*, *Mareham*, *Hundle-houſe*, *Reveſby*, *Middleham*, *Moorhouſe*, *Hermitage*, *Newholme*, *Weſthouſe*, *Langrike*, *Langworth*, *Swinecote*, *Hagnaby*, *Stickney*, *Wildmore Fen*, and *Weſt Fen*, and bounded as follows; that is to ſay, By the old River *Witham* and *Tatterſhall Bane* on the Weſt; by the high Grounds of *Coningsby*, the Grounds of *Tumby*, the high Ground of *Mareham*, and *Reveſby*, the Grounds of *Eaſt Kirkby*, and the high Grounds of *Hagnaby*, on the North; by the high Grounds of *Stickney* and Grounds of *Sibſey* on the Eaſt; by Grounds in the Pariſh of *Skirbeck* and *Boſton* Eaſt; and the Scite of the ancient River *Witham* on the South; ſhall

Fifth Diſtrict:

Boundaries thereof.

conſtitute and be contained in the fourth Diſtrict: The low Land in *Anwick*, *North Kyme*, *Ruſkington*, *Dorrington*, and *Digby*, being bounded as follows; that is to ſay, By *Digby Old Skirth-dyke*, and the Dyke which is the Eaſtern Boundary of a Cloſe now occupied by *John Lane*, and that Part of *Digby Engine Drain* which extends from the ſaid Cloſe to *Digby Engine*, *Billinghay Skirth*, and *Billinghay Dales*, on the North and Eaſt; *Kyme Eau* on the South; the high Lands of *Anwick*, *Ruſkington*, *Dorrington*, and *Digby*, and the *Car-dyke*, on the Weſt, ſhall conſtitute and be contained in the fifth Diſ-

Sixth Diſtrict:

Boundaries thereof.

trict: The low Lands in *South Kyme*, *Great Hale*, *Little Hale*, *Heckington*, Lady *Frazer*'s ſix hundred Acres, *Ewerby*, *Howell*, *Aſgarby*, and ſome low Lands in *Swineſhead*, being bounded as follows; that is to ſay, By *Holland Fen* and *Dog-dyke* on the North; *Helpingham* and *Donnington Fens* on the South; *Bicker Fen*, *Hammond Beck*, and Part of the ſaid *Holland Fen*, on the Eaſt; and the high Lands of *Great Hale*, *Little Hale*, *Heckington*, *Howell*, and *Ewerby*, on the Weſt, ſhall conſtitute and be contained in the ſixth Diſtrict.

Commiſſioners for Diſtricts appointed.

Manner of Election. Firſt Diſtrict.

III. And be it further enacted, That for the more effectual executing of this Act, certain Commiſſioners ſhall be elected within each of the ſaid Diſtricts, in manner hereafter mentioned; that is to ſay, In the firſt Diſtrict there ſhall be eighteen Commiſſioners elected, one for and by each of the ſeveral Places and Pariſhes herein before-mentioned, as compriſed therein in manner following: The ſeveral Owners of Lands or Tenements of any Eſtate of Freehold, Copyhold of Inheritance or for Life, or for any Term of Years wherein not more than one Half of the Value is reſerved as a Rent, which Land ſhall lie within any one of the ſaid Places or Pariſhes comprized in the ſaid firſt Diſtrict, and ſhall be of the yearly Value of five Pounds; and the ſeveral Farmers at Rack-rent of any Lands or Tenements lying in ſuch Pariſh or Place, and being of the yearly Value of fifty Pounds, ſhall meet in the Pariſh Church, or other moſt uſual Place of publick Meeting to do Buſineſs, in the Pariſh or Place wherein ſuch Lands reſpectively lie, on the ſecond *Tueſday* in *July* one thouſand ſeven hundred and ſixty-two, and ſhall then and there elect in each of the ſaid Pariſhes or Places reſpectively one

Com-

Commiſſioner: Provided always, That every ſuch Owner or Occupier of Lands, within ſuch Pariſh or Place reſpectively, ſhall be liable by this Act to be taxed to the Purpoſe of Drainage for ſome Lands or Right of Common of Paſture within ſuch Place or Pariſh reſpectively: And it is hereby further provided, That every Inhabitant of the Pariſh of *Dog-dyke* ſhall have a Voice in the Election of a Commiſſioner for that Pariſh: In the ſecond Diſtrict there ſhall be one Commiſſioner elected by and for each Pariſh, Town and Hamlet, the Inhabitants whereof ſeverally and reſpectively have Right of Common of Paſture within any of the ſeveral Fens, Grounds and Places in the ſaid ſecond Diſtrict contained; and the Election ſhall be holden on the ſecond *Tueſday* in the ſaid Month of *July*, in the Veſtry Room of each of the ſaid Pariſhes, Towns and Hamlets, or other moſt uſual Place of publick Meeting to do Buſineſs within ſuch Pariſh reſpectively; and the Right of electing ſuch Commiſſioners, in each of the ſaid Pariſhes, Townſhips or Hamlets reſpectively, ſhall be in ſuch Perſons as ſhall be the Owners of ten Acres, or Farmers at Rack-rent of fifty Pounds *per Annum*, in ſuch Place reſpectively where ſuch Election ſhall be, and ſhall alſo have Right of Common in *Holland Fen*, except that in the Pariſh of *Brothertoft*, all the Inhabitants being Houſekeepers ſhall have Voices in the Election of a Commiſſioner for the ſaid Pariſh: In the third Diſtrict one Commiſſioner ſhall be elected, by and for each of the Pariſhes and Places herein before enumerated as comprized therein, the Election to be had in ſuch Manner, and at ſuch Time and Place, and by and under ſuch Rules and Directions, and by Perſons ſo qualified as are herein before expreſſed and declared concerning the electing of Commiſſioners of, for and within the firſt Diſtrict: In the fourth Diſtrict one Commiſſioner ſhall be elected by and for each Pariſh, the Inhabitants whereof have ſeverally and reſpectively Right of Common of Paſture in and upon the ſeveral Commons, or any of them comprized within the Limits of the ſaid Diſtrict, at the Veſtry Room or other moſt uſual Place of Meeting to do Pariſh Buſineſs within each of ſuch Pariſhes reſpectively, at ſuch Time and in ſuch Manner as are herein before expreſſed and declared concerning the electing of Commiſſioners by, for and within the ſecond Diſtrict, and that no other Qualification ſhall be neceſſary to give ſuch Inhabitants Voices in ſuch Election: And it is hereby further provided, That the Occupiers of *Frith Bank*, having Right of Common in the ſaid *Wildmore* and *Weſt Fens*, or either of them, or the Majority of them, may chuſe one Commiſſioner for the ſaid fourth Diſtrict in ſuch manner as to them, or the Majority of them, ſhall ſeem good: In the fifth Diſtrict there ſhall be one Commiſſioner elected for each Pariſh and Place herein before enumerated as therein comprized, the ſaid Election to be had in ſuch Manner, at ſuch Time and Place, and by and under ſuch Rules and Directions, and by Perſons ſo qualified as are herein before provided, expreſſed and declared concerning the Election of Commiſſioners of, for and within the firſt and third Diſtricts: In the ſixth Diſtrict there ſhall be elected one Commiſſioner for each Pariſh comprized within the ſame, the Election to be holden on the ſaid ſecond *Tueſday* in *July* in the Year of our Lord one thouſand ſeven hundred and ſixty-two, at the reſpective Veſtry Rooms of the ſeveral Pariſhes; in which Elections all the Proprietors of Lands of any Eſtate of Freehold, Copyhold of Inheritance, or Leaſehold, wherein no more than half the yearly Value thereof is reſerved as a Rent, being of the yearly Value of five Pounds and upwards, and lying within ſuch Pariſh reſpectively where ſuch Commiſſioner is to be elected, and all Farmers at Rack-rent of Lands being of the yearly Value of fifty Pounds, and within ſuch Pariſh reſpectively, ſhall have Voices: Provided always, That for the Purpoſes of this Act *South Kyme* ſhall be deemed a Pariſh, and impowered accordingly to elect a Commiſſioner for the ſaid ſixth Diſtrict in manner aforeſaid.

Second Diſtrict.

Third Diſtrict.

Fourth Diſtrict.

Fifth Diſtrict.

Sixth Diſtrict.

South Kyme deemed a Pariſh.

IV. Provided always, That all ſuch Perſons as are or ſhall be intitled to vote at any of the Elections before-mentioned, may appoint certain Deputies to give ſuch Vote for them, and each of them reſpectively, by Writing under their Hands and Seals reſpectively.

Electors may appoint Deputies.

V. Provided likewiſe, That the ſeveral Electors of Commiſſioners for each of the ſaid Pariſhes, Towns, Hamlets and Places reſpectively, or the Majority of them reſpectively, being preſent and voting at ſuch Elections, ſhall and are hereby required to certify the ſaid Election at the firſt General Meeting of the General Commiſſioners for Drainage, to be holden in purſuance of this Act, by Writing under their Hands and Seals reſpectively.

Electors to certify Elections at firſt Meeting of General Commiſſioners for Drainage.

VI. And be it further enacted, That the ſeveral Commiſſioners for the ſaid firſt, ſecond, third, fourth, and ſixth Diſtricts reſpectively, or any five or more of each of them, and the Commiſſioners for the fifth Diſtrict, or any three or more of them, ſhall have the Care, Management and Direction of the private Works neceſſary to be done within their reſpective Diſtricts, under the Rules and Directions herein after-mentioned: And they are hereby authorized, impowered and required to elect thirty-one Perſons to be General Commiſſioners for the Purpoſes of Drainage, in manner following; that is to ſay, The Commiſſioners for the firſt Diſtrict, or any five or more of them, ſhall meet at the Houſe near the *High Bridge* in the City of *Lincoln*, commonly known by the Sign of the *Rein Deer*, on the laſt *Friday* in *July* one thouſand ſeven hundred and ſixty-two, and there elect ſeven Perſons to be Part of the ſaid General Commiſſioners: The Commiſſioners for the ſecond Diſtrict, or any five or more of them, ſhall meet at the Town Hall in *Boſton* on the laſt *Wedneſday* in *July* one thouſand ſeven hundred and ſixty-two, and there elect ſix Perſons to be other Part of the ſaid General Commiſſioners: The Commiſſioners for the third Diſtrict, or any five or more of them, ſhall meet at a publick Houſe known by the Sign of the *Angel* in *Tatterſhall*, on the laſt *Friday* in *July* one thouſand ſeven hundred and ſixty-two, and there elect five Perſons to be other Part of the ſaid General Commiſſioners: The Commiſſioners for the fourth Diſtrict, or any five or more of them, ſhall meet at a publick Houſe known by the Sign of the *White Hart* in *Spilsby*, on the laſt *Monday* in *July* one thouſand ſeven hundred and ſixty-two, and there elect eight Perſons to be other Part of the ſaid General Commiſſioners: The Commiſſioners for the fifth Diſtrict, or any three or more of them, ſhall meet at a publick Houſe known by the Sign of the *Angel* in *New Sleaford*, on the laſt *Monday* in *July* one thouſand ſeven hundred

Commiſſioners to direct the ſeveral Works to be made within their ſeveral Diſtricts.

Commiſſioners of the Diſtricts to meet and elect General Commiſſioners.

dred and ſixty-two, and there elect two Perſons to be other Part of the ſaid General Commiſſioners: And the Commiſſioners for the ſixth Diſtrict, or any five or more of them, ſhall meet at a publick Houſe known by the Sign of the *George* in *New Sleaford*, on the laſt *Monday* in *July* one thouſand ſeven hundred and ſixty-two, and there elect three Perſons to be other Part of the ſaid General Commiſſioners: Which Perſons ſo elected, together with the Mayor of the City of *Lincoln*, and the Mayor of the Borough of *Boſton*, for the Time being, and two of the four Commiſſioners, which by virtue and in purſuance of this Act ſhall be elected by or on behalf of the City of *Lincoln*, as Commiſſioners for the Purpoſe of the Navigation; and two of the four Commiſſioners, to be in like manner elected by or on the behalf of the Borough of *Boſton*, for the like Purpoſe; ſhall be, and they are hereby appointed General Commiſſioners for the Purpoſes of Drainage, ſubject to the Rules, Orders, Proviſions and Directions herein after-mentioned, expreſſed and declared: And that the ſeveral Perſons hereby impowered to elect and appoint General Commiſſioners for Drainage, or the major Part of them preſent at ſuch Elections reſpectively, and the Mayors of the City of *Lincoln* and Borough of *Boſton* for the Time being, ſhall certify their ſaid ſeveral Elections reſpectively, by Writing under their Hands, at the firſt Meeting of the ſaid General Commiſſioners for Drainage to be appointed by this Act.

General Commiſſioners.

Commiſſioners for Diſtricts may adjourn their Meetings.

VII. Provided always, That it ſhall and may be lawful for the Commiſſioners of the ſaid reſpective Diſtricts, or any two or more of them, to adjourn their Meetings for the Purpoſes of this Act, from Time to Time, to ſuch Time and Place as they, or any two or more of them, ſhall think neceſſary: And if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Commiſſioners to act, or to adjourn to any other Time or Place, then the Clerk to the ſaid Commiſſioners ſhall adjourn the ſaid Meeting to, and appoint the ſaid Commiſſioners to meet at, the Place where the laſt Meeting was appointed to be held, on that Day three Weeks next after the Day on which ſuch laſt Meeting was appointed to be held; and ſhall cauſe Notice thereof to be affixed on ſome publick and conſpicuous Place in the City of *Lincoln*, the Town of *New Sleaford*, the Borough of *Boſton*, the Towns of *Spilsby*, *Horncaſtle*, *Tatterſhall*, or one of them; and that the ſaid Commiſſioners, at all their Meetings, ſhall defray their own Charges and Expences.

Qualification of General Commiſſioners.

VIII. And be it further enacted, That no Perſon (except the Mayor of the City of *Lincoln* for the Time being, and the Mayor of the Borough of *Boſton* for the Time being) ſhall, except in the ſwearing in other Commiſſioners, act as a General Commiſſioner for the Purpoſes of Drainage, or as a Commiſſioner for the Purpoſes of Navigation, unleſs he ſhall be in his own Right, or in the Right of his Wife, in the actual Poſſeſſion and Enjoyment, or Receipt, of the Rents and Profits of Lands, Tythes, Tenements and Hereditaments of the clear yearly Value of one hundred Pounds, above Reprizes, or ſhall be poſſeſſed of and intitled to a Perſonal Eſtate alone, or a Real and Perſonal Eſtate together, to the clear Amount or Value of two thouſand Pounds, and unleſs ſuch Perſon ſhall take and ſubſcribe the Oaths following before any two or more of the ſaid Commiſſioners (who are hereby authorized and required to adminiſter the ſame) before he takes upon himſelf to act as a Commiſſioner under this Act, or in the Execution of the Powers and Authorities hereby granted and given; which ſaid Oaths ſhall be in the Words or to the Effect following; that is to ſay,

Oaths of General Commiſſioners.

'I *A. B.* do ſwear, That I truly and *bona fide* am, in my own Right, or in the Right of my Wife, in the actual Poſſeſſion and Enjoyment, or Receipt, of the Rents and Profits of Lands, Tythes, Tenements and Hereditaments of the clear yearly Value of one hundred Pounds, above Reprizes; or that I am poſſeſſed of and intitled unto a Perſonal Eſtate alone, or Real and Perſonal Eſtate together, to the clear Amount or Value of two thouſand Pounds. *So help me GOD.*'

'I *A. B.* do ſwear, That I will without Favour or Affection, Hatred or Malice, truly and impartially, according to the beſt of my Skill and Knowledge, execute and perform the Powers and Authorities eſtabliſhed by an Act made in the ſecond Year of the Reign of his Majeſty King *George* the Third, intituled, *An Act for draining and preſerving certain low Lands called* The Fens, *lying on both Sides of the River* Witham, *in the County of* Lincoln; *and for reſtoring and maintaining the Navigation of the ſaid River from the* High Bridge *in the City of* Lincoln, *through the Borough of* Boſton, *to the Sea.* So help me GOD.'

Penalty on Perſons acting, if not qualified.

And if any Perſon hereby deemed unqualified or incapable to act for all or any of the Cauſes aforeſaid, ſhall nevertheleſs preſume ſo to do, contrary to the true Intent and Meaning of this Act, every ſuch Perſon ſhall, for every ſuch Offence, forfeit and pay the Sum of one hundred Pounds to ſuch Perſon or Perſons as ſhall ſue for the ſame, to be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, or on the Caſe, Bill, Suit or Information; wherein no Eſſoin, Protection, or Wager of Law, or more than one Imparlance, ſhall be allowed.

Heirs Apparent of 200l. per Ann. taking the Oath of Office, may act as Commiſſioners.

IX. Provided always, That if any Perſon, who ſhall be elected a Commiſſioner for the Purpoſes of Drainage, or a Commiſſioner for the Purpoſes of Navigation, ſhall be Heir Apparent of ſome Perſon having an Eſtate in Lands, Tenements and Hereditaments of the clear yearly Value of two hundred Pounds, ſuch Perſon ſhall be deemed qualified to act under this Act, provided he takes the Oath of Office aforeſaid.

General Commiſſioners may appoint Agents.

X. Provided always, and be it further enacted, That it ſhall and may be lawful to and for any Perſon, who ſhall be elected a General Commiſſioner for the general Works of Drainage, by Writing under his Hand, from Time to Time, to appoint an Agent or Deputy, to act in his Abſence as a Commiſſioner for any Time not exceeding three Months; and ſuch Agent or Deputy ſhall and may, provided he takes the Oath of Office appointed by this Act, although he ſhall not be otherwiſe qualified as is required by this Act, act as a Commiſſioner, in ſuch and the ſame Manner, and as fully, to all Intents and Purpoſes, as ſuch Commiſſioner might act and do if he was perſonally preſent; provided withal, that if ſuch principal Commiſſioner ſhall be preſent, and in the actual Exerciſe of his Office, the Power and Authority hereby given to ſuch Agent or Deputy ſhall totally ceaſe and be void.

XI.

XI. And be it further enacted, That the Commiſſioners for the ſaid Diſtricts, elected as aforeſaid, ſhall continue to the firſt *Tueſday* in *April* one thouſand ſeven hundred and ſixty-three, when a new Election of Commiſſioners for the ſaid Diſtricts ſhall be made, in Manner and at the reſpective Places aforeſaid; which Commiſſioners, then elected, ſhall continue for three Years; and that Commiſſioners for the ſaid Diſtricts ſhall, from the Time of ſuch Elections, once in every three Years, be elected by the ſaid reſpective Pariſhes, Towns, Hamlets and Places, in Manner and at the Places aforeſaid; and the General Commiſſioners ſhall continue from the Time of their firſt Election to the ſecond *Tueſday* in *April* one thouſand ſeven hundred and ſixty-three, when a new Election of General Commiſſioners ſhall be made, in Manner and at the Places before appointed for electing General Commiſſioners; which Commiſſioners, then elected, ſhall continue for three Years; and that General Commiſſioners ſhall, from the Time of ſuch Elections, once in every three Years, be elected by the Commiſſioners of the ſaid reſpective Diſtricts, on the third *Tueſday* in *April*; and the Clerks to the Commiſſioners for the ſaid ſeveral Diſtricts ſhall, and they are hereby required to tranſmit to the Clerk to the General Commiſſioners the Names and Places of Abode of the Perſons ſo elected General Commiſſioners; and that on the Vacancy of a Commiſſioner for any of the ſaid reſpective Diſtricts, by Death or refuſing to act, another Commiſſioner ſhall be elected in the room of ſuch Commiſſioner dying or refuſing to act, within three Months after ſuch Death or Refuſal; and in caſe another Commiſſioner ſhall not be elected within ſuch Time, then the Lord of the Manor for the Pariſh or Place for which ſuch Commiſſioner was elected, or any one by him deputed, or where there ſhall be more Lords of Manors within any ſuch Pariſh or Place than one, any Perſon to be by them deputed, is hereby impowered to act as a Commiſſioner until ſuch Vacancy ſhall be filled up by a new Election; and that on the Vacancy of a General Commiſſioner by Death, or Refuſal to act, another General Commiſſioner ſhall be elected in the Room of the Commiſſioner dying or refuſing to act, within three Months after ſuch Death or Refuſal, in manner herein before preſcribed for electing General Commiſſioners within the Diſtrict for which ſuch General Commiſſioner was elected.

Continuance of the Commiſſioners of the Diſtricts.

Continuance of the General Commiſſioners.

Commiſſioners of Diſtricts dying, others to be elected.

General Commiſſioners dying, others to be elected.

XII. And be it further enacted, That in caſe the Perſons who are to elect Commiſſioners for the ſaid reſpective Diſtricts, or any of them, or in caſe the Commiſſioners for the ſaid reſpective Diſtricts, or any of them, who are to elect General Commiſſioners for Drainage, ſhall neglect to meet at the Times appointed for ſuch Elections, or ſhall not elect Commiſſioners accordingly, then the Perſons who are Commiſſioners for the preceding Year ſhall continue Commiſſioners, until other Commiſſioners ſhall be elected as aforeſaid.

If new Commiſſioners are not elected, former Commiſſioners to continue.

XIII. And be it further enacted, That the ſaid General Commiſſioners, or any five or more of them, ſhall meet at the Town Hall in the Borough of *Boſton* on the third *Tueſday* in *Auguſt* one thouſand ſeven hundred and ſixty-two, and proceed to the Execution of this Act; and ſhall afterwards meet on the firſt *Tueſday* in *July* yearly at ſuch Place within the City of *Lincoln*, Town of *New Sleaford*, or Borough of *Boſton*, as the ſaid Commiſſioners, or any five or more of them, ſhall appoint; and the ſaid Commiſſioners, or any five or more of them, ſhall and may, from Time to Time, adjourn themſelves to ſuch Time and Place as they ſhall think moſt convenient for the Purpoſes of this Act: And if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Commiſſioners to act, or to adjourn to any other Time and Place, then the Clerk to the ſaid Commiſſioners ſhall adjourn the ſaid Meeting to, and appoint the ſaid Commiſſioners to meet at, the Place where the laſt Meeting was appointed to be held, on that Day three Weeks next after the Day on which ſuch laſt Meeting was appointed to be held; and ſhall cauſe Notice thereof to be affixed on ſome publick and conſpicuous Place in the City of *Lincoln*, the Town of *New Sleaford*, the Borough of *Boſton*, and the Towns of *Horncaſtle*, *Spilsby* and *Tatterſhall*, at leaſt ten Days before ſuch Meeting; and that the ſaid Commiſſioners, at all their Meetings, ſhall defray their own Charges and Expences; provided always, that three Commiſſioners ſhall be ſufficient for the Purpoſe of Adjournment.

First Meeting of the General Commiſſioners.

Annual Meeting.

XIV. And be it further enacted, That it ſhall and may be lawful to and for the ſaid General Commiſſioners, or any ſeven or more of them, at any Meeting to be held for that Purpoſe, whereof fourteen Days Notice ſhall be given, by affixing the ſame upon the ſeveral Market Croſſes of *Lincoln*, *Sleaford*, *Tatterſhall*, *Horncaſtle*, *Boſton* and *Spilsby*, to receive Propoſals from, and enter into, make and execute Contracts with any Engineers and Workmen for draining the ſaid low Lands and Fens, and for providing proper Engines, Utenſils and Materials for that Purpoſe, and all other Matters, Articles and Things concerning the ſame: And that all ſuch Contracts, ſo to be made, ſhall be entered in a Book to be kept for that Purpoſe, and ſigned by the ſaid Commiſſioners, or any ſeven or more of them.

Commiſſioners to make Contracts with Workmen, &c.

which are to be entered in a Book.

XV. And, in order to raiſe Money for defraying the Expences of draining the ſaid low Lands and Fens, Be it further enacted, That it ſhall and may be lawful to and for the ſaid General Commiſſioners, or any ſeven or more of them, and they are hereby authorized and required to tax and charge all the low Lands and Fens lying, being, and comprized within the Boundaries of the ſaid firſt, ſecond, third and fourth Diſtricts, with ſuch equal yearly Rates and Taxes as to them ſhall ſeem requiſite and neceſſary for the Purpoſes of ſuch Drainage, ſo as the ſame do not exceed one Shilling an Acre for every Acre of private Property, eight Pence an Acre for every Acre of Half Year's Land, and four Pence an Acre for every Acre of Common Land, during ſuch Time as the ſame ſhall be uſed as Common; but if any ſuch Land ſhall be afterwards incloſed, and uſed in Severalty, then ſuch Land ſhall be taxed at any Rate not exceeding one Shilling an Acre for every Acre ſo incloſed, during ſuch Time as the ſame ſhall remain incloſed (other than and except ſuch Common Lands as ſhall be incloſed in purſuance of this Act for defraying the ſaid Taxes) and alſo that the ſaid Commiſſioners, or any ſeven or more of them, ſhall and may tax and charge all the low Lands and Fens lying, being, and comprized within the Boundaries of the ſaid fifth and ſixth Diſtricts, with ſuch equal yearly Rates and Taxes as to them ſhall ſeem requiſite and neceſſary for the Purpoſes aforeſaid, ſo as the ſame do not exceed ſix Pence an

The Acre Tax for the general Drainage.

Acre for every Acre of private Property, four Pence an Acre for every Acre of Half Year's Land, and two Pence an Acre for every Acre of Common Land, during ſuch Time as the ſame ſhall be uſed as Common; but if any ſuch Land ſhall be afterwards incloſed, and uſed in Severalty, then ſuch Land ſhall be taxed at any Rate not exceeding ſix Pence an Acre for every Acre ſo incloſed, during ſuch Time as the ſame ſhall remain incloſed (other than and except ſuch Common Lands as ſhall be incloſed in purſuance of this Act for defraying the ſaid Taxes).

Taxes veſted in Commiſſioners.

XVI. And be it further enacted, That the Taxes to be raiſed by virtue of this Act for the general Works of Drainage, ſhall be, and the ſame are hereby, veſted in the General Commiſſioners for the general Works of Drainage, appointed and to be elected by virtue and in purſuance of this Act, and the ſame ſhall be applied and diſpoſed of in the Execution of this Act, ſo far as the ſame relates to the general Works of Drainage, and the neceſſary Coſts, Charges and Expences attending the ſame, and to no other Uſe or Purpoſe whatſoever.

General Commiſſioners to pay the Proprietors of Lands within the fifth and ſixth Diſtrict their Expence of Surveys, &c.

XVII. And be it further enacted, That the ſaid General Commiſſioners, or any five or more of them, ſhall, out of the Money to be by them raiſed, pay to the Proprietors of the Lands lying within the ſaid fifth and ſixth Diſtricts ſuch Sum and Sums of Money as they have reſpectively laid out and expended in making Surveys of the Lands and Grounds lying within the ſaid Diſtricts, ſo as the ſaid Sum and Sums do not in the Whole exceed eighty Pounds, to be ſettled and aſcertained in ſuch manner as the ſaid General Commiſſioners, or any five or more of them, ſhall think proper.

Diſtricts chargeable with further yearly Taxes for private Works.

XVIII. And be it further enacted, That it ſhall and may be lawful for the Commiſſioners of the ſecond and fourth Diſtricts reſpectively, or any five or more of them, to charge the low Lands and Fens lying within the ſaid reſpective Diſtricts, with ſuch further yearly Tax as ſhall by them be judged neceſſary for the making, erecting and preſerving any private Works, Banks, Drains or Engines, within the ſaid reſpective Diſtricts, in ſuch manner as to them ſhall appear neceſſary and proper for the Purpoſes of private Drainage; which ſaid Works, Banks, Drains and Engines the ſaid Commiſſioners are hereby impowered to raiſe and erect in ſuch Places, and in ſuch Manner, as to them, or any five or more of them, ſhall ſeem moſt proper and convenient for the ſaid Purpoſes: And alſo that the ſaid Commiſſioners of the firſt and third and ſixth Diſtricts, or any five or more of them, and the Commiſſioners of the fifth Diſtrict, or any three or more of them reſpectively, ſhall have Power, on Application to them made by the Lord of the Manor, and the major Part of the Proprietors of taxable Lands within any Townſhip, Pariſh or Place lying within the ſaid firſt, third, and fifth and ſixth Diſtricts reſpectively, to charge the low Lands and Fens, which are made liable by this Act to be taxed for the general Drainage, lying within ſuch Townſhip, Pariſh or Place reſpectively, with ſuch further yearly Tax as ſhall by them be judged neceſſary for making, erecting and preſerving any private Works, Banks, Drains or Engines within ſuch Townſhip, Pariſh or Place, which to them ſhall appear neceſſary and proper for the Purpoſes of ſuch private Drainage; which ſaid Works, Banks, Drains and Engines the ſaid Commiſſioners are hereby impowered, on ſuch Application as aforeſaid, to raiſe and erect in ſuch Places, and in ſuch Manner, as to them, or any three or more of them, ſhall ſeem moſt proper and convenient for the ſaid Purpoſes; but ſo as ſuch private Works, Banks, Drains or Engines do not in any wiſe prevent or obſtruct the Waters occaſioned by Soakage or Downfall from taking their natural Courſe into the ſaid River or Haven below the ſame, in regard that the obtaining, effecting and preſerving ſuch Courſe and Outfall is intruſted to and under the Controul of the General Commiſſioners by the Tenor and true Meaning of this Act (except with reſpect to the Engines already erected within the ſaid fifth and ſixth Diſtricts, which are hereby allowed to remain, and not intended by this Act to be ſubject to the Controul of the General Commiſſioners): And that the low Lands and Fens in the ſixth Diſtrict ſhall, jointly and together with the low Lands and Fens through which ſuch Waters ſhall be conveyed, be taxed and aſſeſſed for and towards raiſing Money for paying and defraying the Charges and Expences of deepening, imbanking, repairing, ſupporting and maintaining all the preſent Gowts, Drains, Dykes and Cuts, which are hereby allowed to be made uſe of for the conveying ſuch Waters into the aforeſaid River or Haven, ſo long as they continue to uſe the ſame, and to be paid in ſuch Shares and Proportions as any five Commiſſioners of the ſaid Diſtricts, not intereſted in the Premiſſes (to be for that Purpoſe nominated and appointed by the General Commiſſioners, or any five or more of them, for that Purpoſe) ſhall order, direct or appoint; and the Expences of the Commiſſioners, who ſhall determine the ſame, ſhall be paid out of the Tax or Aſſeſſment to be laid on the ſaid ſixth Diſtrict.

The Commiſſioners for the firſt, third and ſixth Diſtricts to do the like on Application;

but not to obſtruct Waters occaſioned by Soakage or Downfall from taking their natural Courſe into the River Witham or Haven.

Lands in the ſixth Diſtrict to be jointly taxed with the Lands thro' which ſuch Waters ſhall be conveyed.

If private Works be found beneficial to Towns in any other Diſtrict, ſuch Towns to contribute in proportion.

XIX. And be it further enacted, That if any ſuch private Works, Banks, Gowts or Engines, in any one of the ſaid Diſtricts, ſhall be found beneficial to any other Townſhips, Pariſhes or Places within the ſame or any other Diſtrict appointed or aſcertained by virtue of this Act, then ſuch Townſhips, Pariſhes or Places ſhall contribute towards the Charge of making and preſerving the ſaid Works, in proportion to the Benefit they ſhall receive thereby; which Proportion ſhall be adjuſted and aſcertained by any three or more of the General Commiſſioners, not being Commiſſioners of any of the Diſtricts in queſtion; and that the Waters of each Townſhip, Pariſh or Place, lying within the firſt and third Diſtricts, ſhall be iſſued and carried to the River *Witham* down the preſent Drains, or by Drains within the ſame.

Commiſſioners of the fourth Diſtrict to raiſe Taxes within Wildmore and Weſt Fens, by incloſing a Part thereof:

XX. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners of the ſaid fourth Diſtrict, or any five or more of them, to raiſe, or cauſe to be raiſed, ſuch Taxes as ſhall be charged or aſſeſſed upon the Commons in *Wildmore Fen* and *Weſt Fen*, for defraying the Charges and Expences as well of the general Drainage, as of the particular Works to be done within the ſaid fourth Diſtrict, by incloſing any Part of the ſaid Commons, not exceeding eight hundred Acres in the *Weſt Fen*, and ſix hundred Acres in *Wildmore Fen*; and that the ſaid Commiſſioners, or any five or more of them, ſhall and may, from Time to Time, ſo long as it ſhall be neceſſary for the Purpoſes aforeſaid, grant a Leaſe or Leaſes of the Land and Ground, ſo to be incloſed, unto any Perſon or Perſons, at and for the beſt Rent they can get for the ſame, for any Term not exceeding twenty-one Years; and that the Money

ney ariſing from ſuch incloſed Lands by virtue and in purſuance of this Act, ſhall be applied only towards paying the Taxes and Rates charged on the ſaid *Wildmore* and *Weſt Fens* reſpectively.

Exception. XXI. Provided always, That no ſuch Incloſure ſhall be made in the ſaid Fens within the Diſtance of half a Mile from *Frith Bank*, or from any other Incloſure, without the Conſent of the Proprietors thereof (other than and except ſuch Lands as are to be cut off by the deſigned new River, which are to be deemed and taken as Lands liable to be incloſed by this Act); and that the Lands and Grounds ſo to be incloſed ſhall not be ſubject to the Payment of any Tythes, Taxes parochial or otherwiſe, during the Time the ſame ſhall remain incloſed.

Such Incloſures not to be ſubject to Tythes.

Taxes to be raiſed in like manner as Holland Fen's. XXII. And be it further enacted, That the Taxes which ſhall be aſſeſſed or charged upon *Holland Fen*, for defraying the Charges and Expences as well of the general Drainage as of the particular Works to be done within or for the Purpoſes of draining the ſaid Fen, ſhall and may be raiſed by the Commiſſioners of the ſaid ſecond Diſtrict, or any five or more of them, by incloſing Part of the ſaid Fen, not exceeding in the Whole one thouſand Acres; and the ſaid Commiſſioners, or any five or more of them, may and are hereby impowered from Time to Time, ſo long as it ſhall be neceſſary for the Purpoſes aforeſaid, to grant a Leaſe or Leaſes of the Land and Ground ſo to be incloſed to any Perſon or Perſons, at and for the beſt Rents they can get for the ſame, for any Term or Terms not exceeding twenty-one Years, for the Purpoſes aforeſaid.

Exception. XXIII. Provided always, That no Part of the Lands in the ſaid Fen ſhall be incloſed which lies South of the *Old Forty Foot Drain*, or North of the ſaid Drain nearer than one Mile from *Brothertoft*, without the Conſent of the Proprietors thereof, except ſuch Lands as may be cut off by the intended new River, which are to be underſtood as Lands liable to be incloſed by this Act; and that the Lands ſo to be incloſed ſhall not be ſubject to the Payment of any Tythes, Taxes parochial or otherwiſe, during ſuch Incloſure, other than and except that if any Perſon or Perſons ſhall occupy any Part of ſuch Fen, which ſhall be incloſed for the Purpoſe of paying the Taxes to be laid by virtue of this Act, the ſaid incloſed Lands, ſo occupied, ſhall be ſubject to the Payment of ſuch Tythe only as ſhall and may ariſe, renew, increaſe or happen in or upon ſuch incloſed Part of ſuch Fen, by depaſturing of all living Stock or Cattle, in ſuch manner as Tythe for the ſame hath uſually been, or now is, or ought to be paid.

Rights of Lords of Manors in Holland Fen, ſaved. XXIV. Provided alſo, That nothing herein contained ſhall prejudice, impeach or defeat any Rights or Privileges of the reſpective Lords of *Wildmore Fen*, *Weſt Fen*, and *Holland Fen*, or any of them, in, to, or out of the ſaid Lands ſo to be incloſed (other than and except the Right of Brovage) and that the Money ariſing from Lands incloſed in *Holland Fen*, by virtue and in purſuance of this Act, ſhall be applied only towards paying the Taxes and Rates charged on the ſaid Fen.

A ſufficient Part of any other Commons may be incloſed for Payment of Taxes, by Conſent. XXV. And be it further enacted, That the Taxes which ſhall be aſſeſſed or charged upon any other Common within the firſt, third, fifth and ſixth Diſtricts, for defraying the Charges and Expences as well of the general Drainage as of the particular Works to be done within the ſame Common reſpectively, ſhall and may be raiſed by the Commiſſioners of the Diſtrict wherein ſuch Common lies, or any five or more of them, by an Incloſure of Part of the ſaid Common, ſo as no Half Year Land ſhall be made liable to be incloſed hereby; and the ſaid Commiſſioners, or any five or more of them, may and they are hereby impowered to grant a Leaſe or Leaſes thereof, to any Perſon or Perſons, at and for the beſt Rent they can get for the ſame, for any Term not exceeding twenty-one Years, for the Purpoſes aforeſaid: Provided always, That ſuch Incloſure be made by and with the Conſent and Approbation of the Lord of the Manor, and the major Part of the Perſons having Right of Common therein, at a Meeting to be held for that Purpoſe, of which fourteen Days Notice ſhall be given, by affixing the ſame upon the Church Door of the Pariſh, or other uſual Place for affixing publick Notices, by the Commiſſioner elected for ſuch Pariſh, who is hereby required to cauſe ſuch Notice to be given; and that the Money ariſing from ſuch incloſed Lands by virtue and in purſuance of this Act, ſhall be applied only towards paying the Taxes and Rates to which the Commons in ſuch Pariſh ſhall be made liable by virtue of this Act.

Exception. XXVI. Provided always, That no more Common Lands ſhall be incloſed in any one Pariſh within the firſt, third, fifth and ſixth Diſtricts, than what ſhall be thought neceſſary for diſcharging the Taxes and Rates, to which the Commons in ſuch Pariſh ſhall be made liable by virtue of this Act, within ſuch reſpective Pariſh only; and that the Lands ſo to be incloſed ſhall not be ſubject to the Payment of any Tythes, Taxes parochial or otherwiſe, during the Time the ſame ſhall remain incloſed.

Such Incloſures not to be ſubject to Tythes.

Commiſſioners of the Diſtricts wherein Holland, Wildmore, and Weſt Fen lie, to apply Monies ariſing from Sale of Lands cut through for the new River towards incloſing of Lands, and Payment of Taxes. XXVII. And be it further enacted, That it ſhall and may be lawful to and for the Commiſſioners of the Diſtricts wherein the Commons of *Wildmore Fen*, *Weſt Fen*, and *Holland Fen* reſpectively are comprized, or any five or more of them, to apply any Money that may ariſe from the Sale of ſuch Common Lands in the ſaid Fens as ſhall or may be cut through, uſed or covered for the ſaid new intended River, or the Banks thereof, for and towards the Charges of incloſing of Lands in the ſaid Fens, or for defraying the Taxes charged thereon, or for any private Works of Drainage within the ſame reſpectively, as they ſhall judge proper and reaſonable.

Tenants to pay Taxes, and deduct the ſame; except Leaſes, which will not expire till after the End of 14 Years; XXVIII. And be it further enacted, That the Taxes to be charged and aſſeſſed as aforeſaid, by virtue of this Act, ſhall be paid by the Tenants of the Lands and Tenements charged with the ſame reſpectively; and ſuch Tenants ſhall and may deduct and defalk the ſame out of the Rents payable to their reſpective Landlords.

XXIX. Provided always, That in caſe any Tenant ſhall hold any Lands or Tenements ſo to be taxed by virtue of or under any Leaſe for any Term of Years which will not expire till after the End of fourteen Years, to be computed from *Lady-day* one thouſand ſeven hundred and ſixty-two, then ſuch Taxes ſhall be paid by the Landlord and Tenant in ſuch Shares and Proportions as ſhall be adjuſted, aſcertained and determined by the Commiſſioners of the Diſtrict or Diſtricts wherein the ſaid Lands and Tenements are ſituate, or any three or more of them.

and Church Leaſes. XXX. Provided alſo, That all Perſons holding their Lands and Tenements under Biſhops, College or Church Leaſes, or other Leaſes, not at a Rack-rent, ſhall pay the whole Taxes, and ſhall not be intitled to any Deduction from their ſeveral Landlords in reſpect thereof.

XXXI. And be it further enacted, That the Commiſſioners of the ſecond and fourth Diſtricts reſpectively are hereby authorized and impowered to pay the General Commiſſioners, to be appointed or choſen to ſerve

for their reſpective Diſtricts, their Charges and Expences of attending the General Meetings, ſo that the ſame does not exceed ten Shillings a Day, out of the Surplus Rents, if there ſhall be any ſuch, which ſhall ariſe from the Lands to be incloſed in the Commons in ſuch reſpective Diſtricts, or in ſuch Manner as the ſaid Commiſſioners, or any five or more of them, ſhall think proper, to raiſe the Monies for ſuch Purpoſe within their reſpective Diſtricts.

Proprietors to give in an Account of their Lands.

XXXII. And be it further enacted, That an Account of the ſeveral Lands and Grounds within the ſeveral Diſtricts aforeſaid, and liable to be rated and taxed by virtue and within the Meaning of this Act, ſhall, on or before the ſecond *Tueſday* in *January* one thouſand ſeven hundred and ſixty-three, be given to the Commiſſioners for ſuch reſpective Diſtricts, or to their Clerks, by the Owners, Proprietors or Occupiers, of ſuch Lands and Grounds reſpectively, to be by them forthwith tranſmitted to the Clerk to the General Commiſſioners; and if any of the Owners, Proprietors, or Occupiers of Lands within any ſuch Diſtrict or Diſtricts, ſhall neglect or refuſe to give in to ſuch Commiſſioners, or their Clerk, a particular Account of the Number of Acres belonging to them, or in their Poſſeſſion reſpectively, diſtinguiſhing therein how much thereof is private Property, Half Years Land, Common or other kind of Land reſpectively; and in caſe there ſhall be reaſon to ſuſpect that the Number of Acres is not truly ſtated in any ſuch Account, or not properly diſtinguiſhed in Manner aforeſaid, it ſhall be lawful for the ſaid General Commiſſioners, or any five or more of them, to order a Survey to be made of any of the ſaid Lands by ſome able Surveyor, not being a Proprietor of any Lands in the ſaid Diſtrict, upon Oath (which Oath any two of the ſaid Commiſſioners are hereby impowered to adminiſter); and any Survey which ſhall be ſo made ſhall be a ſufficient Warrant and Authority to the ſaid Commiſſioners, or any five or more of them, to aſcertain and determine the Quantities and alſo ſuch Diſtinctions as aforeſaid of ſuch Land, and the Charge of ſurveying the Lands of ſuch Perſon or Perſons as ſhall neglect or refuſe to give in ſuch Account, or ſhall deliver in a falſe Account, ſhall be paid by ſuch Perſon or Perſons reſpectively; and in Caſe of Non-payment thereof, ſhall be recovered in ſuch Manner as the Taxes are herein directed to be recovered; and in caſe it ſhall appear, upon any ſuch Survey, that the Number and Diſtinction of Acres were truly ſtated in any ſuch Account, the Charge of ſuch Survey ſhall be defrayed out of the Monies ariſing by virtue of this Act for the Purpoſes of the General Drainage.

Determination of Diſputes about high Lands.

XXXIII. Provided always, and be it further enacted, That no Tax or Aſſeſſment ſhall be rated, charged, or levied, for or in reſpect of any Lands being Part of the Lands bounded and deſcribed as aforeſaid, which are known and diſtinguiſhed by the Name of high Lands, or which have not been ſubject to Inundations, or to be otherwiſe annoyed by Flood-water: And if in the caſe of any Tax, to be aſſeſſed by the General Commiſſioners of general Drainage, any Diſpute ſhall ariſe, whether any of ſuch Lands ſhall or ſhall not be deemed high Lands, or have not been ſubject to Inundations, or otherwiſe annoyed by Water, the ſame ſhall be determined, upon view, by five of the private Commiſſioners, herein before required to be elected by and for the ſaid ſix Diſtricts, nor having any Property in, nor being elected by, the Diſtrict wherein ſuch Lands ſhall lie; two of which Commiſſioners ſhall be nominated by the Commiſſioners for the Diſtrict wherein ſuch Lands are ſituate, or any three or more of them; and the other two by the Proprietor or Proprietors of the Lands in Diſpute; and the fifth by ſuch four Commiſſioners ſo previouſly nominated as aforeſaid; and if ſuch four Commiſſioners cannot agree in the Choice of a fifth, he ſhall be nominated at the firſt ſubſequent Meeting of General Commiſſioners of general Drainage; and all ſuch Commiſſioners, before they proceed to determine ſuch Diſpute, ſhall take an Oath well and truly, to the beſt of their Judgment and Knowledge, to determine whether ſuch Lands have been ſubject to Inundations, or otherwiſe annoyed by Flood-water, or ought to be deemed low Lands, liable to be taxed by virtue of this Act (which Oath any one or more of the ſaid private Commiſſioners for the ſaid Diſtricts are hereby impowered to adminiſter) and ſuch Commiſſioners ſhall ſet forth their Determination in two diſtinct Writings, and ſhall ſign the ſame; and one of ſuch Writings ſhall be delivered to the Owner of ſuch Lands, and the other of ſuch Writings ſhall be delivered to the Clerk to the General Commiſſioners for Drainage.

Perſons refuſing to pay their Taxes,

XXXIV. And be it further enacted, That if any Perſon or Perſons whoſe low lands and Fens ſhall be taxed or aſſeſſed as aforeſaid by virtue of this Act, ſhall refuſe or neglect to pay ſuch Tax, for the Space of twenty-one Days next after Demand thereof made, by the reſpective Collector or Collectors of the ſaid Taxes, then and in every ſuch caſe the ſaid General Commiſſioners, or any five or more of them, and the ſaid Commiſſioners of the ſaid reſpective Diſtricts, or any five or more of them, ſhall and may, and they are hereby authorized reſpectively by Warrant under their Hands and Seals to impower their reſpective Collector or Collectors to levy the ſame by Diſtreſs and Sale of the Goods and Chattles which ſhall be found on the Lands charged with the Taxes in Arrear; and if the Lands ſhall be untenanted, or no ſufficient Diſtreſs can be found for levying the ſaid Taxes, the Lands chargeable therewith ſhall remain a Security for Payment thereof, and the ſaid reſpective Commiſſioners, or any five or more of them, ſhall, in ſuch caſe, after Default of Payment for three Months (having given one Month's Notice in Writing to the Owner of ſuch Lands, or his Agent) be, and they are hereby authorized and impowered to enter into and upon the ſaid Lands, and let the ſame from Year to Year, for the beſt Rent that can be procured for the ſame, until all Arrears of the ſaid Taxes, and all Expences of raiſing the ſame, ſhall have been fully paid and ſatisfied; and the Produce thereof ſhall be applied, in the firſt place, towards diſcharging the ſaid Taxes, and the Charges attending ſuch Entry, and the Reſidue thereof ſhall be paid by ſuch Collector or Collectors to the Owner of ſuch Lands, or his or her Agent, when demanded.

the ſame to be levied by Diſtreſs and Sale.

Grounds unoccupied to remain a Security.

XXXV. 'And whereas from the Multitude of Proprietors intereſted in the ſeveral Commons of *Holland*, *Wildmore*, and *Weſt Fens* reſpectively, Diſputes may ariſe, ſo as to prevent ſuch Incloſures being 'made as are herein before provided for raiſing the Taxes to be charged on the ſaid Fens or any of them, 'by virtue of this Act: And whereas if no ſuch Incloſures ſhould be agreed upon and made in due Time, 'by the Commiſſioners for ſuch Diſtricts reſpectively, wherein the ſaid common Fens are ſituate, great 'Difficulties may ariſe in levying the ſame;' Be it therefore further enacted, That if the Proprietors of all or any of the ſaid Commons of *Holland Fen*, *Wildmore* and *Weſt Fens* reſpectively, do not pay the Taxes

General Commiſſioners to

to be aſſeſſed upon the ſaid Commons, or any of them, within ſix Months after the ſame ſhall become payable, and Notice given for that Purpoſe, by cauſing the ſame to be affixed upon the ſeveral Market Croſſes of *Boſton*, *Spilſby*, and *Horncaſtle*, that then it ſhall and may be lawful for the ſaid General Commiſſioners, or any ſeven or more of them, and they are hereby veſted with all and every the Powers and Authorities for incloſing ſuch Parts, and ſo much of the ſaid common Fens reſpectively, where ſuch Default in Payment ſhall happen, and from Time to Time to demiſe the ſame in ſuch manner, and under and ſubject to the ſame Reſtrictions, Proviſoes, and Regulations, as are herein before directed and preſcribed to the Commiſſioners of the ſeveral and reſpective Diſtricts wherein the ſaid common Fens do lie; and ſo as the Money ariſing from ſuch Lands ſo to be incloſed, be applied to the very ſame Purpoſes as the Monies to ariſe by an Incloſure of any of the ſaid Commons are herein before directed to be applied, and no other; any thing herein before contained to the contrary notwithſtanding.

Incloſe Lands in Holland, Wildmore, and Weſt Fens, in caſe the Taxes aſſeſſed thereon are not paid in due Time.

XXXVI. And be it further enacted, That the ſaid General Commiſſioners, or any ſeven or more of them, ſhall, in the firſt place, cauſe a grand Sluice or Sluices for ſtemming the Tide to be erected between *Lodowick's Gowt*, and *Boſton Bridge*, at or near a Piece of Ground commonly called *Harriſon's Four Acres*; the Floor whereof to be three Feet at leaſt lower than the preſent Floor of *Lodowick's Gowt*, and its neat Capacity, or clear Water Way, to be fifty Feet wide at leaſt, with three or more Pair of pointing Doors to the Seaward, to ſhut with the Flow of the Tides; and alſo pointing Frames provided with Drop or Draw Doors on the Landſide or to Landward, to be ſhut occaſionally, as the ſaid Commiſſioners, or any ſeven or more of them, ſhall direct, in order to retain freſh Waters in dry Seaſons for the Uſe of Cattle and the Navigation; the Top of which Draw Doors to be gauged to ſuch a Height as to retain the Water of the River not higher at ordinary Seaſons than two Feet below the medium Surface of the loweſt Lands that drain therein; and alſo that the ſaid General Commiſſioners, or any ſeven or more of them, ſhall make, or cauſe to be made, a new Cut from the ſaid Sluice or Sluices, unto or near unto *Anthony's Gowt*, of the Breadth of eighty Feet at the Top, fifty Feet at the Bottom, and of the Depth of ten Feet at a Medium, more or leſs, as the Commiſſioners ſhall think proper, and in as ſtrait a Direction as the Nature of the Ground will properly admit; and ſhall make, or cauſe to be made, a Bank on each Side thereof, at leaſt forty Feet from the Prick of the Spade, and ten Feet high, with the Earth ariſing therefrom; and alſo that the ſaid General Commiſſioners, or any ſeven or more of them, ſhall order and direct the Engineers and Workmen to proceed, with all convenient Speed, in making a new Cut or Cuts to proceed from or near *Anthony's Gowt* to or near *Langrike Ferry*, and from thence to or near *Chappel Hill*, the ſaid Cut or Cuts to be made as ſtraight as may be, without doing any Damage to the Houſe or Ferry at *Langrike*, (without hindering or prejudicing the Uſe or Working of the ſaid Ferry for Carriage of any Perſon, Cattle, or Carriages whatſoever, for Hire acroſs the ſaid Cut or Cuts) and as may conſiſt with following the loweſt Level of the Country, and ſhall be moſt proper for anſwering the Purpoſes of a general Drainage; the ſaid Cut or Cuts to be not leſs at a Medium than of the following Dimenſions; that is to ſay, ſixty-eight Feet at the Top, fifty Feet at the Bottom, and nine Feet deep, the Earth to be taken therefrom to be diſpoſed in Bank Faſhion, at the Diſtance of forty Feet from the Prick of the Spade, and to be made at a Medium nine Feet high.

Works to be ordered by the General Commiſſioners.

XXXVII. And be it further enacted, That the ſaid General Commiſſioners, or any ſeven or more of them, ſhall, and they are hereby impowered to cleanſe, ſcour, widen, deepen, and imbank the River *Witham*, according to its preſent Courſe, from *Chappel Hill* to *Stamp End* near the City of *Lincoln*, where neceſſary, ſo as to be anſwerable in Depth and Capacity to the Rivers and Cuts already directed to be made, and to remove all obſtructions, Fiſhing Wears, and Impediments in the Channel of the ſaid River, and to do all other Matters and Things that ſhall be neceſſary or conducive towards effecting the Purpoſes of the general Drainage as high as *Stamp End* aforeſaid.

River Witham to be widened, &c.

XXXVIII. Provided always, and be it further enacted, That the ſaid River and Cuts ſhall be ſo made as to run off or reduce the Surface of the Water in the ſaid River, at ordinary Seaſons, two Feet at leaſt below the medium Surface of the loweſt Lands adjoining upon each Part thereof reſpectively.

Surface of the Water thereof to be 2 Feet below the medium Surface Lands adjoining.

XXXIX. And be it further enacted, That as ſoon as the Works before mentioned ſhall be compleated as far as *Chappel Hill*, the ſaid General Commiſſioners, or any ſeven or more of them, ſhall and they are hereby required to cauſe ſuch a Number of Workmen to be employed in carrying on the Works upon the Mother River above *Chappel Hill*, as ſhall be at leaſt equal to the Number of Workmen at the ſame Time employed upon the Side Rivers, Banks, and Drains herein after mentioned.

The ſame Number of Workmen to be employed on the Mother River as on the Side Rivers.

XL. And be it further enacted, That the ſaid General Commiſſioners, or any five or more of them, are hereby authorized, impowered, and required to cauſe a new Gowt to be made and erected at the general Expence, in the North Bank of the intended new Cut or River, at or near the Place where *Anthony's Gowt* now ſtands, and to cauſe the ſaid Gowt to be begun upon as ſoon as the ſaid intended new Cut or River ſhall be made as far up as to the Place where the ſaid intended new Gowt is to be erected, and to cauſe the ſame to be finiſhed with all convenient Speed; the ſaid new Gowt to be made of one Arch or Tun of fourteen Feet clear Waterway, and the Floor thereof to be laid as low as the Bed or Bottom of the ſaid intended new Cut or River, and to be of ſuch Headway as the ſaid Commiſſioners ſhall think proper; and the ſaid General Commiſſioners, or any five or more of them, ſhall cauſe to be made at the general Expence, a new Cut from the Place where the ſaid new Gowt ſhall be erected, to the Place where *Anthony's Gowt* now ſtands, of ſufficient Dimenſions for conveying the Waters of *Wildmore* and *Weſt Fens* through the ſaid intended new Gowt, and to be made as ſoon after the ſaid new Gowt is finiſhed as conveniently may be: And in caſe it ſhall appear to the General Commiſſioners of the fourth Diſtrict, or any five or more of them, that the Commons called *Wildmore* and *Weſt Fens*, and the low Grounds adjoining thereto, are not thoroughly drained through the ſaid new Gowt, it ſhall and may be lawful for the ſaid General Commiſſioners of the fourth Diſtrict, or any five or more of them, to order any new Cuts to be made, or any old ones to be ſcoured out in the ſaid Commons, and alſo to order ſuch further Works as they ſhall think neceſſary and proper for draining the ſaid Fens and low Grounds through *Maud Foſter's Gowt*, at the Ex-

Relating to Anthony's Gowt & Maud Foſter's Gowt.

Expence of ſuch Lands in the fourth Diſtrict, which ſhall not have contributed to *Maud Foſter's Gowt*, in ſuch Proportion as the ſaid Commiſſioners, or any five or more of them, ſhall adjudge or determine.

Proviſo relating thereto.

XLI. Provided always, That if any Detriment ſhall ariſe to the Lands now draining through *Maud Foſter's Gowt*, the General Commiſſioners, or any five or more of them, upon Appeal made to them by the Majority of the Proprietors of the Lands now draining through *Maud Foſter's Gowt*, and expreſſing the particular Damage, ſhall order, if they judge reaſonable, ſuch Enlargements to the ſaid *Aland Foſter's Gowt*, and the Drains leading thereto, as ſhall be ſufficient to relieve the ſaid Lands, and prevent any future Damage to the ſame, to be done at the Expence of ſuch Lands in the ſaid fourth Diſtrict, as ſhall not have contributed towards the Expence of the ſaid *Maud Foſter's Gowt*.

Materials veſted in General Commiſſioners.

XLII. Provided always, That the Materials of which *Anthony's Gowt* is conſtructed ſhall be and the ſame are hereby veſted in the ſaid General Commiſſioners, to be by them, or any five or more of them, applied and diſpoſed of in ſuch manner as they ſhall think proper for the general Works of Drainage.

Side Rivers or Drains to be ſcoured, &c. at the General Charge.

XLIII. 'And whereas, in order for the effectual ſcouring of the ſaid Out-fall, and thereby draining 'the low Lands and Fens intended to be drained and improved by virtue of this Act, it is abſolutely neceſ-'ſary to preſerve the living Waters, and to confine the Flood Waters falling into the ſame Channels, and for 'that Purpoſe to ſcour out, deepen and imbank, not only the Mother River, but alſo the ſeveral Rivers or 'Channels of *Kyme Eau*, *Tatterſhall Bane*, *Billinghay Skirths*, *Duns Dyke*, *Nocton Dyke*, *Waſhingborough* '*Beck*, *Stickſwould Beck*, *Southerby Eau*, *Tupholm Dyke*, *Bardney Beck*, *Barlings Eau*, *Stainfield Beck*, and '*Bullington Beck*;' Be it therefore further enacted, That it ſhall and may be lawful to and for the ſaid General Commiſſioners, or any five or more of them, to cauſe the ſaid Rivers, Dykes, and Becks, herein before mentioned and deſcribed, to be ſcoured, widened, deepened, and imbanked, by the Ways and Means and for the Purpoſes herein and hereby mentioned, directed, provided, and declared; and that the Charge and Expence of the doing, executing, and performing, the ſeveral Works laſt before-mentioned, ſhall be paid and defrayed by and out of the Money raiſed by the Taxes or Aſſeſſments to be made by the General Commiſſioners for the Purpoſe of Drainage by virtue and in purſuance of this Act.

Deſcription thereof.

XLIV. And be it further enacted, That the ſaid ſeveral Rivers, Channels, Becks, Dykes, and Waters, ſo neceſſary to be ſcoured, deepened, and imbanked, as aforeſaid, ſhall be ſo ſcoured, deepened, and imbanked, in Manner and to the Effect herein after mentioned; that is to ſay, The Channel of *Kyme Eau* from the ſaid River *Witham* to *Ewerly Fen Corner* called the *Clapps*, and ſo much higher as ſhall be found neceſſary; the Channel of *Tatterſhall Bane* from the River *Witham* to *Dickinſon's* Engine, and ſo much higher as ſhall be found neceſſary; the Channel of *Billinghay Skirths* from the River *Witham* to *Billinghay* Town, and from thence to *Kyme* Cauſeway Bridges, and from thence to the Junction of *Scopwick Beck* with *North Kyme Fen Dyke*, and ſo as that their Banks may be thirty Feet broad at the Seat, ſix Feet at the Top, and ſix Feet high or thereabouts at a Medium; *Duns Dyke* from the River *Witham*, to the *Car Dyke*, and *Barlings Eau* from the River *Witham* to *Abby*, and ſo much higher as ſhall be found neceſſary, ſo as that their Banks ſhall be fifteen Feet broad at the Seat, five Feet at the Top, and five Feet high or thereabouts at a Medium; *Waſhingborough Beck* from the River *Witham* to the ſaid *Car Dyke*, ſo as the Banks thereof ſhall be twelve Feet broad at the Seat, four Feet at the Top, and four feet high or thereabouts at a Medium; and that *Stickſwould Beck*, *Southrey Eau*, *Tupholm Dyke*, and *Bardney Beck*, from the River *Witham* to the adjoining high Grounds, as far as ſhall be found neceſſary, and *Stainfield Beck* and *Bullington Beck* from *Barlings Eau* to the high Grounds, in Length four Furlongs, and ſo much further as ſhall be found neceſſary; and alſo all other Becks on the North Side of the River *Witham* ſhall be ſcoured out and imbanked in proportion to the Flood Waters they bring down.

Commiſſioners may heighten, &c. the Banks.

XLV. Provided always, That if any of the ſaid Dimenſions of the ſaid Banks ſhall be found inſufficient for the ſaid Purpoſes, it ſhall be lawful for the ſaid General Commiſſioners, or any five or more of them, to heighten, enlarge, and ſtrengthen the ſame, in ſuch manner as ſhall be by them, or any five of them, thought effectual and neceſſary for preſerving the ſaid living Waters, and confining the ſame and the Flood Waters within the ſaid Channels.

A Cut to be made from Langrike Gowt to the new Cut or River,

XLVI. Provided always, and be it further enacted, That when the ſaid New Cut or River ſhall be compleated as far as *Langrike Gowt*, the ſaid General Commiſſioners for Drainage, or any five or more of them, ſhall, at the general Charge, cauſe a new Cut to be made from *Langrike Gowt* to the ſaid new Cut or River, when the ſame ſhall be required to be done by the Commiſſioners of the ſaid ſecond Diſtrict, or any five or more of them, and by the Commiſſioners of the ſaid ſixth Diſtrict, or any five or more of them; and that the Drains leading to the ſaid new Cut from *Heckington Eau*, and the other Drain from the *Skirth* acroſs *Holland Fen*, ſhall be ſcoured up and cleanſed at the general Charge, and under the Directions of the ſaid General Commiſſioners, or any five or more of them.

and another from Lodowick's Gowt to the new Cut or River, at the general Charge.

XLVII. Provided always, and be it further enacted, That when the ſaid new Cut or River ſhall be compleated weſtward of *Lodowick's Gowt*, the ſaid General Commiſſioners for Drainage, or any five or more of them, ſhall, at the general Charge, cauſe a new Cut to be made from *Lodowick's Gowt* to the ſaid new Cut or River, when the ſame ſhall be required to be done by the Commiſſioners of the ſaid ſecond Diſtrict, or any five or more of them.

Outring and Diviſion Dykes to be kept open by the Proprietors.

XLVIII. And be it further enacted, That all Owners and Occupiers of Lands who are obliged of Right on that Behalf, ſhall, from Time to Time, make and keep their Outring or Diviſion Dykes or Drains, nine Feet broad and five Feet deep; and ſhall, from Time to Time, cauſe the ſame to be roaded and ſcoured, and Bridges and Tunnels to be laid therein, where neceſſary: And if any Perſon ſhall refuſe or neglect to do the ſame for the Space of fourteen Days after Notice given by the Surveyor in Writing, and ſigned by two Commiſſioners of the Diſtrict wherein ſuch Land ſhall lie, it ſhall and may be lawful to and for the Commiſſioners of the ſaid Diſtrict, or any five or more of them, to cauſe and order the ſame to be done, and, by Warrant under their Hands and Seals, to cauſe the Charges attending the ſame to be levied by Diſtreſs and Sale of the Goods and Chattles of the Offender, returning the Overplus (if any) when demanded, to the Perſon or Perſons whoſe Goods and Chattles ſhall be ſo diſtrained and ſold. XLIX.

XLIX. Provided always, That nothing herein contained ſhall extend to prevent or hinder the Lord of any Manor or other Owner or Proprietor of Lands within any of the ſaid ſeveral Diſtricts, from making, or cauſing to be made, any Drains or Diviſion Dykes, or other Works, at their own Expence, within their own Lands reſpectively; provided ſuch Drains or Diviſion Dykes do not detriment or interfere with the general or private Works of Drainage to be performed by virtue of this Act. Lords of Manors may make Diviſion Dykes at their own Expence, but not to interfere with the Works of Drainage.

L. And be it further enacted and declared, That the General Commiſſioners for Drainage, or any five or more of them, ſhall, out of the Money to be by them raiſed, pay to the Surveyors of *Holland Fen* the Sum of one hundred Pounds, in conſideration of the Works by them done to *Lodowick's Gowt*; and that from the Time that the ſaid general Works of Drainage ſhall be begun, until the Water of the River *Witham* at *Chappel Hill* ſhall be turned into the new River before deſcribed, and from thence diſcharged by the grand Sluice, *Lodowick' Gowt* ſhall, for the Safety of the Country, be ſupported and maintained at the general Charge, and ſo much longer as the General Commiſſioners, or any eleven or more of them, ſhall think the ſame conducive towards effecting the Purpoſes of the general Drainage, but not afterwards. Lodowick's Gowt to be ſupported at the general Charge.

LI. and be it further enacted, That the general Commiſſioners, or any five or more of them, ſhall and may cauſe the Tunnels ſunk under *Kyme-Eau* and *Billinghay-Skirths* to be removed and taken away, leaving the Materials for the Uſe of the Owners thereof; and that no cut, Channel, or Tunnel, ſhall at any Time thereafter be made or laid in the Places aforeſaid, or in any other Place, for diverting any of the Water out of the ſaid River *Witham*, except as herein after mentioned: And if any ſuch Cut, Channel, or Tunnel, ſhall be ſo made or laid, the ſaid Commiſſioners, or any five or more of them, ſhall cauſe the ſame to be filled up, abated, or removed, and, by Warrant under their Hands and Seals, to cauſe the Charges attending the ſame to be levied by Diſtreſs and Sale of the Goods and Chattles of the Offender, returning the Overplus (if any) when demanded, to the Perſon or Perſons whoſe Goods and Chattles ſhall be ſo diſtrained and ſold. Tunnels under Kyme-Eau and Billinghay-Skirths to be removed.

LII. And be it further enacted, That in caſe the low Lands and Fens lying in *North Kyme* and *Billinghay Dales*, betwixt *Kyme-Eau* and *Billinghay-Skirths*, ſhall not be ſufficiently drained by the Expedients aforeſaid, ſo as to iſſue and convey their Downfall and Soakage Waters into *Kyme-Eau* or the River *Witham* above *Chappel Hill*, the Owners and Proprietors of ſuch low Lands and Fens reſpectively may, when they think the ſame neceſſary, and they are hereby impowered to lay a Tunnel under *Kyme-Eau* betwixt *Drury Dyke* and the Twenty-foot Drain, not exceeding two Feet ſquare, for conveying ſuch Waters into the River *Witham* through *Langrike Gowt*, ſo as ſuch Tunnel be laid ſo low and ſo effectually built and ſecured as not to obſtruct the neceſſary deepening of *Kyme-Eau*, or the free Paſſage of the Waters thereof into the River *Witham*. Proprietors of Lands in North Kyme and Billinghay Dales, to lay a Tunnel under Kyme-Eau, if Occaſion.

LIII. Provided always, That if the aforeſaid Proprietors ſhall ſuffer any Waters more than the ſaid Downfall and Soakage to be conveyed through the ſaid Tunnel, then, and in ſuch Caſe, the Commiſſioners of the ſecond Diſtrict, or any five or more of them, ſhall and may, and they are hereby authorized and impowered, to remove and take away ſuch Tunnel; and the Lands intended to be benefited thereby ſhall thereupon be diſcharged from contributing towards the Expence of *Red Stone Gowt*.

LIV. Provided alſo, That it ſhall and may be lawful to and for the Proprietors of the Tunnel called *Dampford Tunnel*, now lying under the ſaid *Kyme-Eau*, to continue the ſame, but ſubject to and under the like Reſtrictions and Proviſions as are herein before mentioned, provided, and declared, of and concerning ſuch Tunnel as is herein before licenſed or permitted to be laid or continued under *Kyme-Eau*. Dampford Tunnel to be continued;

LV. Provided alſo, That the Tunnel lying through the South Bank of *Kyme-Eau* in *South Kyme*, near *Dampford Sluice*, and alſo the Tunnel in *Dog-dyke* for conveying Water into *Holland Fen* and *Wildmore Fen* reſpectively, ſhall and may be continued for the Purpoſe only of Conveying Water into the ſame Fens reſpectively, and the Eleven Towns having Right of Common in *Holland Fen* aforeſaid, according to ancient Cuſtom, for the Uſe of Cattle in dry Seaſons; and alſo that *Heckington Tunnel*, and all other old Tunnels, except as before directed to be removed, may be uſed and continued as heretofore for the ſame Purpoſe, provided the ſame do not exceed nine Inches ſquare. and other Tunnels for watering Cattle in dry Seaſons.

LVI. And be it further enacted, That it ſhall and may be lawful for the ſaid General Commiſſioners, or any five or more of them, to licenſe, order or appoint ſuch other Tunnels, not exceeding nine Inches ſquare, in and through any of the Banks of the ſaid ſeveral Rivers and Drains reſpectively, for conveying Water into any other of the low Grounds or Fens ſo intended to be drained as aforeſaid for the watering of Cattle in dry Seaſons only, as the ſaid Commiſſioners, or any five or more of them, ſhall think proper and requiſite: And alſo that it ſhall and may be lawful to and for the eleven Commiſſioners for the eleven Towns, having Common Right in *Holland Fen*, together with the Commiſſioners for *North* and *South Kyme*, or the major Part of them, to ſet or cauſe to be ſet down a moveable Staunch in *Kyme-Eau* above *Drury-Dyke*, ſo as ſuch Staunch be made no higher than will be neceſſary to turn the Water into the Tunnels through the Banks into *Holland Fen*, *North Kyme* and *South Kyme*, and to appoint proper Perſons to look after the ſame, and to cauſe the Charge and Expence attending the ſame to be paid and defrayed by and out of the Money ariſing or produced by any Incloſure of Lands in *Holland Fen* (ſubject nevertheleſs to the Direction and Controul of the general Commiſſioners for the Drainage, or any five or more of them) upon Complaint to them made of any Damage ſuſtained thereby. A moveable Staunch to be erected in Kyme-Eau, above Drury-Dyke.

and the Tunnels continued at How Bridge.

LVII. And be it further enacted, That the Tunnels in *Wildmore Fen Bank*, at the End of *How Bridge Drain*, ſhall be likewiſe continued for taking in Water into *Wildmore* and *Weſt Fens* in dry Seaſons for the Uſe of Cattle, ſo as ſuch Tunnels be placed and ſet as low as the ſame can be.

If a ſufficient Quantity cannot be iſſued for Cattle in Wildmore Fen, the Commiſſioners of the 4th Diſtrict may place removeable Shutties to raiſe the Water.

LVIII. Provided always, That if it ſhall be found that the Water in the River *Witham* ſhall be ſo low as that a ſufficient Quantity cannot be iſſued and taken thereout for the Uſe of Cattle in *Wildmore Fen*, then the Commiſſioners of the fourth Diſtrict, or any five or more of them, ſhall and may, and they are hereby authorized and impowered to place, or cauſe to be placed, removeable Shuttles on the Top of the Land Door at the Grand Staunch, ſo as to raiſe the Water in the new intended River to ſuch a Height as to iſſue Water in dry Seaſons through the ſaid Tunnel into the ſaid Fens for the Purpoſes aforeſaid; but ſubject nevertheleſs to be removed and abated by the general Commiſſioners, or any five or more of them, if they ſhall find the ſame prejudicial to the Drainage intended by this Act.

Bed of the Witham, where not incloſed, veſted in the Commiſſioners.

LIX. And be it further enacted, That the Site or Bed of the old River *Witham*, where the ſame is not already incloſed, ſhall be, and the ſame is hereby veſted in the general Commiſſioners, to be by them, or any five or more of them, applied and diſpoſed of in ſuch Manner as they ſhall think neceſſary and proper for the general Works of Drainage.

The Sea Sluice and Rivers to be maintained at the general Charge.

LX. And be it further enacted, That the neceſſary Charges and Expences of maintaining and ſupporting the Sea Sluice, the Mother River, and all other the Rivers, Becks, Drains, and living Waters herein before particularly directed to be ſcoured and deepened, and the Banks thereof, and all other Works which the ſaid general Commiſſioners, or any five or more of them, ſhall order and direct to be performed for the General Works of Drainage, ſhall be paid and defrayed by and out of the Money to be raiſed for the general Works of Drainage, by virtue and in purſuance of this Act.

Staunches to keep back Land Water, how to be erected.

LXI. And be it further enacted, That no Staunch or Land Door ſhall be erected in the ſaid River *Witham*, within the Limits aforeſaid, or in any Rivers or Drains running into the ſaid River *Witham*, within the Limits aforeſaid, already made, or which ſhall be made in purſuance of this Act, ſo as that the Water may be thereby kept up higher than within two Feet of the loweſt Lands lying above ſuch Staunch or Land Door, except for the Uſe of Cattle as before mentioned; nor any Staunch or Land Door at *Lincoln High Bridge*, or between the ſaid Bridge and *Waſhingborough Ferry*, that ſhall not be at leaſt two Feet lower than the loweſt Lands in *Canwick Ings*; any thing in this Act contained to the contrary notwithſtanding.

Commiſſioners of the Diſtricts to exchange Lands ſeparated by the new Cut.

LXII. And be it further enacted, That the Commiſſioners of the ſaid reſpective Diſtricts, or any five or more of them, ſhall and may, and they are hereby authorized and impowered to make Exchanges of any Fen or common Lands, which ſhall be ſeparated by any ſuch Cut to be made for the Purpoſes of this Act.

The Ferry and Road between Tatterſhall and Billinghay preſerved.

'LXIII And whereas, according to the Plan herein before preſcribed, the ancient and publick 'High Road leading from *Tatterſhall* Town to and over *Tatterſhall* Ferry, and to the Town of *Bil-* 'linghay, will be in a great Meaſure covered by Part of the Banks which are to be thrown up and 'made on the North and South Sides of the River *Witham*, at and near *Tatterſhall* Ferry, and by 'the Bank which is to be thrown up and made on the North Weſt Side of *Billinghay Skirth*;' Be it therefore further enacted, That it ſhall and may be lawful for the preſent Proprietor of the ſaid Ferry, or his Heirs and Aſſigns, to preſerve and continue the ſaid Ferry, and all Rights and Privileges belonging to the ſame, in as full and ample Manner as the ſame is now enjoyed; and alſo that the ſaid High Road, now leading from *Tatterſhall* to the ſaid Ferry, ſhall be and remain over the Bank intended to be raiſed by virtue of this Act on the North Side of the River *Witham*, free and open to all his Majeſty's Subjects; this Act or any thing herein contained to the contrary notwithſtanding: And that the ſaid Road leading from the ſaid Ferry to *Billinghay* ſhall paſs and be upon the Bank which ſhall be made by virtue of this Act upon the North Weſt Side of *Billinghay Skirth*, which is hereby declared and enacted to be a publick and common Highway for all his Majeſty's Subjects paſſing and re-paſſing on Foot, or with Horſes, Cattle, Carts, and other Carriages; and that ſuch Perſon or Perſons as, by reaſon of Tenure or otherwiſe howſoever, are now bound to repair the laſt-mentioned Part of the ſaid Road, ſhall and may, and ſuch Perſon and Perſons are hereby impowered and required, from time to time, as often as Occaſion ſhall require, to repair, amend, and ſuſtain ſuch new Road, to be formed upon the ſaid Bank in Manner aforeſaid, and for that Purpoſe to enlarge the ſaid Bank in Breadth to any Dimenſions, not exceeding forty Feet in the whole.

Bank of Billinghay Skirth not to be leſs than 12 Feet in Width.

LXIV. Provided always, That the ſaid Bank ſhall for ever be and remain at the leaſt twelve Feet; and that nothing ſhall be done upon or in relation to the ſaid Road or Ferry which ſhall in any wiſe impede, obſtruct, or make worſe the Drainage or Navigation intended by this Act, or any Works neceſſary or proper for effecting the ſame; and that the Materials for amending and ſupporting the ſame ſhall and may be taken out of the ſaid River called *Billinghay Skirth*, and out of ſuch Part of the ſaid River *Witham* adjoining to the ſaid Ferry, as ſhall be found moſt convenient for the Purpoſes aforeſaid, and ſo adjudged by the ſaid Commiſſioners for Drainage, or any five or more of them, by Writing under their Hands and Seals.

'LXV. And whereas there has been, for Time immemorial, ſeveral other ferrying Places acroſs 'the ſaid River *Witham*, the Property of divers Lords of Manors, or other Perſons;' Be it therefore

Rights of Owners of Ferries reſerved.

enacted, That it ſhall and may be lawful for the preſent Proprietors of the ſaid Ferries, their Heirs or Aſſigns, to preſerve and continue the ſaid Ferries, and all Rights and Privileges belonging to the

ſame,

ſame, in as full and ample a Manner as the ſame are now enjoyed; and alſo that the High Roads or Ways now leading to the ſaid ſeveral Ferries reſpectively, ſhall remain over the Banks intended to made or raiſed by virtue of this Act on both Sides the ſaid River *Witham*, free and open to all his Majeſty's Subjects: And that it ſhall be lawful to and for the ſaid Proprietors of the ſaid Ferries reſpectively, or for the ſeveral Perſons now bound by Law to repair the ſaid Roads reſpectively, to add to the Sides of the ſaid Banks ſuch further Soil, Gravel or other Materials, as ſhall be neceſſary and ſufficient for forming and rendering the ſaid Roads practicable and convenient over the ſaid Banks reſpectively, ſo that the ſame, or any of them, may not be in any Manner reduced below the Dimenſions in and by this Act provided and expreſſed for the ſame reſpectively; this Act or any thing herein contained to the contrary notwithſtanding.

A Bridge to be built to preſerve a Communication between Boſton Weſt and Holland Fen.

LXVI. And be it further enacted, That it ſhall and may be lawful to and for the ſaid General Commiſſioners, or any five or more of them, to cauſe a ſufficient Bridge to be erected acroſs the intended new Cut or River, at ſome Part thereof about half way between *Anthony's Gowt* and *Boſton*, for the Purpoſe only of preſerving a Communication between the Houſes in *Boſton Weſt* and *Holland Fen*, which Houſes will be ſeparated from the ſaid Fen by the ſaid intended new Cut or River.

Fords to be repaired, or Bridges built.

LXVII. And be it further enacted, That if the ſaid Commiſſioners for Drainage, in purſuance of the Powers by this Act granted, ſhall by ſcouring out any of the Side Rivers in this Act mentioned, deepen the ſame, ſo as to render any Ford or Fords acroſs the ſaid Rivers, or either of them, unpaſſable, whereby the Communication between any Roads or Lands on each Side thereof ſhall be interrupted or prevented, the ſaid Commiſſioners ſhall, at the publick Charge, either new make ſuch Fords with Stones, Gravel or other ſufficient Materials, or elſe build a Bridge or Bridges over ſuch River or Rivers, in order to reſtore ſuch Communication in as effectual a Manner as the ſame was before the paſſing of this Act.

Annuities to be granted for Money borrowed,

'LXVIII. And foraſmuch as the Money to be collected by the Receipt of the Taxes by this Act 'laid and made payable as aforeſaid, will not be ſufficient for the ſpeedy Execution of the general 'Works of Drainage to be done in purſuance of this Act;' Be it therefore enacted, That the ſaid General Commiſſioners, or any ſeven or more of them, ſhall and may, and they are hereby authorized and impowered, from Time to Time, as it ſhall be found requiſite and neceſſary for the Purpoſes aforeſaid, to raiſe Money upon the beſt Terms and by the beſt Methods the ſame can be procured; and for that Purpoſe they, or any ſeven or more of them, ſhall and may, and they are hereby authorized and impowered to treat, contract and agree with any Perſon or Perſons, either for the Purchaſe of an Annuity for Life, or the Loan of any Sum or Sums of Money upon Mortgage reſpectively; and alſo, in purſuance or Execution of ſuch Contract or Agreement, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any ſeven or more of them, by any Writing or Writings under their Hands and Seals, to charge the ſaid Taxes to ariſe by virtue of this Act, for the Purpoſe of the general Drainage, or any Part thereof, with any Annuity or Annuities, to ſuch Perſon or Perſons as ſhall treat for the ſame during a Life, to be by them reſpectively named, or to aſſign, transfer, and make over the ſaid Taxes, or any Part thereof, unto any Perſon or Perſons who ſhall advance and lend any Money thereupon, for ſuch Term of Years as ſhall be agreed upon in that Behalf, by way of Mortgage and as a Security for the Repayment thereof, with Intereſt, at ſuch Times, and in ſuch Manner, as ſhall be agreed upon by the ſaid General Commiſſioners.

or Taxes aſſigned.

Notice to be given of borrowing Money.

LXIX. Provided always, That no Money ſhall be borrowed, or any ſuch Annuity granted, by the ſaid Commiſſioners, on the Credit of this Act, after their firſt Meeting, unleſs Notice be given by affixing the ſame in Writing on the Market Houſe in *Lincoln*, and the Market Croſs in *Boſton*, and by publiſhing the ſame in ſome of the publick Papers uſually circulated in the County of *Lincoln*, at leaſt twenty-one Days before any Meeting ſhall be held for that Purpoſe.

Power for Mortgagees to enter and recover.

LXX. And be it further enacted, That the Taxes or Aſſeſſments, which ſhall be rated or charged by the ſaid General Commiſſioners, ſhall be charged and chargeable with the Payment of the Principal Money ſo to be by them borrowed, and the Intereſt of ſuch Money from Time to Time; and ſhall veſt in the reſpective Creditors, upon Default of Payment of ſuch Principal and Intereſt, until the ſame ſhall be fully paid and ſatisfied, together with the Coſts and Charges occaſioned for the Non-payment thereof; and the ſaid Creditors, their Executors, Adminiſtrators and Aſſigns reſpectively, ſhall have the ſame Powers, Rights and Privileges of aſſeſſing, raiſing and recovering the ſeveral Taxes or Aſſeſſments payable by the ſeveral Owners and Occupiers of Lands and Grounds charged therewith, for and in reſpect of ſuch Principal Money and Intereſt, in caſe of Default of Payment thereof, as the ſaid Commiſſioners and their Collectors could have had, in caſe ſuch Principal and Intereſt had been regularly and fully ſatisfied and paid.

Mortgages, &c. to be deemed Perſonal Eſtates, and may be aſſigned.

LXXI. And be it further enacted, That all Mortgages and Annuities to be made or granted as aforeſaid, ſhall be deemed perſonal Eſtates, and ſhall and may be reſpectively aſſigned, transferred and aſſignable, from Time to Time, by Indorſement without Stamps; but all ſuch Grants of Annuities and Mortgages, and Aſſignments thereof reſpectively, ſhall be entered in a Book to be kept for that Purpoſe by the Treaſurer or Clerk to the ſaid Commiſſioners, who ſhall, at the Requeſt of every Mortgagee, Grantee or Aſſignee reſpectively, enter the ſame without demanding or receiving any other Fee or Reward than the Sum of two Shillings and ſix Pence for the ſame.

Tenants for Life may charge the Lands for Money borrowed to pay the Taxes.

LXXII. And be it further enacted, That it ſhall and may be lawful to and for any of the Owners or Proprietors of any of the ſaid low Lands and Fens, being Tenants in Tail or Tenants for Life, or his, her or their Truſtee or Truſtees, Guardian or Guardians, from Time to Time, to charge the ſaid

ſaid low Lands and Fens with any Sum or Sums of Money for paying the yearly Taxes to be laid upon the ſaid low Lands and Fens, as well for the private as the publick Works of Drainage to be done in purſuance of this Act; and alſo ſuch further Sum or Sums of Money, as ſhall from Time to Time be by him, her or them, paid for the Intereſt thereof, until the next General Quarter Day, after the general Works of Drainage ſhall be compleated to *Stamp End*, and ſhall be ſo determined to be by the ſaid General Commiſſioners for the General Works of Drainage, or any ſeven or more of them, which Determination they, or any ſeven or more of them, are hereby required to make, when they ſhall think the ſaid Works are compleated; and for ſecuring the Repayment of ſuch Sum and Sums of Money, with Intereſt for the ſame to grant, charge, mortgage, leaſe or demiſe, or otherwiſe ſubject the ſaid low Lands and Fens, or any Part or Parcel thereof, unto ſuch Perſon or Perſons as ſhall advance and lend the ſame for any Term or Number of Years, ſo as ſuch Grant, Charge, Mortgage, Leaſe or Demiſe, be made with a Proviſo or Condition to ceaſe and be void, or with an expreſs Truſt to be ſurrendered upon the Repayment of the ſeveral Sums of Money reſpectively ſecured as aforeſaid, on a certain Day in ſuch Mortgage or other Security to be for that Purpoſe named, not exceeding one Year from the Date of ſuch Mortgage or other Security; and every ſuch Grant, Charge, Mortgage, Leaſe or Demiſe, ſo to be made in purſuance of this Act, ſhall be good, valid and effectual in the Law for the Purpoſes thereby intended, notwithſtanding the Want of legal Title in the ſaid Tenants in Tail or Tenants for Life, his, her or their Truſtee or Truſtees, Guardian or Guardians, any Settlement or Settlements, Will or Wills, Truſt, Uſe, Remainder, Limitation or other prior or former Incumbrances of or concerning the ſame low Lands and Fens, or any Part or Parts thereof then in being, or capable of taking Effect, to the contrary in any wiſe notwithſtanding.

Intereſt, when to ceaſe.

LXXIII. Provided always, That from and after the next General Quarter Day after the ſaid General Commiſſioners, or any ſeven or more of them, ſhall have determined that the general Works of Drainage are compleated to *Stamp End* as aforeſaid, that then and from thenceforth the Intereſt of the Money ſo borrowed to pay the ſaid yearly Taxes, and ſuch Intereſt thereof as aforeſaid, ſhall be paid and kept down by the Perſon or Perſons, who, for the Time being, ſhall be in Poſſeſſion of the ſaid low Lands and Fens, or any Part or Parts thereof, ſo to be charged with ſuch Money as aforeſaid.

Regular Accounts of Payment, &c. to be kept.

LXXIV. And be it further enacted, That regular Accounts ſhall be kept (by ſuch Perſon or Perſons, and in ſuch Manner, as the ſaid General Commiſſioners, or any five or more of them, ſhall in that Behalf order, direct or appoint) of the Collection, Receipts, Payments and Application of all and every Sum and Sums of Money which ſhall be raiſed, collected, received and paid for the Purpoſes of the General Drainage; and ſuch Accounts ſhall be entered in proper Books, to be provided and kept for that Purpoſe; and Copies of all ſuch Accounts ſhall be delivered to the ſaid Commiſſioners, or any five or more of them, at their General Meeting on the firſt *Tueſday* in *July* in every Year, or oftner, if thereunto required by the ſaid Commiſſioners, or any five or more of them; and ſo much and ſuch Parts of the ſaid Accounts as ſhall be approved of by the major Part of the Commiſſioners preſent at ſuch Meetings, ſhall be ſigned and allowed by them; and Duplicates of the Accounts ſo allowed ſhall be fairly entered in two Books, one to be kept by the General Commiſſioners or their Treaſurer, and the other by the Clerk to the ſaid Commiſſioners; and the ſaid Books ſhall be produced at every Meeting of the ſaid Commiſſioners; and all Perſons chargeable with the Taxes to be levied by virtue of this Act ſhall be at Liberty at all Times to inſpect ſuch Books of Accounts, paying one Shilling for every Inſpection, and at their own Charge to take Copies of any Part thereof.

Money in Treaſurers Hands, not wanted for the Works, may be placed out on Securities.

LXXV. And be it further enacted, That in caſe it ſhall at any Time appear, on paſſing the Accounts of the Treaſurer or Treaſurers, that any Part of the Money in his Hands will not at any Time from thenceforth for the Space of ſix Months be wanted or neceſſary to be iſſued or applied for the Purpoſes of the general Drainage; then and in ſuch Caſe, and from Time to Time, and as often as it ſhall ſo happen, it ſhall and may be lawful to and for ſuch Treaſurer or Treaſurers, by and with the Direction of the ſaid General Commiſſioners, or any five or more of them, to place out ſuch Sum and Sums of Money reſpectively, on Government or real Security, at Intereſt, in the Name of ſuch Treaſurer or Treaſurers for the Time being; and which principal Money ſo to be placed out, and the Intereſt attending the ſame, ſhall be iſſued, paid, applied and diſpoſed of, under the Direction of the ſaid General Commiſſioners, or any five or more of them, for the Purpoſes of this Act.

No Order of General Commiſſioners to be reverſed, unleſs 11 Commiſſioners be preſent and 7 conſent.

LXXVI. Provided always, and be it further enacted, That no Order which ſhall be made by the ſaid Commiſſioners for the general Works of Drainage, or any five or more of them, by virtue of this Act, at any of their Meetings, ſhall be altered, reverſed, annulled or made void at any ſubſequent Meeting, unleſs eleven or more of the Commiſſioners be preſent at ſuch Meeting, and ſeven or more of them be conſenting thereto; nor unleſs fourteen Days Notice in Writing be affixed on ſome publick and conſpicuous Place in the City of *Lincoln*, the Town of *New Sleaford*, the Borough of *Boſton*, the Town of *Spilſby*, *Horncaſtle* and *Tatterſhall*, in which ſaid Notice it ſhall be expreſſed what Order and Orders are intended to be reverſed or altered.

Commiſſioners for Navigation.

'LXXVII. And whereas the reſtoring and maintaining the Navigation of the River *Witham*, 'from the *High Bridge*, in the City of *Lincoln*, through the Borough of *Boſton* to the Sea, will be 'of great Benefit and Advantage to the Inhabitants of that Part of the County, tend to promote 'Trade and Commerce, and be of publick Utility;' Be it therefore further enacted, That the Mayor of the City of *Lincoln*, for the Time being, and four other Perſons, who ſhall be elected by the Mayor, Sheriffs, Citizens and Commonalty of the ſaid City, within two Months after the paſſing

ſing of this Act, the Mayor of the Borough of *Boſton* for the Time being, and four other Perſons who ſhall be elected by the Mayor, Aldermen and Common Council of the ſaid Borough, within two Months after the paſſing of this Act, and ten other Perſons, who ſhall be elected by the ſaid General Commiſſioners for Drainage, or any ſeven or more of them, at their firſt General Meeting, ſhall be and are hereby appointed Commiſſioners for reſtoring and maintaining the Navigation upon the River *Witham*, from the *High Bridge* in the City of *Lincoln*, through the Borough of *Boſton* to the Sea, under the Rules and Directions herein after mentioned, provided, appointed and preſcribed; which Commiſſioners ſo to be elected, ſhall continue until the ſecond *Tueſday* in *April* one thouſand ſeven hundred and ſixty-three, and ſhall then and thenceforth, once in every three Years, be elected in Manner aforeſaid; and that on the Vacancy of any ſuch Commiſſioner by Death or Refuſal to act, another Commiſſioner ſhall be elected in like Manner, in the Room of the Commiſſioner ſo dying or refuſing to act, within three Months after ſuch Death or Refuſal.

Election of Drainage Commiſſioners, to be declared under Seal of Corporation.

LXXVIII. Provided always, That at the Time the ſaid Mayor, Sheriffs, Citizens and Commonalty of the City of *Lincoln* ſhall elect the ſaid four Perſons to be Commiſſioners for the Navigation, they ſhall declare, under their Common Seal, which two of them ſhall alſo be Commiſſioners for the General Drainage; and that the ſaid Mayor, Aldermen, and Common Council of the Borough of *Boſton*, ſhall alſo at the Time of their electing the ſaid four Perſons to be Commiſſioners for the Navigation, declare, under their Common Seal, which two of them ſhall alſo be Commiſſioners for the General Drainage.

Commiſſioners firſt Meeting;

LXXIX. And be it further enacted, That the ſaid Commiſſioners, or any five or more of them, ſhall meet at the Town Hall of the Borough of *Boſton*, on the third *Wedneſday* in *Auguſt* one thouſand ſeven hundred and ſixty-two, and proceed to the Execution of this Act, ſo far as relates to the ſaid Navigation; and ſhall alſo meet on the firſt *Tueſday* in *July* yearly, at ſuch Place within the City of *Lincoln*, the Town of *New Sleaford*, or Borough of *Boſton*, as the ſaid General Commiſſioners for Drainage, or any five or more of them ſhall appoint for their annual Meeting: And the ſaid Commiſſioners for Navigation, or any five or more of them, ſhall and may, from time to time, adjourn themſelves to ſuch Time and Place as they ſhall think moſt convenient for the Purpoſes of this Act: And if it ſhall happen that there ſhall not appear at any ſuch Meeting a ſufficient Number of Commiſſioners to act, or to adjourn to any other Time or Place, then the Clerk to the ſaid Commiſſioners ſhall adjourn the ſaid Meeting to, and appoint the ſaid Commiſſioners to meet at the Place where the laſt Meeting was appointed to be held, on that Day three Weeks next after the Day on which ſuch laſt Meeting was appointed to be held; and ſhall cauſe Notice thereof to be affixed on ſome publick and conſpicuous Place in the City of *Lincoln*, the Town of *New Sleaford*, and Borough of *Boſton*, at leaſt ten Days before ſuch Meeting: And that the ſaid Commiſſioners at all their Meetings ſhall defray their own Charges and Expences; provided always, that three Commiſſioners ſhall be ſufficient for the Purpoſe of Adjournment.

they may adjourn;

In Default of a ſufficient Number to act, Notice to be given of another Meeting.

Commiſſioners of Navigation to contract with Workmen;

LXXX. And be it further enacted, That in order for the carrying on and effecting the ſaid intended Navigation, the ſaid Commiſſioners, or any five or more of them, ſhall and may and they are hereby authoriſed and impowered to imploy or contract with any Perſon or Perſons, who ſhall be willing to undertake or ingage to make the ſaid River *Witham* navigable and paſſable for Boats and other Veſſels within the Limits aforeſaid, or to do and execute any particular Work or Works to be appointed by the ſaid Commiſſioners, or any five or more of them, for that Purpoſe, upon ſuch Terms and Conditions as the ſaid Commiſſioners, or any five or more of them ſhall think proper and reaſonable; and alſo that it ſhall and may be lawful to and for ſuch Perſon and Perſons ſo contracting, undertaking, and imployed, and his or their Agents, Workmen, Servants and Labourers, with the Approbation of the ſaid Commiſſioners, or any five or more of them, and they are hereby impowered from time to time to open, cleanſe, ſcour, depthen or inlarge the ſaid River *Witham* up to *Lincoln High Bridge* aforeſaid, new Cuts, or new River or Rivers herein before deſcribed and intended to be made for the Purpoſes of Drainage, and to make ſuch new Cuts, Trenches or Paſſages for Water, in, upon or through the Lands or Grounds adjoining or near to the ſaid River, and within the Limits aforeſaid as they ſhall think proper, for the Navigation of Boats and other Veſſels, and for the more convenient, eaſy and better effecting the ſaid Purpoſes of this Act; and alſo to cut and make uſe of the Soil of any Perſon or Perſons, Bodies Politick or Corporate whatſoever, within the Boundaries mentioned in this Act, as Occaſion ſhall require; and alſo to dig up, cut, remove and take away all Trees, Roots of Trees, Beds of Gravel or Sand, and any other Impediments whatſoever which may hinder or obſtruct the ſaid intended Navigation; and alſo to build, erect, ſet up, make, ſupport and maintain over or in the ſaid River, Cuts, Trenches and Paſſages, or upon the Lands adjoining or near to the ſame, or any of them, ſuch and ſo many Bridges, Sluices, Locks, Wears, Pens for Water, Staunches, Dams, Wharfs, Warehouſes, Quays, Landing-places, Weigh-beams, Cranes, and other Works, at ſuch Places, and in ſuch Manner, as the ſaid Commiſſioners, or any five or more of them ſhall think neceſſary and convenient, and from time to time to alter and repair the ſame, and to make, widen or inlarge any Ways, Paſſages, or other Conveniences, for the conveying of Goods, Commodities, and all other Things to and from the ſaid River, as far as the ſaid *High Bridge* in the City of *Lincoln*, and the navigable Cuts, Trenches or Paſſages thereof below *Cincil Dike*, and for the conveying of all Manner of Materials for erecting and making the ſaid Works, and for altering or repairing the ſame, and to place, lay, work and manufacture the ſaid Materials, on the Grounds near to the Place or Places where the ſaid Works, or any of them ſhall be making, erecting, altering or repairing, or are intended to be made, erected

to order Works upon the River, or Side Rivers, &c.

to make new Cuts, &c.

to cut and make uſe of Soil, &c.

to remove Impediments;

to erect Bridges, Locks, &c.

erected, altered or repaired; and alſo to amend, heighten or alter any Bridges upon ſuch River, Cuts, Trenches or Paſſages as may hinder the Navigation or Paſſage thereon, within the Limits aforeſaid; and alſo to dig, take and carry away Loam, Clay, Gravel, Stone, or any other Materials, for carrying on, perfecting, altering or repairing the ſaid Works, in or from the Grounds of any Perſon or Perſons adjoining or lying near to the ſaid River, Cuts, Trenches or Paſſages (not being an Houſe, Garden, Orchard, Yard, Park, Paddock, planted Walk, or Avenue to a Houſe); and alſo to make, ſet out and appoint Towing-paths, Banks, and Ways convenient for towing, haling, or drawing with Men or Horſes, Boats and other Veſſels paſſing upon the ſaid River, or the Cuts, Trenches or Paſſages thereof, and to erect Bridges over the Side Rivers, Brooks, Streams and Watercourſes, ſo as not to obſtruct the Navigation thereof; and alſo to erect Winches, or other Engines, for the more convenient towing, haling, or drawing on ſuch Paths, Banks and Ways; and to do and perform all other Matters and Things within the Limits aforeſaid, which they the ſaid Commiſſioners, or any five or more of them ſhall judge neceſſary or convenient, for carrying on, reſtoring, compleating and maintaining the ſaid Navigation, according to the Tenor and true Meaning of this Act; and that the ſaid Commiſſioners of the ſaid Navigation, or any five or more of them, ſhall and may, and they are hereby authoriſed and impowered to cauſe a Lock to be made and built by the Side of or near the ſaid Sea Sluice, to be erected for the Works of Drainage, with two Pair of Doors or Gates pointing to the Landward, for the Purpoſe of the ſaid Navigation, and one Pair of Doors without Shuttles pointing to Seaward, in order to ſtop the Flux of the Tide at all Times.

to dig and carry away Gravel, &c.

to ſet out Haling-ways;

and to cauſe a Lock to be made by the Side of the Sea Sluice.

Works of Navigation not to prejudice the Works of Drainage.

LXXXI. Provided always, That the Works that ſhall be ſet up and made for the Uſe and Purpoſe of the ſaid Navigation ſhall not be conſtructed or made ſo as in any wiſe to prejudice, obſtruct, prevent or defeat the Works for the general Drainage of the low Lands and Fens intended and directed to be drained and improved by virtue and in purſuance of this Act.

Penalty of breaking open Gates of Locks, 5l.

LXXXII. And be it further enacted, That if any Maſter, Owner, or Perſon having the Charge of any Boat, Barge, Lighter, or other Veſſel, ſhall by any violent Means force or break open the Gates or Doors of the ſaid Lock to be erected near the ſaid Sluice, when the Water is higher on the Sea Side than on the Land Side thereof, or ſhall forcibly and violently break or force open the Gates or Doors of any other Lock to be erected in the ſaid River for the Purpoſe of the ſaid Navigation; every Perſon ſo offending, and being thereof lawfully convicted before any one or more Juſtice or Juſtices of the Peace acting within the Diviſion of the ſaid County of *Lincoln*, wherein the Offence ſhall be committed, upon the Oath of one or more Witneſs or Witneſſes, ſhall for every ſuch Offence, forfeit and pay ſuch Sum of Money, not exceeding five Pounds, and not leſs than twenty Shillings, as ſuch Juſtice or Juſtices reſpectively ſhall order or appoint, to be recovered and levied by Diſtreſs and Sale of the Goods and Chattels of the Offender or Offenders, by Warrant under the Hand and Seal, or Hands and Seals of ſuch Juſtice or Juſtices; rendering the Overplus (if any) after the ſaid Penalty, and the Charges and Expences of ſuch Diſtreſs and Sale are deducted, unto the ſaid Offender or Offenders; and for want of ſufficient Diſtreſs, it ſhall and may be lawful to and for the ſaid Juſtice or Juſtices to commit ſuch Offender or Offenders to the Houſe of Correction, there to remain for any Time not exceeding ſix Months, nor leſs than one Month, at the Diſcretion of ſuch Juſtice or Juſtices.

No Lock, &c. to be higher than within two Feet of the natural Soil of the loweſt Lands adjoining.

LXXXIII. Provided always, and be it further enacted, That no Lock, Sluice, Wear, or other Works, ſhall at any Time hereafter be made or erected in the ſaid River *Witham*, or any new Cut to be made as aforeſaid, ſo as to pen up the Water in the ſaid River or Cut higher than within two Feet of the natural Level or Soil of the loweſt Lands lying on each Side of the ſaid River or Cut, above any Lock, or in any Place between one Lock and another; and if any ſuch Words ſhall at any Time or Times be made contrary to the Tenor and Intention of this Act, it ſhall and may be lawful to and for the General Commiſſioners for the Drainage, or any five or more of them, and they are hereby authoriſed, impowered and required, upon Complaint to them thereof made, to cauſe the ſaid Works to be abated, taken away and removed.

Commiſſioners to purchaſe Ground to build Houſes for Lock-keepers.

LXXXIV. And be it further enacted, That the ſaid Commiſſioners for the Navigation may, and they are hereby authoriſed and impowered, to cauſe and direct the Soil or Bed of the River *Witham*, from *Boſton* to *Lincoln High Bridge*, to be dug, cut, and levelled for the Purpoſe of the ſaid Navigation, ſo as the ſame River may be navigable and paſſable in all Seaſons for Barges, Boats and Veſſels; and that the ſaid Commiſſioners for the Navigation ſhall and may, and they are hereby authoriſed and impowered to purchaſe and incloſe a Piece of Ground near or adjoining to every Lock, Sluice, Wear, or other Works, which ſhall be made for the Purpoſe of the ſaid Navigation, and to build, or cauſe to be built, a Houſe upon every ſuch Piece of Ground where the ſaid Commiſſioners, or any five or more of them ſhall think neceſſary, and to remove or alter the ſame as Occaſion ſhall require; and that the ſaid Commiſſioners, or any five or more of them ſhall and may nominate, order and appoint proper Perſons conſtantly to dwell and reſide in and attend at each of the ſaid Houſes, with Power and Authority, and they are hereby required to open the Gates or Doors of ſuch Locks and Sluices, whenever the Surface of the Water in the ſaid River ſhall riſe higher than within two Feet of the natural Level or Soil of the loweſt Lands lying on each Side the River, above any of the ſaid Locks or Sluices, or in any Place between one Lock and another, and ſo to continue the ſame till the Waters ſhall be abated; and in caſe any of the ſaid Sluice-keepers ſhall at any Time neglect or refuſe to let off the Waters as herein directed, the General Commiſſioners for the Drainage, or any five or more of them, ſhall and may, and they are hereby impowered,

impowered, at any publick Meeting, upon due Proof made thereof, to remove the Perſon ſo offending from his Office, and the Commiſſioners for Navigation, or any five or more of them, ſhall and may appoint another Perſon in his Place and Stead.

Tolls veſted in the Commiſſioners;

LXXXV. And for defraying the neceſſary Expences of the ſaid Navigation, and of repairing and maintaining the ſaid Locks and other Works to be made and erected as aforeſaid, and keeping them fit and uſeful for the ſaid Navigation, Be it further enacted, That at ſuch Place and Places adjoining to the ſaid River as the ſaid Commiſſioners for the Navigation, or any five or more of them, ſhall by any Inſtrument in Writing under their Hands and Seals direct and appoint, there ſhall be paid to the Collector or Collectors to be nominated and appointed as herein after is directed, by all and every Perſon and Perſons who ſhall carry or convey any Goods, Wares, Merchandizes or Commodities whatſoever, up or down the ſaid River, by Tonage or otherwiſe, ſuch Sum and Sums of Money as the ſaid Commiſſioners, or any five or more of them, ſhall from time to time think proper to order and appoint, not exceeding in the Whole the Sum of one Shilling and ſix Pence a Ton; which reſpective Sum and Sums of Money ſo ordered and appointed to be paid as aforeſaid, ſhall and may be demanded and taken in the Name of or as a Toll or Duty; and the Monies ſo to be raiſed are hereby veſted in the ſaid Commiſſioners, and ſhall be applied and diſpoſed of in ſuch Manner as the ſaid Commiſſioners, or any five or more of them, ſhall from time to time order and direct for the ſeveral Uſes, Intents and Purpoſes of the ſaid Navigation; and in caſe of Neglect or Denial of Payment, on Demand, of the ſeveral Tolls or Duties ordered and appointed to be paid as aforeſaid, the Collector or Collectors to be appointed as herein after is directed, is and are hereby authoriſed and required to ſeize and detain any of the ſaid Goods, Wares, Merchandizes and Commodities, or the Boats, Barges, Lighters or Veſſels carrying or conveying the ſame, and for which the ſaid Tolls or Duties ought to be paid as aforeſaid; and in caſe the ſame ſhall not be paid within the Space of five Days next after ſuch Seizure, it ſhall and may be lawful to and for the ſaid Collector or Collectors to ſell the ſaid Goods, Wares, Merchandizes and Commodities, or the Boats, Barges, Lighters or Veſſels carrying or conveying the ſame, rendering the Overplus (if any) to the Owners, after the ſaid Tolls or Duties, together with the reaſonable Charges of ſeizing, detaining and ſelling the ſaid Goods, Wares, Merchandizes and Commodities, or the Boats, Barges, Lighters or Veſſels carrying or conveying the ſame, ſhall be ſatisfied and paid.

may be levied by Diſtreſs.

Diſtreſs may be ſold after five Days.

Tolls to be taken at Lodowick's Drain.

LXXXVI. Provided always, and be it enacted, That it ſhall and may be lawful to and for the ſaid Commiſſioners for the Navigation, or any five or more of them, to order and cauſe a Chain or Boom to be laid and fixed acroſs *Lodowick's Drain*, at any Place between *Lodowick's Gowt* and *Gill-Syke*, and to demand and take ſuch Duties and Tonnage for all Goods, Wares and Merchandizes carried and conveyed on board any Boat, Barge or Veſſel, through *Lodowick's Drain*, as the ſaid Commiſſioners, or any five or more of them ſhall think proper, ſo as the ſame do not exceed ſix Pence a Ton, and ſo as ſuch Chain or Boom be not continued or uſed for the Purpoſe aforeſaid, after the new Cut before mentioned ſhall have been made navigable from *Lodowick's Gowt* aforeſaid, as far as *Chappel Hill*.

Inhabitants of the 11 Towns of Holland Fen exempted from Toll.

LXXXVII. Provided alſo, That no Toll or Duty ſhall be demanded or taken at the ſaid Chain or Boom for the paſſing of any Boat, Barge or Veſſel laden with any Goods, Wares, Merchandizes or Commodities belonging to, or the Property of, or conſigned to any of the Inhabitants of the eleven Towns of *Holland Fen*, which ſhall paſs through *Lodowick's Drain* only.

Free Navigation.

LXXXVIII. And it is hereby further enacted, That the Navigation to be formed by virtue of this Act upon the River *Witham*, or any adjoining Lands from the Sea through *Boſton*, to the *High Bridge* at *Lincoln*, ſhall be publick, open and free to all his Majeſty's liege Subjects, to paſs, repaſs, travel and go with Boats, Barges and other Veſſels, ſubject only to ſuch Duties, Tolls, Reſtrictions and Regulations as are herein provided, declared and expreſſed concerning the ſame.

Commiſſioners may borrow Money on the Tolls.

LXXXIX. And be it further enacted, That the ſaid Commiſſioners for the Navigation, or any ſeven or more of them, ſhall have ſuch and the ſame Powers to raiſe Money for defraying and paying the Charges of the ſaid Navigation, as well by mortgaging the ſaid Duties and Tolls, as by granting Annuities chargeable upon, and payable out of the ſame, but by, with and under ſuch and the ſame Rules, Orders, Directions and Reſtrictions as are herein before directed, provided and declared, for, about and concerning the raiſing Money for the general Works of Drainage of the ſaid low Lands and Fens by virtue of this Act, and for the aſſigning the Securities thereof.

Tolls may be leſſened.

XC. And be it further enacted, That when and as the Money advanced and lent for the Purpoſe of the ſaid intended Navigation, on the Credit of the ſaid Tolls and Duties, or a competent Part thereof ſhall be paid off and diſcharged, then the ſaid Commiſſioners for the Navigation ſhall and may, and they are hereby authoriſed and impowered, by and with the Conſent of the Mortgagees and Annuitants, to lower or reduce the ſaid Tolls and Duties; and they are hereby authoriſed and impowered to raiſe and increaſe the ſame, from time to time as Occaſion ſhall require, and as to them, or any ſeven or more of them, ſhall ſeem requiſite and neceſſary for the Purpoſes of this Act, ſo as the ſame do not exceed the Tolls or Duties herein before granted.

Commiſſioners impowered to purchaſe Lands, &c.

XCI. And be it further enacted, That the ſaid general Commiſſioners for the Drainage, or any five or more of them, or the ſaid Commiſſioners for the ſaid reſpective Diſtricts, or any five or more of them, or the ſaid Commiſſioners for the Navigation, or any five or more of them reſpectively, ſhall have full Power and Authority to agree with the Proprietors of, and Perſons intereſted in, any Lands, Tenements or Hereditaments, which the ſaid reſpective Commiſſioners, or any five or more of them, ſhall judge neceſſary to be cut, digged, pulled down, or otherwiſe made uſe of, for the

Purpoſes

Purpoſes of this Act, for the Purchaſe of ſuch Lands, Tenements and Hereditaments, or for the Recompence to be made to ſuch Proprietors and Perſons intereſted, for the Damage they may ſuſtain; and alſo to ſettle and aſcertain in what Proportion the Sum or Sums ſo agreed for ſhall be paid to the ſeveral Perſons intereſted in the Premiſſes: And it ſhall be lawful for all Bodies Politick, Corporate or Collegiate, Corporations Aggregate or Sole, Huſbands, Guardians, Truſtees, and Feoffees in Truſt, Committees, Executors, Adminiſtrators, and all other Truſtees whatſoever, not only for and on Behalf of themſelves, their Heirs and Succeſſors, but alſo for and on Behalf of their Ceſtuique Truſts, whether Infants or Iſſue unborn, Lunaticks, Ideots, Femes-covert, or other Perſon or Perſons, and to and for all Femes-covert, who are or ſhall be ſeized or intereſted in their own Right, and to and for all and every other Perſon and Perſons whomſoever, who are or ſhall be ſeized, poſſeſſed of, or intereſted in any ſuch Lands, Tenements or Hereditaments, to contract for, ſell and convey unto the ſaid reſpective Commiſſioners, or any five or more of them, or to ſuch Perſon or Perſons as they, or any five or more of them, ſhall appoint, any Lands, Tenements or Hereditaments, for the Purpoſes aforeſaid, or to agree with the ſaid reſpective Commiſſioners, or any five or more of them, for any Recompence to be made for the Damage which may be done to any ſuch Lands, Tenements or Hereditament, by the Execution of any of the Powers of this Act; and all ſuch Contracts, Sales, Conveyances, and Agreements, ſhall be valid and effectual in Law, to all Intents and Purpoſes whatſoever; any Law, Statute, Uſage, or Cuſtom to the contrary notwithſtanding; and all Bodies Politick, Corporate or Collegiate, and all Perſons whomſoever, are hereby indemnified for what they or any of them ſhall do in purſuance of this Act: But if it ſhall happen that any ſuch Body Politick, Corporate or Collegiate, Truſtee or Truſtees, or other Perſon or Perſons intereſted or concerned as aforeſaid, ſhall for the Space of forty Days after Notice in Writing to the principal Officer or Officers of ſuch Body Politick, Corporate or Collegiate, or to ſuch Truſtee or Truſtees, Perſon or Perſons reſpectively, or left at his, her or their reſpective Place or Places of Abode, or at the Houſe of the Tenant or Tenants, Occupier or Occupiers, of ſuch Lands, Tenements or Hereditaments, neglect or refuſe to treat, or ſhall not agree with the ſaid reſpective Commiſſioners, or any five or more of them, or by reaſon of Abſence ſhall be prevented from treating; then and in every ſuch Caſe the ſaid reſpective Commiſſioners, or any five or more are hereby impowered from time to time to iſſue out their Warrant or Warrants, under their Hands and Seals, to the Sheriff of the County or Place wherein the Matter in Queſtion ſhall lie; or if ſuch Sheriff ſhall be immediately intereſted in ſuch Matter, then to one of the Coroners of ſuch County or Place, commanding ſuch Sheriff or Coroner to impanel, ſummon, and return a Jury; and the ſaid Sheriff or Coroner is hereby required accordingly to impanel, ſummon, and return twenty-four Men, qualified according to the Laws of this Realm, to be returned, for Trials of Iſſues joined in his Majeſty's Courts at *Weſtminſter*, to appear before the ſaid reſpective Commiſſioners, or any five or more of them, at ſuch Time and Place as in ſuch Warrant or Warrants ſhall be appointed, in order that out of them a Jury of twelve may be ſworn, to enquire touching the Matters in Queſtion: And in caſe a ſufficient Number of Jurymen ſhall not appear, at ſuch Time and Place, the ſaid Sheriff or Coroner ſhall return other honeſt and indifferent Men, that can ſpeedily be procured, to attend that Service, being qualified as aforeſaid, to make up the ſaid Jury to the Number of twelve; and all Parties concerned may have their lawful Challenges againſt any of the ſaid Jurymen; and the ſaid reſpective Commiſſioners, or any five or more of them, are hereby impowered, by Warrant or Warrants under their Hands and Seals, from time to time, as Occaſion ſhall require, to ſummon and call before them all ſuch Perſons as ſhall be thought neceſſary to be examined as Witneſſes touching the Matters in Queſtion; and the ſaid reſpective Commiſſioners, or any five or more of them, may order and authorize the ſaid Jury, or any ſix or more of them, to view the Place or Places, or Matters in Controverſy; which Jury (upon their Oaths, to be adminiſtered by the ſaid reſpective Commiſſioners, or any two or more of them; which Oaths, as alſo the Oaths to ſuch Perſon or Perſons as ſhall be called upon to give Evidence, the ſaid reſpective Commiſſioners, or any two or more of them, are hereby impowered to adminiſter) ſhall enquire of, aſſeſs, and aſcertain the Sum or Sums of Money to be paid for the Purchaſe of ſuch Lands, Tenements or Hereditaments, or the Recompence to be made for Damages that may or ſhall be ſuſtained as aforeſaid, and to ſettle and aſcertain in what Proportions the Sum or Sums ſo aſſeſſed ſhall be paid to the ſeveral Perſons intereſted in the Premiſſes; and the ſaid reſpective Commiſſioners, or any five or more of them, ſhall give Judgment for ſuch Purchaſe-monies or Recompence ſo to be aſſeſſed by ſuch Juries; which ſaid Verdict, and the Judgment thereupon pronounced by the ſaid reſpective Commiſſioners, or any five or more of them, ſhall be binding and concluſive, to all Intents and Purpoſes, againſt all Parties, Bodies Politick, Corporate and Collegiate, and all Perſons whomſoever.

Bodies Politick, &c. may contract for the Sale of ſuch Lands;

Where Perſons ſhall refuſe or neglect to treat,

Commiſſioners to iſſue their Warrants to the Sheriff to impanel a Jury.

Jurors may be challenged.

Witneſſes to be ſummoned and examined upon Oath.

Jury to aſſeſs the Damages.

Verdict of the Jury to be binding.

XCII. Provided always, and be it further enacted, That if any ſuch Sheriff or Coroner, or his Deputy or Agent, ſhall make Default in the Premiſſes, every ſuch Perſon ſhall for every Offence forfeit the Sum of twenty Pounds; and if any Perſon ſo ſummoned and returned as aforeſaid on ſuch Jury, ſhall not appear, or appearing, refuſe to be ſworn, or being ſworn, refuſe to give his Verdict, or in any other Manner wilfully neglect his Duty, contrary to the true Intent of this Act; or if any Perſon ſo ſummoned to give Evidence ſhall not appear, or appearing, refuſe to be ſworn or examined or to give Evidence, every Perſon ſo offending reſpectively, having no reaſonable Excuſe, to be allowed by the ſaid reſpective Commiſſioners, or any five or more of them, ſhall for every ſuch Offence forfeit and pay ſuch Sum as the ſaid reſpective Commiſſioners acting in the

Truſtees may impoſe a Fine on Sheriff, &c. making Default in the Premiſſes.

Fine not to exceed 5l.

Premiſſes, or any five or more of them, ſhall appoint, not exceeding the Sum of five Pounds for any one Offence.

Agreements, &c. to be filed with the Clerk of the Peace.

XCIII. And be it further enacted, That all the Agreements, Contracts, Sales, and Conveyances, and alſo all Verdicts and Judgments, which ſhall be made and given in relation to any ſuch Lands, Tenements and Hereditaments, as aforeſaid (ſuch Verdicts and Judgments being ſigned by five or more of the ſaid reſpective Commiſſioners who ſhall be preſent at the taking of ſuch Inqueſt) ſhall be delivered to the Clerk of the Peace for the Parts or Place wherein ſuch Lands, Tenements or Hereditaments, are ſituate, and ſhall be filed with the Rolls of ſuch Parts or Place; and the ſame, or a true Copy thereof, ſhall be admitted as Evidence in all Courts whatſoever; and all Perſons ſhall have Liberty to inſpect the ſame, and take Copies thereof, upon paying for every ſuch Inſpection the Sum of one Shilling, and for every ſuch Copy, not exceeding two hundred Words, the Sum of nine Pence, and ſo in Proportion for any greater Number of Words.

Upon Payment or Tender of the Purchaſe-money,

XCIV. And be it further enacted, That upon Payment of ſuch Sum or Sums of Money as ſhall be agreed upon between the ſaid reſpective Commiſſioners, or any five or more of them, and the Party or Parties intereſted, or of ſuch Sum or Sums of Money as ſhall be aſſeſſed by any ſuch Jury to ſuch Party or Parties, or legal Tender thereof made, or to the principal Officer or Officers of any ſuch Bodies Politick, Corporate or Collegiate, or if he, ſhe or they cannot be found, or ſhall refuſe to accept ſuch Money, upon Payment thereof to ſuch Perſon or Perſons as the ſaid reſpective Commiſſioners, or any five or more of them, ſhall by Writing under their Hands appoint, for the Uſe of and to be paid upon Demand, without Fee or Reward, to ſuch Party or Parties reſpectively, the ſaid reſpective Commiſſioners, and all Perſons employed or authorized by them, or any five or more of them, ſhall have full Power and Authority to enter upon the Lands, Tenements or Hereditaments, in reſpect whereof ſuch Monies were ſo agreed for or aſſeſſed, and to make uſe of ſuch Lands, Tenements and Hereditaments, for the Purpoſes of this Act; and they ſhall be and are hereby indemnified for ſo doing; and all and every Perſon and Perſons, Bodies Politick, Corporate and Collegiate, whatſoever, ſhall from thenceforth be, to all Intents and Purpoſes, diveſted of all Right, Title, Claim, Intereſt, and Property, to or in the ſame.

Commiſſioners may make uſe of the Lands.

Expences of the Jury how to be paid.

XCV. And be it further enacted, That in all Caſes where any Verdict ſhall be given for a greater Sum or Recompence than ſhall have been offered by or on the Behalf of the ſaid reſpective Commiſſioners, or any five or more of them, before the ſummoning of any ſuch Jury, for or in reſpect of any ſuch Lands, Tenements, Hereditaments, or Damages as aforeſaid, that then all the Expences of ſuch Jury, and the Witneſſes attending in conſequence thereof, and of taking ſuch Inqueſt, ſhall be paid by the ſaid reſpective Commiſſioners, or any five or more of them, out of the Monies to ariſe by virtue of this Act; but if any Verdict ſhall be given for no more or a leſs Sum than ſhall have been ſo previouſly offered by or on the Behalf of the ſaid reſpective Commiſſioners, or any five or more of them, then and in every ſuch Caſe ſuch Expences ſhall be paid by the Owners of, or Perſons intereſted in, the Lands, Tenements or Hereditaments in Queſtion.

Commiſſioners to appoint Officers, &c.

XCVI. And be it further enacted, That the ſaid General Commiſſioners for the Drainage, or any five or more of them, or the ſaid Commiſſioners for the ſaid reſpective Diſtricts, or any five or more of them, or the ſaid Commiſſioners for the Navigation, or any five or more of them reſpectively, ſhall be, and they are hereby impowered, from time to time, by Writing under their Hands and Seals, to appoint ſuch Collector or Collectors of the ſaid Taxes and Tolls, and alſo ſuch Treaſurer or Treaſurers, as they ſhall think fit to employ in the Execution of this Act; ſuch Treaſurer or Treaſurers, and Collector or Collectors, giving Security to the Satisfaction of the ſaid reſpective Commiſſioners, or any five or more of them, who ſhall adminiſter an Oath to every ſuch Collector for the faithful Execution of his Office (which Oath any two of the ſaid reſpective Commiſſioners are hereby impowered to adminiſter) and ſuch Collector or Collectors ſhall, at ſuch Times as he or they ſhall be required by the ſaid reſpective Commiſſioners, or any five or more of them, by Writing under their Hands, pay or cauſe to be paid into the Hands of the ſaid Treaſurer or Treaſurers, all and every the Sum and Sums of Money which ſuch Collector or Collectors ſhall have received by virtue of this Act; and the ſaid reſpective Commiſſioners, or any five or more of them, may alſo, by Writing under their Hands and Seals, appoint a Clerk or Clerks, Surveyor or Surveyors, and ſuch other Officers as they ſhall think fit to employ in the Execution of this Act; and all the Officers ſo to be appointed ſhall be paid, out of the Monies to be raiſed by virtue of this Act, ſuch Salaries or Allowances as the ſaid reſpective Commiſſioners, or any five or more of them, ſhall think reaſonable; and ſhall be from Time to Time removeable, at the Will and Pleaſure of the ſaid reſpective Commiſſioners, or any five or more of them.

and to allow them Salaries.

Treaſurers to enter Receipts and Payments in a Book,

XCVII. And be it further enacted, That the ſaid reſpective Treaſurer or Treaſurers ſhall fairly enter into one or more Book or Books to be kept for that Purpoſe, an Account of all Monies by him or them received and diſburſed, ſpecifying the Times when, and the Perſons from and to whom ſuch Monies were reſpectively received and diſburſed, and for what Purpoſes; which Book or Books, or a true Copy thereof, ſigned by the ſaid Treaſurer or Treaſurers, together with the Vouchers for ſuch Diſburſements, and alſo all Books and Papers in his or their Cuſtody, relating to the Execution of this Act, ſhall be delivered to the ſaid reſpective Commiſſioners, or any five or more of them, once at leaſt in every Year, and from Time to Time, as often as the ſaid reſpective Commiſſioners, or any five or more of them, ſhall require the ſame; and the ſaid Treaſurer or Treaſurers ſhall alſo verify the ſaid Account or Accounts upon Oath, if thereunto required by the ſaid

and to account upon Oath.

ſaid reſpective Commiſſioners, or any five or more of them, and the ſaid reſpective Commiſſioners, or any five or more of them, are hereby authorized to diſcharge ſuch Treaſurer or Treaſurers of all ſuch Monies as he or they ſhall have truly accounted for; and the ſaid reſpective Commiſſioners, or any five or more of them, ſhall alſo at ſuch Time or Times as they ſhall think proper, ſummon before them, and if they think fit, examine upon Oath (which Oath, as alſo the Oath or Oaths to the ſaid Treaſurer or Treaſurers, the ſaid reſpective Commiſſioners, or any two or more of them, are hereby impowered to adminiſter) all or any ſuch Collectors, Clerks, Surveyors and Perſons employed in, or intruſted with the Receipt or Expenditure of any of the Monies to be raiſed by virtue of this Act; and which Collectors, Clerks, Surveyors and Perſons employed in or intruſted as aforeſaid, ſhall render to the ſaid reſpective Commiſſioners, or any five or more of them, from Time to Time, as often as they ſhall be thereunto required by the ſaid reſpective Commiſſioners, or any five or more of them, a true and perfect Account in Writing of all Monies ſo by them reſpectively received and paid, with the Vouchers for ſuch Payments; and alſo all Books and Papers in their Cuſtody relating to the Execution of this Act; and in caſe any ſuch Treaſurer, Collector, Clerk or other Officer or Perſon, ſhall be found in Arrear, or refuſe to account, or to pay the Money remaining in his Hands, according to the Directions of the ſaid reſpective Commiſſioners, or any five or more of them, or if any ſuch Officer or Perſon ſhall not deliver ſuch Books or Papers in his Cuſtody as aforeſaid, in every ſuch Caſe it ſhall be lawful for the ſaid reſpective Commiſſioners, or any five or more of them, by Warrant or Warrants under their Hands and Seals, to commit every ſuch Officer and Perſon to the Common Gaol of the County or Place where ſuch Officer or Perſon ſhall reſide; there to remain without Bail or Mainprize, until he ſhall have made a true Account and Payment, and delivered ſuch Books and Papers as aforeſaid, or compounded with or ſatisfied the ſaid reſpective Commiſſioners, or any five or more of them; which Compoſition the ſaid reſpective Commiſſioners, or any five or more of them, are hereby impowered to make.

Reports to be made of Loading by Navigation.

XCVIII. And for the more eaſy collecting the ſaid Tolls, Be it further enacted, That every Perſon having the Charge of any Boat or Veſſel paſſing on the ſaid River, Cuts or Trenches, ſhall give a true Report or an Account in Writing, ſigned by himſelf, unto ſuch Perſon or Perſons as ſhall, from Time to Time, be appointed by the ſaid Commiſſioners for the Navigation, or any five or more of them, to receive the ſame, or to the Collector or Collectors of ſuch Tolls, and at ſuch Place or Places as ſhall be appointed by the ſaid Commiſſioners, or any five or more of them, of the Weight of the Goods, Wares, Merchandizes and Commodities, which ſhall be in or belong to ſuch Boat or Veſſel; and alſo of the Weight of ſuch Goods, Wares, Merchandizes and Commodities, as ſhall have been diſcharged or taken out of ſuch Boat or Veſſel, before the Arrival thereof at the Place where ſuch Account or Report is to be given; and in Failure of giving ſuch Account or Report, or in caſe a falſe Account or Report ſhall be given, every ſuch Perſon ſhall for every ſuch Offence forfeit and pay the Sum of five Pounds, over and above the Payment of ſuch Tolls; and if any Difference ſhall ariſe between any Collector of the ſaid Tolls, and the Perſon having Charge of any Boat or Veſſel, or the Owner of any Goods, Wares, Merchandizes or Commodities, or Perſons acting in his Behalf, concerning the Weight of the ſame, it ſhall be lawful for any ſuch Collector to ſtop and detain any ſuch Boat or Veſſel, and to weigh, meaſure or gauge, or cauſe to be weighed, meaſured or gauged, all ſuch Goods, Wares, Merchandizes and Commodities; and in caſe the ſame ſhall appear to be of a greater Weight than ſuch Perſon declared the ſame to be, in every ſuch Caſe ſuch Perſon ſhall pay the Coſts and Charges of ſuch weighing, meaſuring or gauging; all which ſaid Coſts and Charges, upon Refuſal of Payment thereof, on Demand, ſhall and may be recovered as the ſaid Tolls are appointed to be recovered; but if ſuch Goods, Wares, Merchandizes or Commodities, ſhall appear to be of no greater Weight than ſuch Perſon declared the ſame to be, then ſuch Collector ſhall pay ſuch Coſts and Charges, and ſhall alſo pay to ſuch Perſon, or to the Owner or Owners of ſuch Goods, Wares, Merchandizes and Commodities, one Shilling for every Hour that ſuch Boat or Veſſel ſhall be ſo detained; and in Default of immediate Payment thereof, the ſame ſhall be levied by Diſtreſs and Sale of the Goods and Chattels of ſuch Collector, by Warrant or Warrants under the Hand and Seal of any Juſtice of the Peace for the Parts or Place where ſuch Boat or Veſſel was detained, rendering the Overplus (if any be) to the Owner or Owners of ſuch Goods and Chattels; and the ſaid Commiſſioners, or any five or more of them, may, if they think fit, out of the Money to be raiſed by virtue of this Act, reimburſe the ſaid Collectors the Monies ſo paid by or levied upon them, for the Detention of any ſuch Boat or Veſſel.

Commiſſioners may ſet up Gates, &c. over the Ditches and Fences in the Towing paths.

XCIX. And be it further enacted, That the ſaid Commiſſioners for the Navigation, or any five or more of them, ſhall cauſe to be made, ſet up, and from Time to Time, maintained and kept in Repair convenient Gates, Bridges, Paſſages and Stiles, in and over all the Ditches and Fences in the Towing-paths to be uſed for the Purpoſes of this Act, where the ſame ſhall reſpectively be neceſſary; and alſo ſuch Bridges over the new Cuts, Trenches and Paſſages, as ſhall be proper for the Uſe of the Occupiers of the Lands, Tenements and Hereditaments thereunto adjoining; and alſo that if the ſaid Commiſſioners, or any five or more of them, ſhall think proper to cauſe the ſaid River to be deepened in any Part or Parts, ſo as to render any uſual and Common Fords or Highways impaſſable or dangerous, in every ſuch Caſe the ſaid Commiſſioners, or any five or more of them, ſhall firſt cauſe a ſufficient Bridge or Bridges to be erected, or ſuch other Conveniences as the ſaid Commiſſioners, or any five or more of them, ſhall judge proper, where ſuch Fords or Highways now are, or as near thereto as conveniently may be; and ſhall from Time to Time maintain

and

and keep the ſaid Bridges or Conveniences in Repair, for the Accommodation of all Perſons having Occaſion to paſs over the ſame.

'C. And for the better preventing of Damages or Miſchiefs that may be done or committed by 'any rude or diſorderly Perſons towing, navigating or managing any Boat, Barge, Lighter or other 'Veſſel, within the Limits of the ſaid Navigation, and to the End that the Owners and Maſters 'thereof may be more careful therein;' Be it further enacted, That the Maſter or Owner of every Boat, Barge, Lighter or other Veſſel, which ſhall paſs up or down the ſaid River, or the ſaid Branches thereof, ſhall be and is hereby made anſwerable for, and ſhall make good any Damage, Spoil or Miſchief that ſhall be done by his, her or their Boat, Barge, Lighter or other Veſſel, or by any Boatmen, Bargemen or Watermen, or by any of the Crew thereof, belonging to or employed in or about the ſame reſpectively, or by his, her or their Servants or Horſes, unto any of the Bridges, Locks, Staunches, Dams, Sluices or other Works that now are or ſhall be erected, maintained or kept in Repair, in, upon or near the ſaid River, or any of the ſaid Branches thereof, or any new Cuts of the ſaid River, or the ſaid Branches thereof, to be made by Authority of this Act; or by loading or unloading any Boat, Barge, Lighter or other Veſſel; and alſo for any Treſpaſs or Damage that ſhall or may be done to the Owners or Poſſeſſors of any Buildings or Erections upon or near the ſaid River, or any of the ſaid Branches thereof, that now are or that hereafter ſhall be erected and ſet up; or to any Lands, Tenements or Hereditaments, or any Crop on the Ground adjoining to the ſame, or any of them, other than is provided for and authorized by this Act: And if any ſuch Damage, Spoil or Miſchief ſhall be done to any of the ſaid Bridges, Locks, Staunches, Dams, Sluices, Cuts, Banks or other Works, or by loading or unloading ſuch Boats, Barges, Lighters or other Veſſels, the ſame ſhall be inquired into and determined by any two Juſtices of the Peace for the Parts or Place where ſuch Damage ſhall be done, who is hereby authorized and required, upon Complaint or Information made before them, to ſummon ſuch Boat-maſter, Barge-maſter or Owner, to appear before them; and upon his, her or their Appearance, or making Default to appear (Proof being made upon Oath before ſuch Juſtices, that the Party neglecting to appear was perſonally ſerved with ſuch Summons, or that the ſame was left for him, her or them, at his, her or their uſual Place of Abode) ſuch Juſtices ſhall proceed to examine into the Truth of the ſaid Complaint or Information, and upon Conviction of the Party complained of, or Proof upon the Oath of one or more credible Witneſs or Witneſſes, ſhall award and order ſuch Sum of Money to be paid by ſuch Boat-maſter, Barge-maſter or Owner, as a Recompence for the ſaid Damage, Spoil or Miſchief ſo done as aforeſaid, as the ſaid Juſtices ſhall think proper, not exceeding treble the Amount or Value of ſuch Damage, Spoil or Miſchief; and in caſe of Non-payment of ſuch Sum of Money ſo awarded and ordered for the Space of five Days, the ſaid Juſtices are hereby authorized and required to levy the ſame by Diſtreſs and Sale of the Boats, Barges, Lighters, Veſſels or other Goods and Chattels of ſuch Boat-maſter, Barge-maſter or Owner, by Warrant under the Hands and Seals of ſuch Juſtices, rendering to the Owner the Overplus (if any be) after the ſaid Sum, together with the reaſonable Charges of ſuch Information and Conviction, Diſtreſs and Sale, hath been firſt ſatisfied and paid.

Boat-maſters, &c. anſwerable for Damages done by their Crew to Bridges, &c. and for Treſpaſſes.

Damages to be determined by two Juſtices.

CI. And be it further enacted, That if any Boatman, Bargeman, Lighterman, Waterman or other Perſon, having the Care or Management of any Boat, Barge, Lighter or other Veſſel, or navigating or working the ſame, ſhall lay ſuch Boat, Barge, Lighter or other Veſſel, ſo as to obſtruct the Paſſage of other Boats, Barges, Lighters or other Veſſels, or ſhall hinder the opening or ſhutting of any of the ſaid Locks or Sluices, and ſhall not, upon Requeſt, immediately remove the ſame, ſuch Perſon or Perſons offending as aforeſaid, ſhall, for every ſuch Offence, forfeit any Sum not exceeding five Pounds, nor leſs than forty Shillings, to be recovered upon Conviction before any Juſtice of the Peace for the Parts or Place adjoining thereto (not intereſted otherwiſe than as a Commiſſioner) by the Oath of one or more credible Witneſs or Witneſſes, or by the Confeſſion of the Party or Parties offending, by Diſtreſs and Sale of ſuch Boat, Barge, Lighter or other Veſſel, or any of the Goods and Chattels of ſuch Offender or Offenders, by Warrant under the Hand and Seal of ſuch Juſtice before whom ſuch Offender or Offenders ſhall be convicted, rendering the Overplus (if any be) after the reaſonable Charges firſt deducted, to ſuch Offender or Offenders; and for want of ſufficient Diſtreſs, ſuch Offender or Offenders ſhall, by Warrant under the Hand and Seal of ſuch Juſtice, be committed to the Houſe of Correction, there to be kept to hard Labour for any Time not exceeding three Months, nor leſs than one Month, or until ſuch Penalty ſhall be paid.

Boatmen obſtructing the Paſſage of Boats, &c. ſubject to a Penalty;

to be levied by Diſtreſs and Sale;

and for want of Diſtreſs, the Offender to be committed.

CII. And be it further enacted, That if any Boat, Barge, Lighter, or other Veſſel ſhall happen to be ſunk in the ſaid River, or in any of the ſaid Branches, Cuts or Trenches thereof, and that the Owner or Perſon having the Command or Rule thereof, ſhall not without Loſs of Time weigh or draw up the ſame again, and hale the ſame out of the Way of other Boats, Barges, Lighters or Veſſels paſſing and repaſſing upon the ſaid Navigation, it ſhall and may be lawful to and for the ſaid Commiſſioners for the Navigation, or any five or more of them, or their Agents or Servants, to cauſe ſuch Boat, Barge, Lighter, or other Veſſel to be weighed or drawn up, and to detain and keep ſuch Boat, Barge, Lighter, or other Veſſel, until Payment ſhall be made of all Expences occaſioned thereby; and if Payment be not made in twenty Days after ſuch Boat, Barge, Lighter or other Veſſel ſhall be weighed or drawn up, then and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners, or their Agents or Servants, to cauſe Sale to be made thereof for reimburſing the ſaid Expences and other incident Charges; rendering the Overplus (if any be) when demanded, to the Owner or Maſter of ſuch Boat, Barge, Lighter or other Veſſel.

Veſſels ſunk to be weighed up and detained till Satisfaction made.

Maſters to have their Names ſet on the Outſide of the Boat, &c.

and on the Bow, &c.

For want of which,

or opening Gates, &c. to let Water run waſte,

ſubject to a Penalty; to be recovered by Diſtreſs and Sale; for want of Diſtreſs, Offender to be committed.

CIII. And to the End that the Owners, Maſters or Perſons having the Rule of any Veſſel navigating within the Limits of the ſaid Navigation, may be better known, Be it further enacted, That every Owner, Maſter or Perſon having the Rule or Command of any Boat, Barge, Lighter, or other Veſſel paſſing upon the ſaid River, or the ſaid Branches thereof, ſhall cauſe his, her or their Name, at full Length, to be placed and ſet in large Capital Letters, four Inches long and broad in Proportion, on the upper Part of the Bow, on both Sides of every Boat, Barge, Lighter, or other Veſſel, and painted white, ſo that the ſame ſhall, from time to time, and all Times, be plain and legible: And in caſe any ſuch Owner, Maſter or Perſon having the Command or Rule of any Boat, Barge, Lighter, or other Veſſel, paſſing upon the ſaid River, or any of the ſaid Branches thereof, ſhall not at all Times have his, her or their Names ſo ſet or placed as aforeſaid; or in caſe ſuch Owner, Maſter or Perſon having the Command or Rule of any Boat, Barge, Lighter, or other Veſſel paſſing on the ſaid River, or any of the ſaid Branches thereof, into or through any of the Sluices or Locks upon the ſaid River, or any of the ſaid Branches thereof, ſhall wilfully ſet or leave open any of the Gates, Doors, or Slakers belonging to the ſaid Sluices or Locks, whereby the Water of the ſaid River, or any of the ſaid Branches thereof ſhall run waſte, to the Hindrance or Detriment of the ſaid Navigation; then and in all and every of the ſaid Caſes, every ſuch Owner, Maſter or Perſon ſo neglecting or offending, on Conviction before any Juſtice of the Peace for the Parts or Place adjoining thereto, by the Oath or Oaths of one or more credible Witneſs or Witneſſes, ſhall for every ſuch Offence forfeit and pay any Sum not exceeding five Pounds, nor leſs than forty Shillings, to be levied by Diſtreſs and Sale of ſuch Offender's Goods and Chattels, by Warrant under the Hand and Seal of ſuch Juſtice; and for want of ſufficient Diſtreſs, ſuch Offender or Offenders ſhall, by Warrant under the Hand and Seal of ſuch Juſtice, be committed to the Houſe of Correction, there to be kept to hard Labour, for any Time not exceeding three Months, nor leſs than ſeven Days, or until ſuch Penalty ſhall be paid.

Perſons aggrieved may appeal to the Quarter-Seſſions, &c.

CIV. And be it further enacted, That all Perſons who ſhall think themſelves aggrieved by the Order or Judgment of any Juſtice or Juſtices of the Peace, upon account of any Offence committed againſt this Act, may appeal to the Juſtices of the Peace for the Parts or Place where or adjoining to which ſuch Offence ſhall have been committed, at their next General or Quarter-Seſſion to be held for the ſaid Parts or Place reſpectively; the Perſon or Perſons ſo appealing firſt entering into Recognizance, with two ſufficient Sureties, to proſecute ſuch Appeal with Effect; and to pay the Coſts which ſhall be aſcertained by the ſaid Juſtices in their ſaid General or Quarter-Seſſion, in caſe ſuch Order or Judgment ſhall be affirmed: And the Juſtices in their ſaid General or Quarter-Seſſion are hereby authoriſed and required to hear and determine ſuch Appeal, and give ſuch Coſts to either Party as they ſhall think reaſonable, and to make ſuch Order therein as to them ſhall appear juſt; which Order ſhall be final and concluſive to all Parties; and ſhall not be removed or removable by any Writ of *Certiorari* or otherwiſe, into any of his Majeſty's Courts of Record at *Weſtminſter* or elſewhere.

Order of Seſſions not removeable by Certiorari,

nor vacated for want of Form.

CV. And be it further enacted, That no Order or other Proceeding to be made or had by or before any Juſtice or Juſtices of the Peace, by virtue of the Powers by this Act granted, ſhall be quaſhed or vacated for want of Form only.

Application of the Fines.

CVI. And be it further enacted, That the reſpective Fines, Forfeitures and Penalties by this Act impoſed and inflicted, the Application whereof is not herein before particularly directed, ſhall be paid into the Hands of the Treaſurer or Treaſurers of the Monies to be raiſed by the Taxes or Tolls reſpectively by virtue of this Act; and ſhall be applied and diſpoſed of for the Uſe of the ſaid Drainage or Navigation reſpectively as the Caſe ſhall happen, and to and for no other Uſe or Purpoſe whatſoever.

Deſtroying Works made Felony.

CVII. And for preventing the breaking down or damaging any of the Works which ſhall be erected or made in purſuance of this Act, Be it enacted, That if any Perſon or Perſons ſhall wilfully and maliciouſly cut, break down, damage or deſtroy any Banks, or other Works to be erected or made for the Purpoſes of the ſaid Drainage or Navigation, ſuch Perſon or Perſons ſhall be adjudged guilty of Felony, and ſhall be ſubject and liable to the like Pains and Penalties as in caſe of Felony; and the Court, by and before whom ſuch Perſon or Perſons ſhall be tried, ſhall have full Power and Authority to tranſport ſuch Felon or Felons for the Space of ſeven Years, in like Manner as other Felons are directed to be tranſported by the Laws and Statutes of this Realm.

Commiſſioners may make By-laws,

CVIII. And be it further enacted, That the ſaid Commiſſioners for the Navigation, or any five or more of them, at any of their Meetings, ſhall from time to time have full Power and Authority to make By-laws, Orders and Conſtitutions for the good and orderly uſing of the ſaid Navigation, and for the well-governing of the Bargemen, Watermen and Boatmen, who ſhall convey or carry any Goods, Wares or Merchandizes on any Part of the ſaid River, or the ſaid Branches thereof, and to impoſe and inflict ſuch reaſonable Fines, Forfeitures or Puniſhments upon the Breakers of ſuch By-laws, Orders or Conſtitutions, as the ſaid Commiſſioners, or any five or more of them ſhall think fit; ſuch Fines, Forfeitures or Puniſhments to be levied or inflicted by ſuch Ways and Means as the ſaid Commiſſioners, or any five or more of them ſhall direct; which ſaid By-laws, Orders and Conſtitutions being put into Writing, under the Hands and Seals of the ſaid Commiſſioners, or any five or more of them, ſhall be binding to and be obſerved by all Parties; and ſhall be ſufficient in any Court of Law or Equity, to juſtify all Perſons who ſhall act under the ſame, either in puniſhing ſuch Perſons as ſhall diſobey the ſame, or in levying any Penalty or Forfeiture thereby incurred; but any Perſon or Perſons thinking himſelf, herſelf or themſelves aggrieved, by any Order

Perſons aggrieved thereby may appeal to the Quarter-Seſſions.

or

or Judgment made or given by or in purſuance of any ſuch By-law, Order or Conſtitution, may within three Months after ſuch Order or Judgment ſhall be made or given, complain to the Juſtices of the Peace, at their General or Quarter-Seſſion to be held in and for the Parts or Place where the Cauſe of Complaint ſhall ariſe, who ſhall in a ſummary Way, either hear and determine the ſaid Complaint at ſuch General or Quarter-Seſſion, or if they think proper, may adjourn the Hearing thereof to the next General or Quarter-Seſſion of the Peace to be held for the ſaid Parts or Place reſpectively; and if they ſee Cauſe may mitigate or alter ſuch Forfeiture or Puniſhment; and may order any Money to be returned, which ſhall have been levied in purſuance of ſuch By-law, Order or Conſtitution, and may alſo order ſuch further Satisfaction to be made to the Party injured as they ſhall judge reaſonable; but no Juſtice of the Peace ſhall act or vote in the Hearing or Determining of any ſuch Complaint, whoſe Hand and Seal as a Commiſſioner ſhall appear to have been ſet to the ſaid By-law, Order or Conſtitution, which occaſioned ſuch Complaint.

No Juſtice who ſigned the By-law to act or vote in the determining ſuch Complaint.

CIX. And be it further enacted, That all By-laws, Orders, Conſtitutions and Proceedings of the ſaid reſpective Commiſſioners in the Execution of this Act, ſhall be entered in a Book or Books to be kept for that Purpoſe; and ſuch By-laws, Orders, Conſtitutions and Proceedings, when entered, ſhall be ſigned by the ſaid reſpective Commiſſioners, or any three or more of them, and the Clerk or Clerks attending the ſaid reſpective Commiſſioners, is and are hereby required to ſet his or their Name or Names as a Witneſs or Witneſſes thereto; and the ſaid By-laws, Orders, Conſtitutions and Proceedings ſo ſigned and atteſted, ſhall be deemed and taken to be original By-laws, Orders, Conſtitutions and Proceedings, and ſhall and may be produced and read in Evidence, in all Caſes of Appeals, Suits, Actions, or other Proceedings, touching any thing done in purſuance of this Act; and which Book or Books ſhall and may be ſeen and peruſed, at all reaſonable Times, and Copies thereof, or any Part thereof, may be taken by any Perſon or Perſons whomſoever, paying to the ſaid Clerk or Clerks three Pence for every one hundred Words.

Orders of the Commiſſioners to be entered in a Book, and ſigned;

and to be admitted as Evidence.

CX. And be it further enacted, That ſuch of the Commiſſioners appointed or to be appointed in or by virtue of this Act, as ſhall be a Juſtice or Juſtices of the Peace, may and is and are hereby authoriſed and impowered to act as a Juſtice or Juſtices of the Peace, in the Execution of the Powers and Authorities hereby given to any Juſtice or Juſtices of the Peace, notwithſtanding his or their being ſuch Commiſſioner or Commiſſioners; provided ſuch Juſtice or Juſtices is or are not intereſted in the Matter in Queſtion, otherwiſe than as a Commiſſioner or Commiſſioners.

Commiſſioners may act as Juſtices.

CXI. And be it further enacted, That if any Perſon appointed or to be appointed a Commiſſioner in or by virtue of this Act, ſhall have or accept of any Place of Profit ariſing out of the Monies to be raiſed by virtue of this Act, ſuch Perſon, from and after his accepting ſuch Place of Profit, and during the Time of his holding and injoying the ſame, ſhall be incapable of acting as a Commiſſioner under this Act.

No Commiſſioner to act holding a Place of Profit.

CXII. And be it further enacted, That no Perſon who ſhall be appointed to keep any Lock or Sluice which ſhall be made or erected by virtue of this Act, ſhall ſell any Ale, Wine, Brandy, or other Spirituous Liquors, during the Time of his executing ſuch Office.

Lock-keeper not to ſell Spirituous Liquors.

CXIII. And be it further enacted, That no Commiſſioner named or appointed, or which ſhall be named or appointed in or by virtue of this Act, ſhall act, or be impowered to do any Act in the Execution of the Powers hereby given to them, or any of them; except it be at the reſpective Meetings to be held in purſuance of this Act.

Commiſſioners not to act but at a Meeting held in purſuance of this Act.

CXIV. And be it further enacted, That no Nomination, Appointment, Information, Order, Judgment, Conviction, Warrant, Mortgage, Aſſignment, Transfer, or other Security for the borrowing of Money, or other Writing whatſoever, under the Hand and Seal or Hands and Seals of, or only ſigned by, any Commiſſioner or Commiſſioners for putting this Act in Execution, or by any Juſtice or Juſtices of the Peace, or exhibited before them, or any of them, touching or concerning or in Execution of any of the Powers or Authorities hereby veſted in ſuch Commiſſioner or Commiſſioners, or Juſtice or Juſtices of the Peace, or any of them, or Transfer of any of the Securities aforeſaid, made by any Perſon or Perſons, ſhall be charged or chargeable with any Stamp-duty whatſoever.

Writings to be without Stamps.

CXV. And be it further enacted, That where any Diſtreſs ſhall be made for any Sum or Sums of Money to be levied by virtue of this Act, the Diſtreſs itſelf ſhall not be deemed unlawful, nor the Party or Parties making the ſame be deemed a Treſpaſſer or Treſpaſſers, on account of any Defect or Want of Form in the Summons, Conviction, Warrant of Diſtreſs, or other Proceedings relating thereto; nor ſhall the Party or Parties diſtraining be deemed a Treſpaſſer or Treſpaſſers *ab initio*, on account of any Irregularity which ſhall be afterwards committed by the Party or Parties diſtraining; but the Perſon or Perſons aggrieved by ſuch Irregularity ſhall and may recover full Satisfaction for the ſpecial Damage in any Action upon the Caſe.

Perſon aggrieved by any Irregularity in diſtraining,

to recover for the ſpecial Damage only.

CXVI. And be it further enacted, That the Charges and Expences attending the obtaining and paſſing of this Act, and other the neceſſary Expences relating thereunto, ſhall be paid and defrayed by the general Commiſſioners for Drainage, or any five or more of them, out of the firſt Monies which ſhall be by them raiſed by virtue of this Act for the general Works of Drainage; and that the Commiſſioners for the Navigation, or any five or more of them, ſhall, out of the firſt Monies to be by them raiſed by virtue of this Act for the Purpoſes of the ſaid Navigation, pay or cauſe to be paid to the ſaid general Commiſſioners for the Drainage, one third Part of the ſaid Charges and Expences paid by the ſaid general Commiſſioners for the Drainage, as the Share or Proportion of the ſaid Commiſſioners for the Navigation.

Expences of this Act how to be paid.

CXVII. Provided

Works of Drainage or Navigation not ſubject to Commiſſioners of Sewers, except, &c.

CXVII. Provided always, and be it further enacted, That *Lodowick's Gowt*, or other Works already made or to be made or erected by virtue of this Act, either for the Purpoſe of Drainage or Navigation, or any Lands, Gowts, Sewers, Drains, Watercourſes, or other Matter or Thing whatſoever, within the Boundaries of the low Lands and Fens particularly deſcribed by this Act, ſhall not be ſubject to the Controul, Direction, Survey, or Order of any Commiſſion of Sewers, or any Law or Statute relating to Sewers; any thing in any former Law or Statute to the contrary thereof notwithſtanding; ſave and except ſuch Lands which are now liable to contribute to the Repair of *Redſtone Gowt*, and the Drain called *New Hammond Beck* leading thereto; which in reſpect to thoſe Repairs only ſhall ſtill remain under the Juriſdiction of the Commiſſioners of Sewers, but exempt in every other.

Part of Act 22 & 23 Car. 2. c. 25. repealed. *N. B. This of Car. 2. is a Private Act.*

CXVIII. And be it further enacted, That ſo much of an Act paſſed in the twenty-ſecond and twenty-third Years of the Reign of his Majeſty King CHARLES the Second, intituled, *An Act for improving the Navigation between the Town of* Boſton *and the River* Trent, as relates to the improving the ſaid Navigation between *Lincoln High Bridge*, through *Boſton*, to the Sea, ſhall from and after the paſſing of this Act be and the ſame is hereby repealed.

No Toll to be paid for Pleaſure Boats.

CXIX. Provided always, and be it further enacted, That no Toll or Duty ſhall be demanded or taken for any Pleaſure Boat for paſſing through all or any of the Locks to be made or erected in or upon the ſaid River, or upon the Branches thereof, provided there be no Goods or Merchandize carried therein, or for any Boat, Barge, Lighter or other Veſſel, laden with any Materials for carrying on the Works of Drainage; and that the Lord or Lords of the reſpective Manors, or any other Perſon whomſoever, ſhall have full Liberty to fiſh, fowl, and exerciſe all other Rights and Royalties on the ſaid River, or any other Rivers running into the ſame, or any of the Branches thereof, which they have uſually exerciſed and enjoyed, and to which they are now legally intitled; any thing herein contained to the contrary notwithſtanding; ſo that the Exerciſe of ſuch Rights and Royalties ſhall not interfere with or interrupt the Execution of this Act, or the free Uſe of the ſaid Navigation.

Reſervation of Rights.

If Drainage and Navigation not compleated in 14 Years, Mayor, &c. of Lincoln to undertake it, from Canwick Ings to the High Bridge in Lincoln.

CXX. Provided always, and be it enacted by the Authority aforeſaid, That in Caſe the Commiſſioners appointed by and under this Act do not, within fourteen Years after the paſſing the ſame into a Law, make perfect and compleat the Drainage of the low Lands, from the Eaſt End of *Canwick Ings* to the Weſtern Boundaries of the ſaid Drainage towards *Lincoln*, and alſo a Navigation from the Eaſt End of the ſaid *Ings* to the *High Bridge* in the City of *Lincoln*, according to the true Intent and Meaning of this Act; that then, and in ſuch Caſe, it ſhall and may be lawful for the Mayor, Sheriffs, Citizens, and Commonalty of the City of *Lincoln*, to enter upon, undertake, make perfect and compleat the ſaid Works for Drainage and Navigation, within ſeven Years after from the Eaſt End of *Canwick Ings* to the Places aforeſaid, under the ſame Rules, Orders, and Reſtrictions, to which the Commiſſioners, in and by this Act appointed, are ſubject; and they are hereby inveſted with the like Powers and Authorities in that Behalf, but liable to the Controul of any five or more of the ſaid Commiſſioners of Drainage, acting under the Powers of this Act, in caſe they ſhould exceed the Powers to them hereby granted; and that it ſhall and may be lawful for them to take and receive a Toll, not exceeding three Pence *per* Ton for all Veſſels paſſing and repaſſing, and alſo the Tax charged upon the Lands on both Sides the River within the aforeſaid Limits, according to that Proportion of Tax which ſhall be laid, from time to time, by the general Commiſſioners of Drainage, on the firſt and third Diſtrict; and in caſe the ſaid Mayor, Sheriffs, Citizens, and Commonalty of the City of *Lincoln*, do not make perfect and compleat the ſaid Works within ſeven Years from the Expiration of the aforeſaid fourteen Years, the ſame ſhall revert to the Commiſſioners under this Act; any thing contained in this Act to the contrary notwithſtanding: And in caſe any Diſpute ſhall ariſe, whether the Drainage and Navigation within the aforeſaid Limits are compleat at the End of either of the above recited Terms of fourteen or ſeven Years, it ſhall and may be lawful for the Juſtices of Peace for the Diviſion of *Keſteven*, in the County of *Lincoln*, upon Application to them made, to hear and determine the ſame at their General Quarter-Seſſion; and ſuch Determination ſhall be final and concluſive to all Parties whatſoever.

Limitation of Actions.

CXXI. And be it further enacted, That if any Action, Suit, or Information, ſhall be brought or commenced againſt any Perſon or Perſons, for any thing done or to be done in purſuance of this Act, or in the Execution of the Powers and Authorities, or the Orders or Directions herein before given or granted, every ſuch Action, Suit, or Information, ſhall be commenced and brought within ſix Calendar Months next after the Fact committed, and not afterwards, and ſhall be laid and brought in the ſaid County of *Lincoln*, or in the County of the City of *Lincoln*, wherein the Fact ſhall be committed, and not elſewhere; and the Perſon or Perſons ſo ſued or proſecuted ſhall or

General Iſſue.

may plead the General Iſſue, and give this Act and the Special Matter in Evidence at any Trial to be had thereupon, and that the ſame was done in purſuance and by the Authority of this Act: And if it ſhall appear to have been ſo done, or if any Action, Suit or Information ſhall be brought after the Time before limited for bringing the ſame, or ſhall be brought in any other County or Place than as aforeſaid; then, and in ſuch Caſe or Caſes, the Jury ſhall find for the Defendant or Defendants; or if the Plaintiff or Plaintiffs ſhall become nonſuited, or ſuffer a Diſcontinuance of his, her or their Action, Suit, or Information, after the Defendant or Defendants ſhall have appeared, or if a Verdict ſhall paſs againſt the Plaintiff or Plaintiffs, or if upon Demurrer or otherwiſe, Judgment ſhall be given againſt the Plaintiff or Plaintiffs, the Defendant or Defendant ſhall have Treble

Treble Coſts.

Coſts, and ſhall have ſuch Remedy for the ſame, as any Defendant or Defendants hath or have for Coſts of Suit in other Caſes by Law.

CXXII. And be it further enacted, That this Act ſhall be deemed, adjudged, and taken to be, a Publick Act, and ſhall be judicially taken Notice of as ſuch, by all Judges, Juſtices, and other Perſons whomſoever, without ſpecially pleading the ſame. Publick Act.

CAP. XXXIII.

An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund; and for applying certain Monies remaining in the Exchequer for the Service of the Year one thouſand ſeven hundred and ſixty-two; and for ſettling and ſecuring a certain Annuity for the Uſe of the Right Honourable *Arthur Onſlow*, Speaker of the Houſe of Commons in the laſt five Parliaments.

Moſt Gracious Sovereign,

'WE your Majeſty's moſt dutiful and loyal Subjects the Commons of *Great Britain*, in Parliament aſſembled, being deſirous to raiſe the Reſidue of the neceſſary Supplies which we 'have chearfully granted to your Majeſty in this Seſſion of Parliament, by Ways and Means the 'leaſt burthenſome to your Majeſty's Subjects, have reſolved to give and grant to your Majeſty the 'Sum herein after mentioned; and do therefore moſt humbly beſeech your Majeſty that it may be 'enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That by or out of ſuch Monies as ſhall from time to time be and remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, after paying or reſerving ſufficient to pay all ſuch Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, there ſhall and may be iſſued and applied for and towards making good the Supply granted to his Majeſty for the Service of the Year one thouſand ſeven hundred and ſixty-two, a Sum not exceeding one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny; and the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, are hereby authorized and impowered to iſſue and apply the ſame accordingly. Preamble. There ſhall be iſſued 1,009,217 l. 2 s. 8 d. 2 q. out of the Sinking Fund;

II. And be it further enacted by the Authority aforeſaid, That the Sum of one hundred and fifteen thouſand Pounds, granted by an Act made in the ſecond Year of his late Majeſty's Reign, upon Account of Arrears of his late Majeſty's Civil Liſt Revenues, and now, by his Majeſty's Direction, replaced and refunded out of the Arrears of the ſaid Revenues, which were ſtanding out at the Time of his late Majeſty's Demiſe; and alſo the Sum of twenty thouſand Pounds, remaining in the Receipt of the Exchequer, being Part of the Sum of one hundred thouſand Pounds, granted to his late Majeſty in the Year one thouſand ſeven hundred and fifty-eight, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia for the Year one thouſand ſeven hundred and fifty-eight, and for defraying ſuch Expences as were actually incurred upon the Account of the Militia in the Year one thouſand ſeven hundred and fifty-ſeven; and alſo the Sum of eighty thouſand Pounds, remaining in the Receipt of the Exchequer, which was granted to his late Majeſty in the Year one thouſand ſeven hundred and ſixty, upon Account, towards defraying the Charge of Pay and Cloathing for the unembodied Militia for the Year ended the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; and alſo the Sum of ſeventy thouſand Pounds, remaining in the Receipt of the Exchequer, which was granted to his Majeſty in the laſt Seſſion of Parliament, upon Account, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England*, when unembodied, and of the Cloathing of the Part of the ſaid Militia then unembodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; and alſo the Sum of ſeventy-three thouſand ſix hundred and ſeventy-eight Pounds, remaining in the Receipt of the Exchequer, being the Surplus of the ſeveral Duties on Malt, eſtabliſhed by an Act made in the thirty-third Year of the Reign of his late Majeſty, for paying Annuities granted in the Year one thouſand ſeven hundred and ſixty, after ſatisfying all Charges and Incumbrances thereupon, to the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, ſhall and may be, in like Manner, iſſued and applied at the ſaid Receipt, for and towards the ſaid Supply. 115,000 l. being Monies replaced of the Arrears of his late Majeſty's Civil Liſt Revenues; 20,000 l. remaining unapplied of the Money granted in the Year 1758, towards the Charge of Pay and Cloathing for the Militia; 80,000 l. remaining unapplied of the Money granted in the Year 1760, towards Pay and Cloathing of the unembodied Militia; and 70,000 l. remaining alſo unapplied of the Money granted in the Year 1761, for the like Purpoſes; and 73,678 l. Surplus in the Exchequer of the Duties on Malt, to 5 Jan. 1762.

III. And it is hereby enacted by the Authority aforeſaid, That in caſe the ſaid Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall think it adviſeable to raiſe the ſaid Sum of one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny, or any Part thereof, by Loans or Exchequer Bills, in Manner herein after mentioned, that it ſhall and may be lawful to and for any Perſon or Perſons, Natives or Foreigners, Bodies Politick or Corporate, to advance or lend to his Majeſty, at the Receipt of his Majeſty's Exchequer, any Sum or Sums of Money not exceeding the ſaid Sum of one million nine Clauſe of Loan for raiſing the aforeſaid Sum of 1,009,217 l. 2 s. 8 d. 2 q.

nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny, upon the Credit of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund, and to have and receive Intereſt for the Forbearance of the Money lent, ſo as ſuch Loans be allowed to be made by the ſaid Commiſſioners of the Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, who are hereby authorized to iſſue their Warrants for that Purpoſe, as faſt as ſuch Loans ſhall be wanted for the Publick Service; and moreover that no Money to be lent upon the ſecurity of this Act, ſhall be rated or aſſeſſeſſed to any Tax or Aſſeſſment whatſoever.

Tallies of Loan may be ſtruck for the ſame.

IV. And be it further enacted, That all and every Perſon or Perſons who ſhall lend any Money upon the Credit of this Act as aforeſaid, and pay the ſame into the Reciept of the Exchequer, ſhall immediately have a Tally of Loan ſtruck for the ſame, and in order for his, her or their Repayment, bearing the ſame Date with his, her or their Tally, in or upon which Order ſhall be alſo contained a Warrant for Payment of Intereſt for the Forbearance thereof, and to be paid every three Months, until the Repayment of the Principal; and all ſuch Orders for Repayment of Money, ſo to be lent, ſhall be regiſtered in Courſe, according to the Dates reſpectively; and that all and every Perſon and Perſons ſhall be paid in Courſe, according as their Orders ſhall ſtand regiſtered in the ſaid Regiſter Books, ſo as the Perſon or Perſons, Natives or Foreigners, his, her or their Executors, Adminiſtrators, or Aſſigns, who ſhall have his, her, or their Order or Orders firſt entered in the ſaid Books of Regiſter, ſhall be taken and accounted to be the firſt Perſon or Perſons to be paid out of the ſaid Surpluſſes, Exceſſes, or other Revenues; and he, ſhe or they who ſhall have his, her or their Order or Orders next entered, ſhall be taken and accounted to be the ſecond Perſon to be paid, and ſo ſucceſſively and in Courſe; and that the Monies to come in of or for the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund as aforeſaid, ſhall be in the ſame Order liable to the Satisfaction of the ſaid reſpective Perſons, and Body or Bodies Politick or Corporate, their Executors, Adminiſtrators, Succeſſors, or Aſſigns reſpectively, without any undue Preference of one before another, and not otherwiſe; and ſhall not be diverted or divertible to any other Uſe, Intent or Purpoſe whatſoever (other than ſuch Uſes and Purpoſes as are appointed by any other Act or Acts of Parliament in that Behalf as aforeſaid); and that no Fee, Reward, or Gratuity directly or indirectly ſhall be demanded or taken of any of his Majeſty's Subjects, for providing or making of any ſuch Books or Regiſters, or any Entries, Views, or Searches, in or for Payment of Money lent, or the Intereſt thereof as aforeſaid, by any of his Majeſty's Officer or Officers, their Clerks or Deputies; on Pain of Payment of Treble Damages to the Party grieved, by the Party offending, with full Coſts of Suit; or if the Officer himſelf take or demand any ſuch Fee or Reward, then to loſe his Place alſo; and if any undue Preference of one before another ſhall be made either in Point of Regiſtry or Payment, contrary to the true Meaning of this Act, by any ſuch Officer or Officers, then the Party offending ſhall be liable by Action of Debt, or on the Caſe, to pay the Value of the Debt, with full Coſts of Suit to the Party grieved, and ſhall be forejudged of his Place or Office; and if any ſuch Preference be unduly made by any his Deputy or Clerk, without Direction or Privity of his Maſter, then ſuch Deputy or Clerk only ſhall be liable to ſuch Action, Debt, Damages, and Coſts, and ſhall be for ever after incapable of his Office or Place; and in Caſe the Auditor of the Receipt ſhall not direct the ſaid Orders of Loan, or the Clerk of the Pells record, or the Teller make Payment upon ſuch Orders, according to each Perſon's due Place and Order, as before directed; then he or they ſhall be adjudged to forfeit, and the reſpective Deputies and Clerks, therein offending, to be liable to ſuch Action, Debt, Damages and Coſts, in ſuch Manner as aforeſaid: All which ſaid Penalties, Forfeitures, Damages and Coſts, to be incurred by any the Officers of the Exchequer, or any their Deputies or Clerks, ſhall and may be recovered by Action of Debt, Bill, Plaint, or Information, in any of his Majeſty's Courts of Record at *Weſtminſter*; wherein no Eſſoin, Protection, Privilege, Wager of Law, Injunction, or Order of Reſtraint, ſhall be in any wiſe granted or allowed.

Orders to be regiſtered, and paid in Courſe.

No Fee to be paid for regiſtering, &c.

Penalty of undue Preference;

How to be recovered.

It ſhall be deemed no undue Preference, where Tallies are dated or brought the ſame Day:

V. Provided always, and it is declared, That if it ſhall happen that ſeveral Tallies of Loan, or Orders for Payment as aforeſaid, bear Date or be brought the ſame Day to the Auditor of the Receipt to be regiſtered, then it ſhall be interpreted no undue Preference, which of thoſe be entered firſt, ſo as he enters them all the ſame Day.

Nor if ſubſequent Orders be paid before ſuch as were not demanded in Courſe.

VI. Provided alſo, That it ſhall not be interpreted any undue Preference, to incur any Penalty in point of Payment, if the Auditor direct, and the Clerk of the Pells record, and the Tellers do pay ſubſequent Orders to Perſons that come and demand their Monies, and bring their Orders, before other Perſons that did not come to take their Monies, and bring their Orders in Courſe; ſo as there be ſo much Money reſerved as will ſatisfy precedent Orders; which ſhall not be otherwiſe diſpoſed of, but kept for them; Intereſt upon Loan being to ceaſe from the Time the Money is ſo reſerved and kept in Bank for them.

Orders aſſignable toties quoties.

VII. And be it further enacted, That all and every Perſon and Perſons to whom any Money ſhall be due, for Loans to be regiſtered by virtue of this Act, after Order entered in the Book of Regiſter as aforeſaid, his, her or their Executors, Adminiſtrators, or Aſſigns, by proper Words of Aſſignment to be indorſed and written upon his, her or their Order may aſſign and transfer his, her or their Right, Title, Intereſt and Benefit of ſuch Order to any other; which being notified in the Office of the Auditor of the Receipt aforeſaid, and an Entry or Memorial thereof alſo made in the Book of Regiſter aforeſaid for Orders (which the Officers ſhall upon Requeſt, without Fee or Charge, accordingly

accordingly make) ſhall intitle ſuch Aſſignee, his, her, or their Executors, Adminiſtrators, Succeſſors, and Aſſigns, to the Benefit thereof, and Payment thereon; and ſuch Aſſignee may, in like Manner, aſſign again, and ſo *toties quoties*; and afterwards it ſhall not be in the Power of ſuch Perſon or Perſons who have or hath made ſuch Aſſignment, to make void, releaſe or diſcharge the ſame, or any Monies thereby due, or any Part thereof.

Commiſſioners of the Treaſury, if they ſhall think it more adviſeable to raiſe the ſaid Sum, or any Part thereof, by Exchequer Bills, they may make out any Number of new Exchequer Bills for the ſame,

VIII. And to the end there may be no Want or Failure of a certain Sum, not to exceed in the whole the ſaid Sum of one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny, to be raiſed either by ſuch Loans as aforeſaid, or by iſſuing Exchequer Bills as is herein after mentioned, or by both or either of thoſe Ways or Means, for the publick Service; Be it further enacted by the Authority aforeſaid, That in Caſe the Commiſſioners of his Majeſty's Treaſury, or any three or more of them now being, or the High Treaſurer, or any three or more of the Commiſſioners of the Treaſury for the Time being, ſhall judge it more adviſeable to raiſe the ſaid Sum of one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny, or any Part thereof, by Exchequer Bills, inſtead of ſuch Loans as aforeſaid, that then they reſpectively are hereby authorized and impowered, at any Time or Times, to prepare and make, or cauſe to be prepared and made, at the Exchequer, any Number of new Exchequer Bills, for any Sum or Sums of Money not exceeding in the whole the ſaid Sum of one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Half-penny, together with ſuch Loans aforeſaid, in the ſame or like Manner, Form, or Order, and according to the ſame or like Rules and Directions, as in and by a certain Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax, to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and ſixty-two*, are enacted and preſcribed, concerning the Exchequer Bills to be made in purſuance of the ſaid Act.

in like Manner and Form as is preſcribed by the Land Tax of this Seſſion.

Clauſes &c. in the ſaid Act relating to Exchequer Bills, extended to thoſe to be made out in purſuance of this Act.

IX. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures, and Diſabilities, contained in the ſaid laſt mentioned Act, relating to the Loans or Exchequer Bills, authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act) ſhall be applied and extended to the Exchequer Bills to be paid in purſuance of this Act, as fully and effectually to all Intents and Purpoſes as if the ſaid Exchequer Bills had been originally authorized by the ſaid laſt-mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this preſent Act.

The ſaid Bills, Intereſt, Premium and Charges, charged upon and payable out of the Sinking Fund.

X. And be it enacted by the Authority aforeſaid, That all the Exchequer Bills as ſhall be made in purſuance of this Act, and the Intereſt Premium, Rate, and Charges incident to, or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid and borne by and out of the growing Produce of the ſaid Surpluſſes, Exceſſes, and Overplus Monies, or other Revenues compoſing the Sinking Fund (except ſuch Monies of the ſaid Sinking Fund, as are appropriated to any particular Uſe or Uſes by any former or other Act or Acts of Parliament in that Behalf) and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards the paying off, cancelling, and diſcharging, ſuch Exchequer Bills, Intereſt, Premium, Rate, or Charges, until the whole of them ſhall be paid off, cancelled, and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on demand to the reſpective Proprietors thereof.

The Bank impowered to advance on the ſaid Credit of Loan, any Sum or Sums not exceeding 1,009,217 l. 2 s. 8 d. 29.

the Act 5 and 6 Will. and Mary, c. 20. notwithſtanding.

XI. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England* to advance or lend to his Majeſty in like Manner at the Receipt of the Exchequer, upon the Credit of Loan granted by this Act, any Sum or Sums of Money, not exceeding in the whole the Sum of one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny; any thing in an Act made in the fifth and ſixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt* France, to the contrary thereof in any wiſe notwithſtanding.

'XII. And whereas the Commons of *Great Britain* in Parliament aſſembled did, in the laſt Seſſion 'of Parliament, unanimouſly by an humble Addreſs to his Majeſty, humbly beſeech his Majeſty, 'that he would be graciouſly pleaſed to confer ſome ſignal Mark of his Royal Favour upon the 'Right Honourable *Arthur Onſlow* Eſquire, then Speaker of the Houſe of Commons, for his great 'and eminent Services performed to his Country, for the Space of thirty-three Years and upwards, 'during which he had with ſuch diſtinguiſhed Ability and Integrity preſided in the Chair of that 'Houſe, and aſſured his Majeſty that whatever Expence his Majeſty ſhould think proper to be in'curred on that Account, the ſaid Houſe would make good the ſame to his Majeſty: And whereas 'his Majeſty, in his Anſwer to the ſaid Addreſs, was graciouſly pleaſed to declare, That he had 'the juſteſt Senſe of the long Services and great Merit of Mr. *Onſlow*, and that his Majeſty had al'ready taken the ſame into his Conſideration, and that he would do therein what ſhould appear to 'his Majeſty to be moſt proper, agreeably to the Deſire of his faithful Commons: And whereas by

'Letters Patent under the Great Seal of *Great Britain*, bearing Date the twentieth Day of *April* 'in the firſt Year of his Majeſty's Reign, his Majeſty, in gracious Compliance with the Deſire of 'the Houſe of Commons, expreſſed in the ſaid Addreſs, did give and grant unto the ſaid *Arthur On-* 'ſlow, in Conſideration of his great and eminent Services performed to his County as aforeſaid, and 'as a ſignal Mark of his Majeſty's Royal Favour, an Annuity or yearly Sum of three thouſand 'Pounds, to be iſſuing and payable out of, and charged and chargable upon, the reſpective Monies 'and Revenues therein after mentioned, to be held, received and enjoyed by the ſaid *Arthur Onſlow*, 'his Executors, Adminiſtrators or Aſſigns, for and during the natural Lives of him the ſaid *Arthur* 'Onſlow, and of his Son *George Onſlow* Eſquire, and for and during the natural Life of the longer 'Liver of them; and to direct that the ſaid Annuity, or yearly Sum of three thouſand Pounds, for 'ſo long Time as his Majeſty ſhould continue in Life, ſhould be charged upon, and paid out of 'any Monies, which from Time to Time, ſhould be in the Receipt of the Exchequer, applicable 'to the Uſes of his Majeſty's Civil Government, and that the ſaid Annuity or yearly Sum ſhould 'commence from the Day of the Date of the ſaid Letters Patent: And whereas by virtue and in 'purſuance of the ſaid Letters Patent, ſeveral Payments have been made out of the Monies appli- 'cable as aforeſaid, to the ſaid *Arthur Onſlow*, amounting in the whole to the Sum of two thouſand 'one hundred and thirty-four Pounds twelve Shillings and three Pence Hhalfpenny: And whereas 'his Majeſty has been graciouſly pleaſed to ſignify to his Parliament, that it not having been in his 'Majeſty's Power to extend the Effect of the ſaid Grant beyond the Term of his own Life, his 'Majeſty recommends it to his Parliament to conſider of a proper Method of extending and ſecu- 'ring the ſame in the moſt effectual Manner, for the Benefit of the ſaid *Arthur Onſlow:* Now we, 'your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in this preſent 'Parliament aſſembled, being deſirous to make good to your Majeſty ſuch Expences as have been, 'and to provide for ſuch as might be, incurred by your Majeſty in conſequence of the ſaid Grant, 'and to ſettle and ſecure, in the moſt beneficial Manner, for the Uſe of the ſaid *Arthur Onſlow*, the 'yearly Sum of three thouſand Pounds, for and during the Term herein after mentioned, agreeably 'to your Majeſty's moſt gracious Intentions, and as a Teſtimony of the grateful and affectionate 'Remembrance which your Majeſty's faithful Commons retain of the long continued and eminent 'Services of the ſaid *Arthur Onſlow*, do therefore moſt humbly beſeech your Majeſty, that it may be enacted;' And be it enacted by the Authority aforeſaid, That the Sum of two thouſand one hundred thirty-four Pounds twelve Shillings and three Pence Halfpenny, ſhall and may be iſſued and paid from and out of the Duties and Revenues which compoſe the Fund, commonly called *The Aggregate Fund*, and be applied in making good the like Sum paid as aforeſaid to the ſaid *Arthur Onſlow* on account of the ſaid Annuity or yearly Sum; and the ſaid Money ſo to be iſſued and paid out of the Aggregate Fund, ſhall be added to, and made Part of, the Monies applicable to the Uſes of his Majeſty's Civil Government, and ſhall and may be iſſued and applied for ſuch Uſes accordingly.

2134 l. 12 s. 3 d. 2 q. to be iſſued out of the Aggregate Fund, to make good the like Sum paid to Arthur Onſlow, Eſquire; on account of the Annuity granted him by his Majeſty, in purſuance of the Addreſs of the Houſe of Commons.

The ſaid Annuity charged and payable for the future out of the Aggregate Fund;

XIII. And be it further enacted by the Authority aforeſaid, That in lieu of the ſaid Annuity or yearly Sum of three thouſand Pounds by the ſaid Letters Patent, bearing Date the twentieth Day of *April* in the firſt Year of his Majeſty's Reign, granted to the ſaid *Arthur Onſlow* Eſquire, his Executors, Adminiſtrators or Aſſigns, and payable as aforeſaid, the ſaid *Arthur Onſlow*, his Executors, Adminiſtrators and Aſſigns, ſhall have, receive and enjoy at the Receipt of the Exchequer, for and during the natural Lives of him the ſaid *Arthur Onſlow* and of *George Onſlow* Eſquire, his Son, and for and during the natural Life of the longer Liver of them, one Annuity or yearly Rent or Sum of three thouſand Pounds of lawful Money of *Great Britain*, out of the Duties and Revenues which compoſe the ſaid Fund commonly called *The Aggregate Fund*, and every or any of them (after paying or reſerving ſufficient to pay all ſuch Sum and Sums of Money as have been directed by any former Act or Acts of Parliament to be paid out of the ſame, but with Preference to all other Payments which ſhall or may hereafter be charged upon, or payable out of, the ſaid Aggregate Fund); which ſaid Annuity or yearly Rent, or Sum of three thouſand Pounds, ſhall commence from the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, and ſhall be paid and payable quarterly to the ſaid *Arthur Onſlow*, his Executors, Adminiſtrators and Aſſigns, at the four moſt uſual Days of Payment in the Year; that is to ſay, The fifth Day of *April*, the fifth Day of *July*, the tenth Day of *October*, and the fifth Day of *January*, by even and equal Portions; the firſt quarterly Payment thereof to become due and payable on the fifth Day of *April* in the Year of our Lord one thouſand ſeven hundred and ſixty-two; and that the Annuity or yearly Sum granted by the ſaid Letters Patent ſhall ceaſe and determine, from and after the fifth Day of *January* in the ſaid Year.

to commence on 5 Jan. 1762, and to be paid Quarterly at the Exchequer; viz. on 5 April, 5 July, 10 October and 5 January.

Annuity granted by Patent to ceaſe thereupon.

XIV. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the Commiſſioners of his Majeſty's Treaſury now being, and the High Treaſurer and Under Treaſurer of the Exchequer, and Commiſſioners of the Treaſury for the Time being, and they are hereby authorized, impowered and required, by Warrant under their Hands, to direct the Auditor of the Receipt of the Exchequer now and for the Time being, to make forth and paſs Debentures, from Time to Time, for paying the ſaid Annuity, or yearly Rent or Sum of three thouſand Pounds, as the ſame ſhall, from Time to Time, become due and payable, without any Fees or Charges to be demanded or taken for paying the ſame, or any Part thereof; which ſaid Warrant, and the Debentures to be made forth and paſſed thereupon, ſhall be a ſufficient Authority to the ſeveral and reſpective Officers of the Receipt of the Exchequer now and for the Time being, for the Payment of the ſaid Annuity, or yearly Rent or Sum of three thouſand Pounds to the ſaid *Arthur Onſlow*, his

Treaſury impowered to direct the Auditor of the Exchequer to make forth, &c. Debentures for the ſaid Annuity as it ſhall become due, without Fee; ▸

Executors, Adminiſtrators and Aſſigns, at the reſpective quarterly Days in this Act before appointed for Payment thereof, without any further or other Warrant to be ſued for, had or obtained in that Behalf. The Money to be paid thereupon, without further Warrant.

XV. And be it enacted by the Authority aforeſaid, That after the ſigning of ſuch Warrant, the ſame ſhall be good, valid and effectual in Law, according to the Purport and true Meaning thereof, and of this Act, and ſhall not be determinable or revokable by or upon the Demiſe of his Majeſty (whom God long preſerve) or of any of his Heirs or Succeſſors, or by or upon the Death or Removal of any of the ſaid Commiſſioners of the Treaſury, or the Lord High Treaſurer, or by or upon the Determination of the proper Office or Offices of them, or any of them. Warrant after being ſigned, is not determinable or revokable by the Demiſe of his Majeſty; or the Death or Removal of any Officer the Treaſury.

XVI. And be it further enacted by the Authority aforeſaid, That the Commiſſioners of the Treaſury now being, and the High Treaſurer, or Commiſſioners of the Treaſury for the Time being, Chancellor and under Treaſurer, Chamberlains and Barons of the Exchequer, and all other the Officers and Miniſters of the Court of Exchequer, and of the Receipt thereof, now and for the Time being, ſhall, and they are hereby authorized and ſtrictly enjoined and required to do, without Fee or Reward, all ſuch Acts, Matters and Things, as are herein before directed and required, or ſhall be neceſſary to be done and performed by them, or any or either of them, in order to render this Act, and the ſeveral Payments hereby directed effectual. Officers of the Treaſury, &c. to do all Acts neceſſary to render the ſaid Payment effectual, without Fee.

XVII. And be it enacted by the Authority aforeſaid, That the Acquittance or Acquittances, Receipt or Receipts of the ſaid *Arthur Onſlow*, his Executors, Adminiſtrators or Aſſigns, or of ſuch other Perſon Perſons as ſhall be intitled or authorized to receive the ſaid Annuity or yearly Rent, or Sum, or any Part thereof, ſhall be a good and ſufficient Diſcharge for the Payment thereof, without any further or other Warrant to be ſued for, had or obtained in that Behalf; and that the ſaid Annuity or yearly Rent, or Sum, and every Part thereof, ſhall be free and clear from all Taxes, Impoſitions, and other Publick Charges whatſoever; and in caſe any of the Officers of the Receipt of his Majeſty's Exchequer ſhall refuſe or neglect to pay the ſaid Annuity, or yearly Rent, or Sum, or any Part thereof, according to the true Intent of this Act, or to do any Act neceſſary to enable the ſaid *Arthur Onſlow*, his Executors, Adminiſtrators or Aſſigns to receive the ſame, then the ſaid *Arthur Onſlow*, his Executors, Adminiſtrators or Aſſigns, may from Time to Time, ſue, proſecute and implead ſuch Officers or any of them, their Executors and Adminiſtrators, by Bill, Plaint or Action of Debt, and ſhall and may recover Judgments, and ſue out Executions thereupon, againſt ſuch Officers reſpectively, their Heirs, Executors or Adminiſtrators, for ſo much of ſuch Sum or Sums of Money then due and owing upon the ſaid Annuity, yearly Rent, or Sum, or any Part thereof, as ſhall have been in the Hands of the Officer or Officers of the Receipt of the Exchequer, at the Time or Times when Demands ſhall have been legally made of the Payment of the ſaid Annuity, yearly Rent, or Sum, or any Part thereof as aforeſaid, or for the Refuſal or Neglect to do any Act neceſſary to be done by ſuch Officer or Officers, to enable the ſaid *Arthur Onſlow*, his Executors, Adminiſtrators and Aſſigns to receive the ſame. The Receipt of Mr. Onſlow, his Executors, or Aſſigns, &c. to be a ſufficient Diſcharge for ſuch Payment; and the ſaid Annuity to be free of all Taxes. Officers of the Exchequer neglecting or refuſing to pay the ſaid Annuity, or to do any Act neceſſary thereto, may be ſued.

CAP. XXXIV.

An Act for enabling his Majeſty to raiſe the Sum of one million for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for allowing Time for the Payment of the Stamp Duties omitted to be paid upon Admiſſions into Corporations or Companies, and Appointments to Offices therein; and for the Relief of *William Earle*, in reſpect of a Quantity of White Salt, loſt by the Wreck of a Ship near the Harbour of *Dublin*.

Moſt Gracious Sovereign,

'WE your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, having taken into our ſerious Conſideration your Majeſty's moſt gracious Meſſage, ſignifying, That your Majeſty, relying on the known Zeal and Affection of your faithful Commons, and conſidering that in this Conjuncture Emergencies may ariſe, which may be of the utmoſt Importance, and be attended with the moſt pernicious Conſequences, if proper Means ſhould not immediately be applied to prevent or defeat them; and that your Majeſty alſo, taking into your moſt ſerious Conſideration the imminent Danger with which the Kingdom of *Portugal*, an ancient and natural Ally of your Crown, is threatened by the Powers now in open War with your Majeſty, and of what Importance the Preſervation of that Kingdom is to the Commercial Intereſts of this County, is deſirous, that we will enable your Majeſty to defray any extraordinary Expences of the War incurred, or to be incurred, for the Service of the Year one thouſand ſeven hundred and ſixty-two; and to take all ſuch Meaſures as may be neceſſary to diſappoint or defeat any Enterprizes or Deſigns of your Enemies againſt your Majeſty or your Allies, and as the Exigency of Affairs may require, have reſolved to give and grant to your Majeſty the Sum of one million for that Purpoſe; and do therefore moſt humbly beſeech your Majeſty that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That it ſhall and may be lawful to and for the King's moſt Excellent Majeſty by Warrant or Warrants under his Royal Sign Manual, to authorize and impower Preamble. Credit of Loan granted to his Majeſty for 1,000,000 l.

Treaſury may raiſe the ſame by Loans or Exchequer Bills,

power the Commiſſioners of his Majeſty's Treaſury now, or for the Time being, or any three or more of them or the Lord High Treaſurer for the Time being, at any Time or Times before the fifth Day of *January* one thouſand ſeven hundred and ſixty-three, to cauſe or direct any Loans to be taken or received at his Majeſty's Exchequer from any Perſon or Perſons, Natives or Foreigners, Body or Bodies Politick or Corporate, or any Number of Exchequer Bills to be made out there, for any Sum or Sums of Money not exceeding, in Loans and Exchequer Bills together, in the Whole, the ſaid Sum of one million, in the ſame or like Manner, Form and Order, and according to the ſame or like Rules and Directions, as in and by an Act of this preſent Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain, *for the Service of the Year one thouſand ſeven hundred and ſixty-two*, are enacted and preſcribed concerning the Loans or Exchequer Bills to be taken or made in purſuance of the ſaid Act.

in like Manner as is preſcribed by the Land Tax Act of this Seſſion, concerning Loans or Exchequer Bills thereby to be made out.

The Clauſes, &c. in the ſaid Act relating to the Loans or Exchequer Bills thereby to be made out,

extended to this Act.

II. And be it further enacted by the Authority aforeſaid, That all and every the Clauſes, Proviſoes, Powers, Privileges, Advantages, Penalties, Forfeitures and Diſabilities contained in the ſaid laſt mentioned Act relating to the Loans or Exchequer Bills authorized to be made by the ſame Act (except ſuch Clauſes as do charge the ſame on the Taxes granted by the ſame Act, and except ſuch Clauſes as limit the Rate of Intereſt to be paid for the Forbearance of Money lent on the Credit of the ſaid Act) ſhall be applied and extended to the Loans and Exchequer Bills to be made in purſuance of this Act, as fully and effectually, to all Intents and Purpoſes, as if the ſame Loans or Exchequer Bills had been originally authorized by the ſaid laſt mentioned Act, or as if the ſaid ſeveral Clauſes or Proviſoes had been particularly repeated and re-enacted in the Body of this Act.

The ſame to be repaid out of the firſt Supplies which ſhall be granted in the next Seſſion,

or out of the Sinking Fund, if no Supplies ſhall be granted before 5 July 1763.

III. And be it further enacted by the Authority aforeſaid, That all ſuch Loans or Exchequer Bills, together with the Intereſt, Premium, Rate and Charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon, and ſhall be repaid or borne by or out of the firſt Aids or Supplies which ſhall be granted in the next Seſſion of Parliament; and in caſe ſufficient Aids or Supplies for that Purpoſe ſhall not be granted before the fifth Day of *July* one thouſand ſeven hundred and ſixty-three, then all the ſaid Loans orExchequer Bills, with the Intereſt, Premium, Rate and Charges, incident to or attending the ſame, ſhall be, and are hereby charged and chargeable upon ſuch Monies as, at any Time or Times at or after the ſaid fifth Day of *July* one thouſand ſeven hundred and ſixty three, ſhall be or remain in the Receipt of the Exchequer, of the Surpluſſes, Exceſſes, Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund* (except ſuch Monies of the ſaid Sinking Fund as are appropriated to any particular Uſe or Uſes by any Act or Acts of Parliament in that Behalf); and ſuch Monies of the ſaid Sinking Fund ſhall and may be iſſued and applied, as ſoon as the ſame can be regularly ſtated and aſcertained, for and towards paying off, cancelling and diſcharging ſuch Loans or Exchequer Bills, Intereſt, Premium, Rate or Charges, until the whole of them ſhall be paid off, cancelled and diſcharged, or Money ſufficient for that Purpoſe be kept and reſerved in the Exchequer, to be payable on Demand to the reſpective Proprietors thereof.

Monies iſſued for that Purpoſe out of the Sinking Fund, to be replaced,

IV. Provided always, and be it enacted by the Authority aforeſaid, That whatever Monies ſhall be ſo iſſued out of the ſaid Surpluſſes, Exceſſes, Overplus Monies, or other Revenues compoſing the Sinking Fund, ſhall from Time to Time be replaced by and out of the firſt Supplies to be then after granted in Parliament; any thing herein contained to the contrary notwithſtanding.

The Bank impowered to advance, on the ſaid Credit of Loan, any Sum or Sums not exceeding 3,000,000 l.

the Act 5 & 6 W. & M. c. 20. notwithſtanding.

V. And be it declared and further enacted by the Authority aforeſaid, That it ſhall and may be lawful for the Governor and Company of the Bank of *England*, to advance or lend to his Majeſty in like Manner at the Receipt of the Exchequer, upon the Credit of the Loan granted by this Act, any Sum or Sums of Money not exceeding in the Whole the Sum of one million; any thing in an Act made in the fifth and ſixth Years of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for granting to their Majeſties ſeveral Rates and Duties upon Tonnage of Ships and Veſſels, and upon Beer, Ale, and other Liquors, for ſecuring certain Recompences and Advantages in the ſaid Act mentioned, to ſuch Perſons as ſhall voluntarily advance the Sum of one million five hundred thouſand Pounds, towards carrying on the War againſt* France, to the contrary thereof in any wiſe notwithſtanding.

The Monies ariſing by the Land Tax,

2 Geo. 3. c. 3.

Malt Act,

2 Geo. 3. c. 4.

Annuity Act,

2 Geo. 3. c. 10.

VI. Provided always, and it is hereby enacted by the Authority aforeſaid, That all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one Act of this Seſſion of Parliament, intituled, *An Act for granting an Aid to his Majeſty by a Land Tax to be raiſed in* Great Britain *for the Service of the Year one thouſand ſeven hundred and ſixty-two*; and ſo much Money, if any ſuch be, of the Tax thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges allowable thereby for raiſing the ſaid Land Tax, ſhould be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to ſatisfy and diſcharge the ſame; and alſo all the Monies coming into the Exchequer, either by Loans or Exchequer Bills, upon one other Act of this Seſſion of Parliament, intituled, *An Act for continuing and granting to his Majeſty certain Duties upon Malt, Mum, Cyder and Perry, for the Service of the Year one thouſand ſeven hundred and ſixty-two*, and ſo much Money, if any ſuch be, of the Duties thereby granted, as ſhall ariſe or remain after all the Loans or Exchequer Bills made or to be made on the ſame Act, and all the Intereſt, Premium, Rate and Charges thereon, and the Charges thereby allowable for raiſing the ſaid Duties, ſhall be ſatisfied, or Money ſufficient ſhall be reſerved in the Exchequer to ſatisfy and diſcharge the ſame; and alſo all the Monies coming into the Exchequer by Contributions for Annuities, granted by one other Act of this Seſſion of Parliament, intituled, *An Act for raiſing by Annuities in Manner therein mentioned, the Sum of twelve millions, to be charged on the Sinking Fund; and for applying the Surplus of certain Duties on Spirituous Liquors, and alſo the Monies ariſing from the Duties on Spi-*

rituous

rituous Liquors granted by an Act of this Seſſion of Parliament; and alſo the Sum of one million nine thouſand two hundred ſeventeen Pounds two Shillings and eight Pence Halfpenny, out of ſuch Monies as ſhall or may ariſe of the Surpluſſes, Exceſſes or Overplus Monies, and other Revenues compoſing the Fund commonly called *The Sinking Fund*, directed to be iſſued and applied by one other Act of this Seſſion of Parliament, intituled, *An Act for granting to his Majeſty a certain Sum of Money out of the Sinking Fund, and for applying certain Monies remaining in the Exchequer for the Service of the Year one thouſand ſeven hundred and ſixty-two; and for ſettling and ſecuring a certain Annuity for the Uſe of the Right Honourable* Arthur Onſlow, *Speaker of the Houſe of Commons in the laſt five Parliaments*; and alſo the Sum of one hundred and fifteen thouſand Pounds, granted by an Act made in the ſecond Year of his late Majeſty's Reign, upon account of Arrears of his late Majeſty's Civil Liſt Revenues, and now by his Majeſty's Direction replaced and refunded out of the Arrears of the ſaid Revenues, which were ſtanding out at the Time of his late Majeſty's Demiſe; and alſo the Sum of twenty thouſand Pounds remaining in the Receipt of the Exchequer, being Part of the Sum of one hundred thouſand Pounds, granted to his late Majeſty in the Year one thouſand ſeven hundred and fifty-eight, upon Account, towards defraying the Charge of Pay and Cloathing for the Militia for the Year one thouſand ſeven hundred and fifty-eight, and for defraying ſuch Expences as were actually incurred upon the Account of the Militia in the Year one thouſand ſeven hundred and fifty-ſeven; and alſo the Sum of eighty thouſand Pounds remaining in the Receipt of the Exchequer, which was granted to his late Majeſty in the Year one thouſand ſeven hundred and ſixty, upon Account, towards defraying the Charge of Pay and Cloathing for the unimbodied Militia for the Year ended the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; and alſo the Sum of ſeventy thouſand Pounds remaining in the Receipt of the Exchequer, which was granted to his Majeſty in the laſt Seſſion of Parliament, upon Account, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England* when unimbodied, and of the Cloathing of the Part of the ſaid Militia then unimbodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-one; and alſo the Sum of ſeventy-three thouſand ſix hundred and ſeventy-eight Pounds remaining in the Receipt of the Exchequer, being the Surplus of the ſeveral Duties on Malt, eſtabliſhed by an Act made in the thirty-third Year of the Reign of his late Majeſty for paying Annuities granted in the Year one thouſand ſeven hundred and ſixty, after ſatisfying all Charges and Incumbrances thereupon, to the fifth Day of *January* one thouſand ſeven hundred and ſixty-two, by the ſaid laſt mentioned Act, made in this Seſſion of Parliament, directed to be iſſued and applied; and the further Sum of one million by this Act granted, ſhall be further appropriated, and are hereby appropriated, for and towards the ſeveral Uſes and Purpoſes herein after expreſſed; that is to ſay, It is hereby enacted and declared by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding three millions ſix hundred and twelve thouſand two hundred twenty-ſix Pounds nine Shillings and one Penny, for or towards the Naval Services herein after particularly expreſſed; that is to ſay, For or towards Victuals, Wages, Wear and Tear of the Navy, and the Victualling thereof, performed and to be performed; and for or towards Sea Services in the Office of Ordnance, performed and to be performed; and for or towards defraying the Ordinary of his Majeſty's Navy, and for Half-pay to Sea Officers; and for or towards maintaining nineteen thouſand and ſixty-one Marines; and for or towards the Buildings, Rebuildings and Repairs of his Majeſty's Ships for the Year one thouſand ſeven hundred and ſixty-two.

with the Sum of 1,009,217 l. 2 s. 8 d. 2 q. charged on the Sinking Fund; 2 *Geo.* 3. *c.* 33.

alſo the Sum of 115,000 l. replaced out of the Arrears of the Civil Liſt of 2 Geo. 2.

with 20,000 l. remaining unapplied in the Exchequer, of the Money granted in 1758, towards Pay and Cloathing of the Militia;

and 80,000 l. remaining unapplied of the Money granted in 1760, towards Pay and Cloathing of the unimbodied Militia;

and 70,000 l. remaining unapplied of the Money granted the laſt Seſſion for the ſame Purpoſes;

and 73,678 l. Surplus of the Duties on Malt, to 5 Jan. 1762;

and the Sum of 1,000,000 l. granted by this Act, are appropriated as follows; videlicet, 3,612,226 l. 9 s. 1 d. thereof, towards Naval Services in general;

VII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one thouſand Pounds, for compleating the Chapel ordered to be built for the Uſe of the Hoſpital for ſick and wounded Seamen at *Haſler* near *Goſport*, and ſuch other Works as may be afterwards found proper to be performed before the whole Work is put out of Hand.

1,000 l. for compleating the Chapel to Haſler Hoſpital;

VIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſix thouſand Pounds, for compleating the Works of the Hoſpital for ſick and wounded Seamen building near *Plymouth*.

6,000 l. for compleating the Works of Plymouth Hoſpital;

IX. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding eight hundred thirty-five thouſand twenty-five Pounds three Shillings and eight Pence, for the Charge of Tranſport Service, between the firſt of *October* one thouſand ſeven hundred and ſixty, and the thirtieth of *September* one thouſand ſeven hundred and ſixty-one, including the Expence of Victualling his Majeſty's Land Forces within the ſaid Time.

835,025 l. 3 s. 8 d. for Tranſport Service, between 1 Oct. 1760, and 30 Sept. 1761.

X. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſix hundred forty-two thouſand nine hundred and ſixteen Pounds two Shillings and three Pence, for the Charge of the Office of Ordnance for Land Service for the Year one thouſand ſeven hundred and ſixty-two, and for defraying the extraordinary Expence of Services performed by the Office of Ordnance for Land Service, and not provided for by Parliament in one thouſand ſeven hundred and ſixty-one.

642,916 l. 2 s. 3 d. for Charge of the Office of Ordnance, for Land Service.

XI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding ſeven millions ſix hundred ſeventy-ſeven thouſand two hundred and five Pounds thirteen Shillings

7,677,205 l. 13 s. 2 d. 3 q. for Pay, &c. of the Land Forces in general;

Shillings and two Pence three Farthings, for and towards maintaining his Majeſty's Land Forces, and other Services herein after more particularly expreſſed; that is to ſay, Any Sum or Sums of Money not exceeding one million ſix hundred twenty-nine thouſand three hundred twenty Pounds eighteen Shillings and one Penny, for defraying the Charge of the ſixty-ſeven thouſand ſix hundred and ſeventy-ſix effective Men, including thoſe in *Germany*, and on an Expedition, and four thouſand and eight Invalids, and including Commiſſion and Non-commiſſion Officers for Guards and Garriſons, and other his Majeſty's Land Forces in *Great Britain*, *Guernſey* and *Jerſey*, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding eight hundred ſeventy-three thouſand ſeven hundred and eighty Pounds eighteen Shillings and ſeven Pence, for maintaining his Majeſty's Forces and Garriſons in the Plantations, *Gibraltar*, *Guadeloupe*, *Africa*, and the *Eaſt Indies*, and for Proviſions for the Garriſons in *Nova Scotia*, *Newfoundland*, *Gibraltar*, *Providence*, *Quebec*, *Guadaloupe*, *Senegal* and *Goree*, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding twenty-three thouſand two hundred eighty-four Pounds and ſix Pence, for defraying the Charge of four Regiments of Foot on the *Iriſh* Eſtabliſhment ſerving in *North America*, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding one hundred ſixty-three thouſand ſeven hundred and eleven Pounds twelve Shillings and ſix Pence, for defraying the Charge of an Augmentation to his Majeſty's Forces, conſiſting of nine thouſand three hundred and ſeventy Men, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-two, both incluſive; and any Sum or Sums of Money not exceeding ſeventy-two thouſand eight hundred ninety-ſix Pounds fourteen Shillings and two Pence, for the Pay of the General, and General Staff Officers, and Officers of the Hoſpitals for his Majeſty's Land Forces, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding four hundred forty-three thouſand nine hundred fifty-two Pounds ten Shillings and ten Pence, for defraying the Charge of the imbodied Militia of the ſeveral Counties in *South Britain*, and of the Fencible Men of *Argyleſhire*, and of Lord *Sutherland's* Battalion of Highlanders in *North Britain*, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-two, both incluſive, being three hundred and ſixty-five Days; and any Sum or Sums of Money not exceeding ſixty thouſand ſeven hundred and ſix Pounds four Shillings and one Penny, upon Account, for defraying the Charge of Cloathing for the imbodied Militia for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding twenty thouſand Pounds, upon Account, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England*, when unimbodied and of the Cloathing of the Part of the ſaid Militia now unimbodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding thirty-four thouſand three hundred and eighty-three Pounds, upon account of the reduced Officers of his Majeſty's Land Forces and Marines for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding two thouſand nine hundred fifty-two Pounds thirteen Shillings and four Pence, for defraying the Charge for Allowances to the ſeveral Officers and private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, and to the ſuperannuated Gentlemen of the four Troops of Horſe Guards for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding one thouſand eight hundred and thirty-eight Pounds, for the paying of Penſions to Widows of ſuch reduced Officers of his Majeſty's Land Forces and Marines as died upon the Eſtabliſhment of Half-pay in *Great Britain*, and who were married to them before the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixteen, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding thirteen thouſand ſeven hundred forty-nine Pounds ten Shillings and five Pence, upon Account, for Out-penſions of *Chelſea Hoſpital*, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding four hundred ſixty-five thouſand ſix hundred thirty-eight Pounds ſixteen Shillings and two Pence three Farthings, for defraying the Charge of thirty-nine thouſand ſeven hundred and ſeventy-three Men of the Troops of *Hanover Wolfenbuttle*, *Saxe Gotha*, and the Count of *Buckeburgg*, together with that of General and Staff Officers, actually imployed againſt the Common Enemy, in concert with the King of *Pruſſia*, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-two, both incluſive, to be iſſued in Advance, every two Months, in like Manner as the Pay of the *Heſſian* Forces now in the Service of *Great Britain*; the ſaid Body of Troops to be muſtered by an *Engliſh* Commiſſary, and the effective State thereof to be aſcertained by the Signature of the Commander in Chief of the ſaid Forces; and any Sum or Sums of Money not exceeding two hundred ſixty-eight thouſand three hundred and ſixty Pounds eight Shillings and eight Pence, for defraying the Charge of two thouſand one hundred twenty Horſe, and nine thouſand nine hundred Foot, together with the General and Staff Officers, the Officers of the Hoſpital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Heſſe Caſſel* in the Pay of *Great Britain*, for three hundred and ſixty-five Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-two, both Days incluſive, together with the Subſidy for the ſaid Time, purſuant to Treaty; and any Sum or Sums of Money not exceeding one hundred

whereof 1,629,320l. 18s. 1d.

873,780l. 18s. 7d. for the Forces and Garriſons in the Plantations, Guadeloupe, Africa, and the Eaſt Indies, and Proviſions for thoſe in Garriſon; 23,284l. 0s. 6d. for the four Regiments on the Iriſh Eſtabliſhment ſerving in North America; 163,711l. 12s. 6d. for Augmentation of the Forces;

72,896l. 14s. 2d. for Pay of the General, and General Staff Officers;

443,952l. 10s. 10d. for Charge of imbodied Militia; and Fencible Men of Argyleſhire; and Lord Sutherland's Battalion of Highlanders;

60,706l. 4s. 1d. for Cloathing the imbodied Militia;

20,000l. towards Pay and Cloathing of the unimbodied Militia;

34,383l. to the reduced Officers of the Land Forces and Marines; 2,952l. 13s. 4d. to the Officers and Private Gentlemen of the two Troops of Horſe Guards, and Regiment of Horſe reduced, &c.

7,338l. for Penſions to Officers Widows;

13,749l. 10s. 5d. for Out-penſions of Chelſea Hoſpital;

465,638l. 16s. 2d. 3q. for Troops of Hanover, Wolfenbuttle, Saxe Gotha, and Count Buckeburgg;

to be iſſued, in Advance, every two Months; and the Troops to be muſtered by an Engliſh Commiſſary, and the Return ſigned by the Commander in Chief;

268,360l. 8s. 8d. for Subſidy, and Troops of the Landgrave of Heſſe Caſſel;

hundred forty-ſeven thouſand and ſeventy-one Pounds five Shillings and two Pence, for defraying the Charge of an additional Corps of one thouſand five hundred ſeventy-ſix Horſe, and eight thouſand eight hundred and eight Foot, together with the General and Staff Officers, the Officers of the Hoſpital, and Officers and others belonging to the Train of Artillery, the Troops of the Landgrave of *Heſſe Caſſel* in the Pay of *Great Britain*, for three hundred ſixty-five Days, from the firſt Day of *January* one thouſand ſeven hundred and ſixty-two, to the thirty-firſt Day of *December* following, both Days incluſive, purſuant to Treaty; and any Sum or Sums of Money not exceeding ſixty-eight thouſand and eight Pounds nine Shillings and one Penny, for defraying the Charge of one thouſand four hundred forty-four Cavalry, and two thouſand three hundred thirty Infantry, the Troops of the reigning Duke of *Brunſwick*, in the Pay of *Great Britain*, for three hundred ſixty-five Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-two, both Days incluſive, together with the Subſidy for the ſaid Time, purſuant to Treaties; and any Sum or Sums of Money not exceeding twenty-five thouſand five hundred and four Pounds ſix Shillings and eight Pence, for defraying the Charge of five Battalions ſerving with his Majeſty's Army in *Germany*, each Battalion conſiſting of one Troop of one hundred and one Men, and four Companies of Foot of one hundred and twenty-five Men in each Company, with a Corps of Artillery, for three hundred and ſixty-five Days, from the twenty-fifth Day of *December* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* one thouſand ſeven hundred and ſixty-two, both Days incluſive; and any Sum or Sums of Money not exceeding one million three hundred fifty-three thouſand ſix hundred ſixty-two Pounds four Shillings and one Penny, for defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services incurred, to the twenty-fourth Day of *November* one thouſand ſeven hundred and ſixty-one, and not provided for by Parliament; and any Sum or Sums of Money not exceeding one million, upon Account, towards defraying the Charges of Forage, Bread, Bread Waggons, Train of Artillery, and of Proviſions, Wood, Straw, *et cetera*, and other extraordinary Expences and Contingencies of his Majeſty's Combined Army under the Command of Prince *Ferdinand*; and any Sum or Sums of Money not exceeding nine hundred fifty-eight thouſand three hundred eighty-four Pounds and ten Pence, for defraying the extraordinary Expences of his Majeſty's Land Forces, and other Services incurred, from the twenty-fourth Day of *November* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth Day of *December* following, and not provided for by Parliament; and any Sum or Sums of Money not exceeding fifty thouſand Pounds, on Account, towards aſſiſting his Majeſty to grant a reaſonable Succour, in Money, to the Landgrave of *Heſſe Caſſel*, purſuant to Treaty.

147,071 l. 5 s. 2 d. for Charge of an additional Corps of Troops of the Landgrave of Heſſe Caſſel;

67,008 l. 9 s. 1 d. for Subſidy and Troops of the Duke of Brunſwick;

25,504 l. 6 s. 8 d. for Charge of five Battalions ſerving in Germany;

1,353,662 l. 4 s. 1 d. for extraordinary Expences of Land Forces, and other Services in 1761, not provided for;

1,000,000 l. for Forage, and other extraordinary Expences of the Combined Army in Germany;

958,384 l. 0 s. 10 d. for extraordinary Expences of the Land Forces, &c. to 24 Dec. 1762, not provided for;

and 50,000 l. for the Landgrave of Heſſe Caſſel, purſuant to Treaty;

XII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million, to enable his Majeſty to diſcharge the like Sum raiſed in purſuance of an Act made in the laſt Seſſion of Parliament, and charged upon the firſt Aids or Supplies to be granted in this Seſſion of Parliament.

1,000,000 l. to diſcharge the like Sum borrowed purſuant to a Vote of Credit of the laſt Seſſion;

XIII. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million five hundred thouſand Pounds, to enable his Majeſty to pay off and diſcharge the Exchequer Bills made out by virtue of an Act paſſed in the laſt Seſſion of Parliament, intituled, *An Act for enabling his Majeſty to raiſe a certain Sum of Money towards paying off and diſcharging the Debt of the Navy, and towards Naval Services for the Year one thouſand ſeven hundred and ſixty-one; and for allowing further Time for making Affidavits of the Execution of Articles or Contracts of Clerks to Attornies or Solicitors, and filing thereof*, and charged upon the firſt Aids or Supplies to be granted in this Seſſion of Parliament.

1,500,000 l. for paying off Exchequer Bills made out by virtue of an Act of the laſt Seſſion;

XIV. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding five thouſand ſix hundred eighty-four Pounds one Shilling and ten Pence, upon Account, for maintaining and ſupporting the Civil Eſtabliſhment of his Majeſty's Colony of *Nova Scotia*, for the Year one thouſand ſeven hundred and ſixty-two; and any Sum or Sums of Money not exceeding four thouſand and fifty-ſeven Pounds and ten Shillings, upon Account, for defraying the Charges of the Civil Eſtabliſhment of his Majeſty's Colony of *Georgia*, and other incidental Expences attending the ſame, from the twenty-fourth of *June* one thouſand ſeven hundred and ſixty-one, to the twenty-fourth of *June* one thouſand ſeven hundred and ſixty-two.

5,684 l. 1 s. 10 d. for Charges of the Civil Eſtabliſhment of Nova Scotia;

4,057 l. 10 s. for Charges of the Civil Eſtabliſhment of Georgia;

XV. And it is hereby alſo further enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one hundred thirty-three thouſand three hundred thirty-three Pounds ſix Shillings and eight Pence, upon Account, to enable his Majeſty to give a proper Compenſation to the reſpective Provinces in *North America*, for the Expences incurred by them in the Levying, Cloathing and Pay of the Troops raiſed by the ſame, according as the active Vigour and ſtrenuous Efforts of the reſpective Provinces ſhall be thought by his Majeſty to merit; and any Sum or Sums of Money not exceeding twenty thouſand Pounds, upon Account, to be paid to the United Company of Merchants of *England* trading to the *Eaſt Indies*, towards enabling them to defray the Expence of a Military Force in their Settlements, to be maintained by them in lieu of the Battalion of his Majeſty's Forces commanded by Lieutenant General *Adlercron*, withdrawn from thence, and now returned to *Ireland*; and any Sum or Sums of Money not exceeding fifteen thouſand Pounds, to be paid

133,333 l. 6 s. 8 d. as a Compenſation to the Provinces in North America, for Expences incurred in levying Troops there;

20,000 l. to the Eaſt India Company, towards Charge of a Military Force;

15,000 l. for repairing &c. London Bridge;

paid into the Chamber of the City of *London*, to be applied towards the improving, widening and inlarging the Paſſage over and through *London Bridge*, without Account, other than as is directed for the Monies raiſed by an Act made in the twenty-ninth Year of his late Majeſty's Reign, intituled, *An Act to improve, widen and inlarge the Paſſage over and through* London Bridge; and any Sum or Sums of Money not exceeding forty-one thouſand ſeven hundred fifty-two Pounds and ten Shillings, upon Account, towards enabling the Governors and Guardians of the Hoſpital for the Maintenance and Education of expoſed and deſerted young Children, to maintain and educate ſuch Children as were received into the ſaid Hoſpital on or before the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty, from the thirty-firſt Day of *December* one thouſand ſeven hundred and ſixty-one excluſive, to the thirty-firſt Day of *December* one thouſand ſeven hundred and ſixty-two incluſive; and that the ſaid Sum be iſſued and paid for the Uſe of the ſaid Hoſpital without Fee or Reward, or any Deduction whatſoever; and any Sum or Sums of Money not exceeding thirteen thouſand Pounds, to be imployed in maintaining and ſupporting the Fort at *Annamaboe*, and other the *Britiſh* Forts and Settlements upon the Coaſt of *Africa*; and any Sum or Sums of Money not exceeding two thouſand Pounds, towards enabling the Truſtees of the *Britiſh Muſæum* to carry on the Execution of the Truſt repoſed in them by Parliament; and any Sum or Sums of Money not exceeding four thouſand Pounds, towards enabling the Commiſſioners appointed by an Act paſſed in the thirty-third Year of the Reign of his late Majeſty, intituled, *An Act for repairing and widening the Roads from* Deanburn Bridge, *through* Greenlaw, *and Part of* Jedburgh *Road, by* Lauder *in the Shire of* Berwick *to* Cornhill *in the County of* Durham, *and for building a Bridge over the* Tweed *near Coldſtream*, to build the ſaid Bridge, and to defray ſuch other Expences as may be found neceſſary in relation thereto; and any Sum or Sums of Money not exceeding ten thouſand five hundred and forty Pounds, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency on the fifth Day of *July* one thouſand ſeven hundred and ſixty-one, of the ſeveral Duties on Malt granted by an Act *Triceſimo tertio Georgii Secundi*, to anſwer Annuities after the Rate of four Pounds *per Centum*, charged thereupon; and any Sum or Sums of Money not exceeding fifty-two thouſand three hundred ninety-three Pounds ſixteen Shillings and nine Pence Half-penny, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency on the fifth Day of *July* one thouſand ſeven hundred and ſixty-one, of the ſeveral Rates and Duties upon Offices and Penſions, and upon Houſes, and upon Windows or Lights, which were made a Fund by an Act *Triceſimo primo Georgii Secundi*, for paying Annuities at the Bank of *England*, in reſpect of five millions borrowed towards the Supply granted for the Service of the Year one thouſand ſeven hundred and fifty-eight; and any Sum or Sums of Money not exceeding one hundred and three thouſand nine hundred and ſix Pounds, to replace to the Sinking Fund the like Sum paid out of the ſame, to make good the Deficiency on the fifth Day of *July* one thouſand ſeven hundred and ſixty-one, of the additional Duty upon Strong Beer and Ale, to anſwer and pay the ſeveral Annuities of three Pounds *per Centum*, and one Pound two Shillings and ſix Pence *per Centum*, on eleven millions four hundred thouſand Pounds, Part of twelve millions borrowed towards the Supply granted to his Majeſty by an Act *Primo Georgii Tertii*, for the Service of the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding one hundred and twelve thouſand ſix hundred and thirteen Pounds five Shillings and five Pence Farthing, to make good the Deficiency of the Grants for the Service of the Year one thouſand ſeven hundred and ſixty-one; and any Sum or Sums of Money not exceeding one thouſand five hundred Pounds, to make good the like Sum iſſued, purſuant to an Addreſs of the Houſe of Commons, by his Majeſty to *Jeremiah Dyſon* Eſquire, towards defraying the Expence of printing the Journals of the Houſe of Commons from the Beginning of the ninth Parliament of *Great Britain* to the End of the laſt Seſſion of Parliament, and alſo towards defraying the Expence of making and printing Indexes to the ſecond, third, fourth, fifth, ſixth and ſeventh Volumes of the Journals of the Houſe of Commons which have been already printed.

41,752l. 10s. to the Foundling Hoſpital; to be iſſued without Fee;

13,000l. for ſupporting the Forts and Settlements in Africa; 2000l. to the Truſtees of the Britiſh Muſæum; 4000l. for building a Bridge over the Tweed near Coldſtream;

10,540l. to make good the Deficiency on 5 July 1761, of the Duties on Malt granted by Act 33 Geo. 2.

52,393l. 16s. 9d. 2q. to make good the Deficiency on 5 July 1761, of the Duties on Places and Penſions, and upon Houſes and Windows;

103,906l. to make good the Deficiency on 5 July 1761, of the additional Duty on Strong Beer and Ale;

112,613l. 5s. 5d. 1q. to make good the Deficiency of the Grants for the Year 1761;

1500l. to make good the like Sum iſſued, purſuant to Addreſs, to Jeremiah Dyſon, Eſq; towards the Expence of printing the Journals of the Houſe of Commons;

and 1,000,000l. upon Account, to defray any extraordinary Expences of the War, for the Year 1762, and to aſſiſt the Kingdom of Portugal.

XVI. And it is hereby alſo enacted by the Authority aforeſaid, That out of all or any the Aids or Supplies provided as aforeſaid, there ſhall and may be iſſued and applied any Sum or Sums of Money not exceeding one million, upon Account, to enable his Majeſty to defray any extraordinary Expences of the War incurred, or to be incurred, for the Service of the Year one thouſand ſeven hundred and ſixty-two, and to aſſiſt the Kingdom of *Portugal* an ancient and natural Ally of his Majeſty's Crown, and to take all ſuch Meaſures as may be neceſſary to diſappoint and defeat any Enterprizes or Deſigns of his Enemies, againſt his Majeſty, or his Allies, and as the Exigency of Affairs may require.

These Aid's to be applied to no other Uſes.

XVII. And it is hereby further enacted by the Authority aforeſaid, That the ſaid Aids and Supplies provided as aforeſaid, ſhall not be iſſued or applied to any Uſe, Intent or Purpoſe whatſoever, other than the Uſes and Purpoſes before-mentioned, or for the ſeveral Deficiencies or other Payments directed to be ſatisfied thereout by an Act or Acts, or any particular Clauſe or Clauſes for that Purpoſe contained in any other Act or Acts of this preſent Seſſion of Parliament.

Rules to be obſerved in the Application of the Half-pay.

XVIII. And as to the ſaid Sum of thirty-four thouſand three hundred and eighty-three Pounds by this Act appropriated, on account of Half-pay as aforeſaid, it is hereby enacted and declared by the Authority aforeſaid, That the Rules herein after preſcribed ſhall be duly obſerved in the Application of the ſaid Half-pay; that is to ſay, That no Perſon ſhall have or receive any Part of the ſame, who was a Minor, and under the Age of ſixteen Years at the Time when the Regiment, Troop or Company in which he ſerved was reduced; that no Perſon ſhall have or receive any Part

of the ſame, except ſuch Perſon who did actual Service in ſome Regiment, Troop or Company; that no Perſon having any other Place or Imployment of Profit, Civil or Military under his Majeſty, ſhall have or receive any Part of the ſaid Half-pay; that no Chaplain of any Garriſon or Regiment, who has any Eccleſiaſtical Benefice in *Great Britain* or *Ireland*, ſhall have or receive any Part of the ſaid Half-pay; that no Perſon ſhall have or receive any Part of the ſame who has reſigned his Commiſſion, and has had no Commiſſion ſince; that no Part of the ſame ſhall be allowed to any Perſon by virtue of any Warrant or Appointment, except to ſuch Perſons as would have been otherwiſe intitled to the ſame as reduced Officers; and that no Part of the ſame ſhall be allowed to any of the Officers of the five Regiments of Dragoons, and eight Regiments of Foot, lately diſbanded in *Ireland*, except to ſuch as were lately taken off the Eſtabliſhment of Half-pay in *Great Britain*.

Clauſe in the Act of 1 Geo. 3. c. 19.

'XIX. And whereas by an Act of Parliament made and paſſed in the firſt Year of his preſent Majeſty's Reign, intituled, *An Act for enabling his Majeſty to raiſe the Sum of one million, for the Uſes and Purpoſes therein mentioned; and for further appropriating the Supplies granted in this Seſſion of Parliament; and for exempting any Annuities or Sums of Money granted, or to be granted, to the Royal Family from Payment of Taxes*; the ſeveral Supplies which had been granted to his preſent Majeſty, as is therein mentioned, were appropriated to the ſeveral Uſes and Purpoſes therein expreſſed; amongſt which, any Sum or Sums not exceeding thirty-four thouſand eight hundred fifty-four Pounds nine Shillings and two Pence, was appropriated to be paid to the reduced Officers of his Majeſty's Land Forces and Marines, ſubject nevertheleſs to ſuch Rules to be obſerved in the Application of the ſaid Half-pay, as in and by the aforeſaid Act were preſcribed in that Behalf:' Now it is hereby provided, enacted and declared by the Authority aforeſaid, That ſo much of the ſaid Sum of thirty-four thouſand eight hundred fifty-four Pounds nine Shillings and two Pence, as is or ſhall be more than ſufficient to ſatisfy the ſaid reduced Officers, according to the Rules preſcribed by the ſaid Act to be obſerved in the Application thereof, or any Part of ſuch Overplus, ſhall and may be diſpoſed of to ſuch Officers who are maimed, or have loſt their Limbs in the late Wars, or ſuch others as by reaſon of their long Service, or otherwiſe, his Majeſty ſhall judge to be proper Objects of Charity, or to the Widows or Children of ſuch Officers, according to ſuch Warrant or Warrants, under his Majeſty's Royal Sign Manual, as ſhall be ſigned in that Behalf; any Thing in this Act or the ſaid former Act to the contrary notwithſtanding.

Application of the Savings of the Sum of 34,854l 9s. 2d. granted laſt Seſſion towards Half-pay.

'XX. And whereas divers Admiſſions of Perſons into Corporations and Companies, and Admiſſions or Appointments to Offices in Corporations and Companies, within the Kingdom of *England*, Dominion of *Wales*, and Town of *Berwick upon Tweed*, have through the Miſtake, Inadvertency or Neglect of the Officers of ſuch Corporations and Companies, been omitted to be ſtamped, as by ſeveral Acts of Parliament is required, whereby the Titles to the reſpective Franchiſes and Offices of the Perſons or Officers ſo admitted or appointed may be drawn into Diſpute;' Be it therefore enacted by the Authority aforeſaid, That upon the Payment at any Time before the laſt Day of *Michaelmas* Term one thouſand ſeven hundred and ſixty-two, of the Duties impoſed by Law upon, for or in reſpect of ſuch Admiſſions or Appoinments, unto the Perſon or Perſons authoriſed to receive ſuch Duties, and the tendering ſuch Admiſſions or Appointments to the proper Officers, in order that the Duties may be impreſſed thereon; ſuch Admiſſions and Appointments, and all Acts done or to be done in conſequence thereof, ſhall be as valid and effectual to all Intents and Purpoſes, as if ſuch Admiſſions and Appointments had been ſtamped, and the Duties paid, previous to, or at the Time of ſuch Admiſſions or Appointments, and in ſuch Manner and Form as is directed, appointed and required by the ſeveral Acts of Parliament relating to the ſaid Duties; and the reſpective Officers of ſuch Corporations and Companies, and other Perſons, ſhall, from the Time of the Payment of ſuch Duties reſpectively, and the Tender of ſuch Admiſſions and Appointments for the Duties to be impoſed thereon, be and are hereby freed, exonerated and diſcharged from all Penalties impoſed by the ſaid Acts, for or in reſpect of the Omiſſion in the ſtamping of, and Payment of the Duties charged upon ſuch reſpective Admiſſions and Appointments, within the Time and in the Manner directed and required by the ſaid Acts, and the Commiſſioners for the Time being appointed to manage the Duties payable to his Majeſty, his Heirs and Succeſſors, and charged on ſtamped Vellum, Parchment and Paper, and their proper Officers and Servants are hereby required and injoined to receive ſuch Duties, and to cauſe the Admiſſions or Appointments ſo tendered, to be impreſſed or ſtamped with the proper Mark or Marks, Stamp or Stamps, uſed for denoting the Payment of the ſaid Duties; any Thing in the ſaid Acts contained to the contrary notwithſtanding.

Further Time allowed for Payment of the Duties upon Admiſſions and Appointments of Perſons to Franchiſes and Offices.

'XXI. And whereas in the Month of *December* one thouſand ſeven hundred and fifty-nine, at *Liverpoole* in the County Palatine of *Lancaſter*, there was ſhipped on Board the *Drake*, *James Mackenzie* Maſter, by *William Earl* of *Liverpoole* aforeſaid, for the North Seas, ſeven hundred and twenty Buſhels of White Salt, for the Duty whereof Bond was given by the ſaid *William Earl*, *Joſeph Carter*, and *James Mackenzie*; and the ſaid Veſſel, the *Drake*, going into the Harbour of *Dublin*, was wrecked, whereby the Salt above mentioned was loſt and periſhed in the Sea; but the Proof ſuch Loſs could not be made within the Time limited by Law;' Be it therefore enacted by the Authority aforeſaid, That the Bond or Bonds given by the ſaid *William Earl*, *Joſeph Carter*, and *James Mackenzie*, for and in reſpect of the Duty of the ſaid ſeven hundred and twenty Buſhels of Salt ſo loſt, ſhall forthwith be delivered up, diſcharged and vacated, and the ſame is and are hereby diſcharged and vacated accordingly; any Act or Acts of Parliament to the contrary notwithſtanding.

Clauſe for Relief of W. Earl, in reſpect of Salt loſt going into Dublin Harbour.

CAP. XXXV.

An Act for applying the Money granted in this Seſſion of Parliament, towards defraying the Charge of the Pay of the Militia of that Part of *Great Britain* called *England*, when unembodied, and of the Cloathing of the Part of the ſaid Militia now unembodied, for one Year, beginning the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty-two.

Preamble.

'WHEREAS the Sum of twenty thouſand Pounds has been granted to his Majeſty, upon 'Account, towards defraying the Charge of Pay and Cloathing for the unembodied Mi- 'litia, for one Year, from the twenty-fifth Day of *March* one thouſand ſeven hundred and ſixty- 'two: In order therefore that the Charge of Pay and Cloathing for ſuch Militia may be duly and 'properly defrayed and ſatisfied;' Be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That in every County, Riding or Place, within that Part of *Great Britain* called *England*, where the Militia is or ſhall be raiſed, and is or ſhall be not embodied, the Receiver or Receivers General of the Land Tax of ſuch County, Riding or Place reſpectively, ſhall, during the Time that ſuch Militia ſhall continue not embodied, iſſue and pay the whole Sums required in the Manner and for the ſeveral Uſes herein after-mentioned; that is to ſay, For the Pay of the ſaid Militia for four Calendar Months in advance, at the Rate of ſix Shillings a Day for each Adjutant, where an Adjutant is appointed; and at the Rate of one Shilling for each Serjeant, with the Addition of two Shillings and ſix Pence a Week for each Serjeant Major, where a Serjeant Major is appointed; and at the Rate of ſix Pence a Day for each Drummer, with the Addition of ſix Pence a Day for each Drum Major, where a Drum Major is appointed; and alſo at the Rate of five Pence a Month for each private Man and Drummer, for defraying the contingent Expences of each Regiment, Battalion, or Independent Company of Militia; and alſo for half a Year's Salary for the Clerk of each Regiment or Battalion of Militia belonging to ſuch County, Riding or Place, at the Rate of fifty Pounds a Year; and alſo for the reſpective Allowances to the Clerk of the General Meetings, and Clerks of the ſeveral Subdiviſion Meetings, at the Rates following; that is to ſay, To the Clerk of the General Meetings, at the Rate of five Pounds five Shillings for each Meeting; and to the ſeveral Clerks of the Subdiviſion Meetings, at the Rate of one Pound one Shilling for each Meeting; and alſo for the Cloathing of the Militia for ſuch County, Riding or Place, after the Rate of three Pounds ten Shillings for each Serjeant, and two Pounds for each Drummer, with the Addition of one Pound for each Serjeant Major, and each Drum Major; and with reſpect to the private Militia Men, where the Militia hath not already been cloathed, or hath not been cloathed within three Years, at the Rate of one Pound ten Shillings for each private Man.

Where the Militia is or ſhall be raiſed, but not embodied, the Receiver General of the County is to iſſue 4 Months Pay in Advance, according to the Eſtabliſhment of Pay here ſet down;

with half a Year's Salary to the Regimental and Battalion Clerks; and the Allowances to the Clerks of the General and Subdiviſion Meetings;

and Pay for Cloathing of the Militia.

II. Provided nevertheleſs, That in any County, Riding or Place, where Pay has not been yet iſſued for the Militia, no ſuch Sum ſhall be iſſued until his Majeſty's Lieutenant, or in his Abſence, any three Deputy Lieutenants of any ſuch County, Riding or Place, ſhall have certified to the Commiſſioners of his Majeſty's Treaſury, and to the Receiver General of the Land Tax, that three Fifths of the Number of private Militia Men of ſuch County, Riding or Place, have been inrolled; and that three Fifths of the Proportion of their Commiſſion Officers have accepted their Commiſſions, and entered their Qualifications as by Law required.

The above Sums are not to be paid, if Pay has not before been iſſued, till the Lord Lieutenant or Deputies ſhall have certified to the Treaſury and Receivers General the Inrolment of three Fifths of the Men and Officers.

III. And be it enacted, That all ſuch Sums of Money aforeſaid, except ſuch as ſhall be due to the ſeveral Clerks of the Meetings aforeſaid, ſhall be paid by the ſaid Receiver or Receivers General of the Land Tax, into the Hands of the Clerk or Clerks of the Regiments or Battalions of Militia belonging to ſuch County, Riding or Place, upon his or their producing his or their Warrant or Warrants of Appointment to ſuch Office, under the Hand and Seal of his Majeſty's Lieutenant for ſuch reſpective County, Riding or Place; and where the Militia ſhall be formed into an Independent Company, or Independent Companies, ſuch Sums as aforeſaid ſhall be paid by the ſaid Receiver or Receivers General of the Land Tax, into the Hands of the reſpective Captain of each Independent Company of Militia, or to ſuch Perſon as ſuch reſpective Captain ſhall authorize to receive the ſame, according to the Number of Perſons hereby intitled to receive Pay and Cloathing, of which ſuch Regiment or Regiments, Battalion or Battalions, Independent Company or Independent Companies, ſhall have been appointed to conſiſt; and ſuch Receiver or Receivers General of the Land Tax, ſhall alſo, within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid firſt Payment, make a ſecond Payment for four Calendar Months in advance; and ſhall alſo, within fourteen Days after the Expiration of the third Calendar Month from the Time of the ſaid ſecond Payment, make a third Payment for four Calendar Months in advance, for the Pay and contingent Expences of the Militia, and for the Allowances to the Regimental or Battalion Clerk or Clerks aforeſaid, in the Proportions herein before mentioned; and the Receipts of ſuch Clerk or Clerks, and of ſuch Captain of an Independent Company, or Captains of Independent Companies, or of ſuch Perſon or Perſons as ſuch Captain or Captains ſhall ſo authoriz

The Money is to be iſſued by the Receiver General to the Clerk of the Regiment or Battalion (except the Allowances to the Clerks of the Meetings) upon producing the Warrant of his Appointment; and for Independent Companies, to the reſpective Captains, or to their Order:

A ſecond Payment is alſo to be made within 3 Months after the firſt;

and a third within three Months after the ſecond.

Receipts of the Perſons to whom the Money ſhall be ſo paid, diſcharge the Receivers General.

rize to receive ſuch Money as aforeſaid, ſhall be a ſufficient Diſcharge to ſuch Receiver or Receivers General of the Land Tax, for the ſeveral Sums of Money ſo by him or them paid.

IV. And be it enacted, That the Clerk of each Regiment or Battalion of Militia ſhall forthwith, after the Receipt of ſuch Sums of Money as aforeſaid, pay or cauſe to be paid, one Calendar Month's Pay in advance to the Adjutant of ſuch Regiment or Battalion reſpectively; and to the Captain or Commanding Officer of each Company belonging to ſuch Regiment or Battalion, two Months Pay in advance for the Serjeants, Drummers, and the contingent Expences of his reſpective Company; and alſo to the Commanding Officer of the Company to which the Serjeant Major and Drum Major ſhall belong, two Months Pay in advance for ſuch Serjeant and Drum Major; and ſo from Time to Time, ſo long as any Money on that Account ſhall remain in his Hands: Which pay every ſuch Captain or Commanding Officer is hereby required to diſtribute to each Perſon belonging to his Company by this Act intitled to receive the ſame, as it ſhall become due; and ſhall once in every Year, give in to the Clerk of the Regiment or Battalion to which ſuch Company ſhall belong, or if Captain of an Independent Company, to the Receiver General, an Account of the ſeveral Payments he ſhall have made in purſuance of this Act, according to the following Form:

The Regimental and Battalion Clerks are to pay in Advance one Month's Pay to the Adjutant; and two Months Pay to each Captain for the Serjeants, Drummers and contingent Expences of the ſaid Company; and for the Serjeant Major and Drum Major; and to the Comd manding Officer of the Company to which they belong: Captains to diſtribute the Pay accordingly; and account for the ſame yearly to the Clerk or Receiver General, if an Independent Company, according to the following Form

County of	Dr.	£.	s.	d.	*Per Contra*	Cr.	£.	s.	d.
To Caſh received of Mr. Regimental or Battalion Clerk, or Receiver General, *as the Caſe ſhall be*, for two Months Pay in advance					Paid Serjeant for Days Pay from the of to the of following *Ditto* as Serjeant-major (if one in the Company) — — Paid Serjeant for Days Pay from the of to the of following Paid Drummer Days at 6d. from the of to the of following *Ditto* as Drum-major (if one in the Company) Paid Dummer Days from the of to the of following — — Two Months Contingencies for Men and two Drummers at 5*d. per* Month each				

And ſhall pay back to the ſaid Clerk, or to the Receiver General, as the Caſe ſhall be, the Surplus (if any) of the Money by him, from Time to Time, received and then remaining in his Hands, except the Money by this Act allowed for contingent Expences, which ſhall once in every Year be accounted for by the Captain of each Company reſpectively, in Manner aforeſaid, and the Balance thereof ſhall be by him paid into the Hands of the Clerk of the Regiment or Battalion to which ſuch Company ſhall belong, to be applied to the general Uſe of the ſaid Regiment or Battalion, as the Field Officers and Captains thereof, or the greater Part of them, ſhall at a general Meeting direct; and the Captain of each Independent Company is hereby required to diſtribute to each Perſon belonging to his Company intitled thereto, ſuch Money as he ſhall receive by virtue of this Act; and the ſaid Money allowed for the contingent Expences of each Independent Company of Militia ſhall be reſpectively applied to the particular Uſe of ſuch Independent Company by the Captain thereof.

and pay back the Surplus Monies in his Hands, except the contingent Expences, which is to be accounted for,

and applied to the general Uſe of the Regiment, &c.

Captains of Independent Companies to diſtribute the Pay to their Men, and apply the Money allowed for contingent Expences.

V. And be it enacted, That the ſaid Regimental or Battalion Clerk may and ſhall retain to his own Uſe, out of the Money ſo by him received, ſuch further Sums as ſhall complete the Allowance herein before made for his Salary; and ſuch Regimental or Battalion Clerk ſhall pay to ſuch Perſon or Perſons as ſhall produce an Order from his Majeſty's Lieutenant, or from the Commanding Officer of ſuch Regiment or Battalion, ſuch Sums of Money as ſhall be due and owing for or on account of the Cloathing of the ſaid Regiments or Battalions, not exceeding the Rates herein before mentioned.

Clerk to retain Money in his Hands for his own Salary;

and diſcharge the Cloathing Bills.

VI. And be it further enacted by the Authority aforeſaid, That when ever his Majeſty's Lieutenant together with two or more Deputy Lieutenants, and on the Death or Removal, or in the Abſence of his Majeſty's Lieutenant, any three or more Deputy Lieutenants of any County, Riding or Place, ſhall have fixed the Days of Exerciſe for the Militia, he or they ſhall, as ſoon as may be, certify the ſame to the Receiver General of ſuch County, Riding or Place, ſpecifying the Number of Men, and the Number of Days ſuch Men are to be abſent from Home on Account of ſuch Exerciſe; and ſuch Receiver General is hereby required, within fourteen Days after the Receipt of ſuch

When the Lord Lieutenant and Deputies ſhall have fixed the Days of Exerciſe,

they are to certify the ſame to the Receiver General, ſpecifying the Number of Men, and Days they ſhall be abſent from Home.

Receiver General to iſſue thereupon Pay for the Men to the Regimental Clerk, &c.

Certificate, to iſſue and pay to the Clerk of the ſeveral Regiments or Battalions, or to the Captains of the Independent Companies, as the Caſe ſhall be, at the Rate of one Shilling *per* Day for each private Militia Man, with the Addition of ſix Pence *per* Day for each Corporal of the Militia, ſo to be called out to Exerciſe, for the Number of Days ſuch Militia Men ſhall be abſent from Home on Account of ſuch Exerciſe; and the ſaid Regimental or Battalion Clerks are hereby required forthwith to pay to each Captain of the ſaid Regiments or Battalion the Proportion of Pay belonging to their reſpective Companies.

who is to pay over the ſame to the reſpective Captains.

VII. And be it further enacted, That during the Time of ſuch Exerciſe as aforeſaid, the Captains of every Company ſhall make a Field return, to be delivered to the Commanding Officer, and likewiſe keep an Account of every Day's Exerciſe; which Account ſhall, at the End of the Time of Exerciſe, be examined by the Commanding Officer, and Compared with the ſaid Return.

Captains to make Field Returns to the Commanding Officer; and keep Account of every Day's Exerciſe, to be examined and compared with the Return

VIII. And be it further enacted, That the Captain of each Company ſhall make up an Account of all Monies received and paid by him on account of ſuch Exerciſe, according to the following Form;

Captains to make up their Account according to the following Form;

County of

Dr.	£.	s.	d.	*Per Contra*	Cr.	£.	s.	d.
To Caſh received of the Regimental or Battalion Clerk, or Receiver General, *as the Caſe ſhall be*, for Days Pay of Men				Paid Militia Men at Exerciſe Days				
				Paid additional Pay to Corporals Days				

to be ſigned by them, and counterſigned by the Commanding Officer, and delivered, with the Ballance to the Clerk, or Receiver General.

Which Account ſhall be ſigned by the ſaid Captain, and counterſigned by the Commanding Officer; and ſuch Captain ſhall, within ten Days after the Time of ſuch Exerciſe, deliver ſuch Account, and pay the Ballance, if there be any due, to the Regimental or Battalion Clerk; or if Captain of an Independent Company, to the Receiver General; and ſuch Accounts ſhall be allowed as ſufficient Vouchers in the Paſſing of the Accounts of ſuch Receiver General at the Receipt of his Majeſty's Exchequer.

Accounts allowed ſufficient Vouchers.

During the Time the Troops are embodied, and called out into actual Service, and receive Pay as the King's other Forces, all pay from the Receivers General is to ceaſe.

IX. Provided always, and be it enacted, That where any Regiment, Battalion, or Independent Company of Militia is or ſhall be embodied and called out into actual Service, and thereby the Officers and private Militia Men are or ſhall be intitled to the ſame Pay as the Officers and private Men in his Majeſty's other Regiments of Foot receive, all Pay from the Receiver or Receivers General of the Land Tax for the County, Riding, or Place to which ſuch Regiment, Battalion, or Independent Company of Militia ſhall belong, whether to the Adjutant, Serjeants, private Militia Men, or others; and all Money allowed as aforeſaid for the contingent Expences of ſuch Regiment, Battalion, or Independent Company of Militia; and alſo the Allowance to the Clerk of ſuch Regiment or Battalion; ſhall during ſuch Time of actual Service, and until ſuch Regiment, Battalion, or Independent Company ſhall be diſembodied, and returned Home by Order of their Commanding Officers, ceaſe, and not be paid.

The Clerk of the General Meetings is to be paid his Allowance upon producing an Order from the Ld Lieut. or Deputies; and the Clerk of the Subdiviſion Meetings upon producing a like Order from a Dep. Lieut. Orders to diſcharge Receivers General.

X. And be it enacted, That the ſaid Receiver or Receivers of the Land Tax ſhall pay to the Clerk of the General Meetings his Allowance, at the Rate of five Pounds five Shillings for each Meeting, upon his producing an Order or Orders for that Purpoſe from his Majeſty's Lieutenant, or from three Deputy Lieutenants aſſembled at ſome General Meeting or Meetings; and ſhall alſo pay to each and every the Clerks of the Subdiviſion Meetings, their ſeveral Allowances, at the Rate of one Pound one Shilling for each Meeting upon his or their producing an Order or Orders from one or more Deputy Lieutenant or Deputy Lieutenants aſſembled in the ſeveral Subdiviſion Meetings; which ſaid Order or Orders ſhall be to the ſaid Receiver or Receivers General of the Land Tax, a ſufficient Diſcharge for the Payment of ſuch Allowances, and be allowed in his or their Account.

Regimental and Battalion Clerks to give Security for paying and accounting for the Monies received by them;

the Bonds to be lodged with the Receivers General, and put in Suit by them on Nonperformance of the Condition;

and they are intitled thereupon to full Coſts and Charges,

and 5l. per Cent. of the Money recovered;

the Reſidue to be accounted for to the Auditor

XI. Provided always, and be it enacted, That the Clerk of each Regiment or Battalion of Militia ſhall give Security to the Receiver or Receivers General of the Land Tax of the County, Riding, or Place to which ſuch Regiment or Battalion ſhall belong, by a Bond to his Majeſty, in the Penalty of one Half of the Sum required for the whole Year's Charge of the Regiment or Battalion of Militia to which ſuch Clerk ſhall belong, for duly anſwering and paying ſuch Sums as he ſhall from time to time have received, and for duly accounting for the ſame, and for Performance of the Truſt hereby in him repoſed; which ſaid Bond ſhall be lodged in the Hands of the Receiver or Receivers General of the Land Tax for the reſpective County, Riding or Place, who, in caſe the ſaid Regimental or Battalion Clerk ſhall not duly perform the Conditions comprized in the ſaid Bond, ſhall and is hereby required forthwith to put the ſaid Bond in Suit, in the Name of his Majeſty, his Heirs and Succeſſors; the full Coſts and Charges of which Suit, in caſe Judgment ſhall be given againſt ſuch Regimental or Battalion Clerk, ſhall be paid by him to the ſaid Receiver or Receivers General of the Land Tax, who ſhall likewiſe be intitled to, and receive to his or their own Uſe, at the Rate of five Pounds *per Centum*, out of all ſuch Monies as ſhall be by him or them recovered thereon, and ſhall account for the Reſidue thereof with the proper Auditor of his Majeſty's Revenue, the ſaid Receiver or Receivers General of the Land Tax charging himſelf or themſelves therewith upon the next Account of the Land Tax to be by him or them paſſed.

XII. And

XII. And be it enacted, That the Clerk of every Regiment or Battalion of Militia and the Captain of every Independent Company of Militia, in every County, Riding, and Place, within the Part of *Great Britain* aforeſaid, ſhall, between the twenty-fifth Day of *March* and the twenty-fourth Day of *June* in the Year one thouſand ſeven hundred and ſixty-three, deliver to the Receiver or Receivers General of the Land Tax for the County, Riding, or Place to which ſuch Regiment, Battalion, or Independent Company ſhall belong, a fair Account in Writing of all Monies by him received and diſburſed, for the Service of the preceding Year, in purſuance of this Act, with proper Vouchers for the ſame; and ſhall pay back to the ſaid Receiver or Receivers General of the Land Tax, any Surplus of ſuch Monies that ſhall then be in his Hands; which ſaid Accounts, ſigned by ſuch Regimental or Battalion Clerk, or by ſuch Captain of an Independent Company reſpectively, ſhall be tranſmitted by the ſaid Receiver or Receivers General of the Land Tax, into the Office of the proper Auditor of his Majeſty's Revenue.

The Regimental and Battalion Clerks, and Captains of Independent Companies, are to deliver in Accounts of their Receipts and Diſburſements.

and pay over the Balance to the Receivers General; who are to tranſmit the Accounts into the Auditors Office.

XIII. Provided always, and be it enacted, That all Penalties, all Coſts and Charges of Suit, and all Sums of Money for which any Perſon or Perſons is or are by this Act made anſwerable, may and ſhall be recovered in any of his Majeſty's Courts of Record at *Weſtminſter*, by Action of Debt, Bill, Plaint, or Information, wherein no Eſſoin, Wager of Law, or Protection, or more than one Imparlance ſhall be allowed.

Recovery of Penalties, &c.

XIV. Provided always, and be it enacted, That no Fee or Gratuity whatſoever ſhall be given or paid for or upon account of any Warrant or Sum of Money which ſhall be iſſued in relation to, or in purſuance of this Act.

No Fee payable for any Warrant or Sum of Money iſſued in purſuance of this Act.

CAP. XXXVI.

An Act for better ſecuring the Payment of the Sums of Money directed by an Act made in the thirty-ſecond Year of the Reign of his late Majeſty King GEORGE the Second, to be applied in Augmentation of the Salaries of the Puiſne Judges in the Court of *King's Bench*, the Judges in the Court of *Common Pleas*, the Barons of the Coif in the Court of *Exchequer* at *Weſtminſter*, and the Juſtices of *Cheſter* and the Great Seſſions for the Counties in *Wales* for the Time being.

Preamble reciting Clauſe in Act 32 Geo. 2. c. 35.

'WHEREAS by an Act made in the thirty-ſecond Year of the Reign of his late Majeſty King GEORGE the Second, intituled, *An Act for augmenting the Salaries of the Puiſne Judges in the Court of* King's Bench, *the Judges of the Court of* Common Pleas, *the Barons of the Coif in the Court of* Exchequer *at* Weſtminſter, *the Judges in the Courts of Seſſion and* Exchequer *in* Scotland, *and Juſtices of* Cheſter *and the Great Seſſions for the Counties in* Wales, it was ſet forth, That the Salaries of the ſaid Judges and Juſtices were inadequate to the Dignity and Importance of their Offices, and therefore, in order to eſtabliſh in the firſt Place a proper Fund for the Augmentation of the Salaries of the ſaid Judges in the Courts at *Weſtminſter*, and Juſtices of *Cheſter* and the Great Seſſions for the Counties in *Wales*, certain Stamp Duties were thereby granted and appropriated to the Payment of the ſeveral and reſpective Sums of Money directed by the ſaid Act to be applied in Augmentation of the Salaries of the ſaid laſt mentioned Judges and Juſtices, and certain Sums were directed to be paid yearly, out of the Duties and Revenues therein mentioned, in Augmentation of the Salaries of the ſaid Judges in *Scotland*: And whereas the Fund provided for Payment of the Sums granted in Augmentation of the Salaries to the ſaid Judges and Juſtices in *England* and *Wales*, hath proved inſufficient to make good and anſwer the ſame: We your Majeſty's moſt dutiful and loyal Subjects, the Commons of *Great Britain* in Parliament aſſembled, in order to make the ſaid Fund effectual to anſwer the ſaid Purpoſes, do give and grant unto your Majeſty the Duties herein after mentioned, and do therefore moſt humbly beſeech your Majeſty that it may be enacted;' And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal, and Commons, in this preſent Parliament aſſembled, and by the Authority of the ſame, That from and after the fifth Day of *July* one thouſand ſeven hundred and ſixty-two there ſhall be throughout *England*, the Dominion of *Wales*, and Town of *Berwick* upon *Tweed*, raiſed, collected, levied and paid unto and for the Uſe of his Majeſty, his Heirs and Succeſſors, for every Piece of Vellum, Parchment, or Paper, on which the Matters or Things herein after mentioned ſhall be ingroſſed or written, at any Time or Times after the ſaid fifth Day of *July*, over and above the Rates, Duties, Charges, and Sums of Money, now due and payable to his Majeſty for or in reſpect of the ſame, the further Rates, Duties Charges, and Sums of Money; that is to ſay,

From and after 5 July 1762, the following additional Duty to be laid on ſtamped Vellum, Parchment or Paper, viz.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Admiſſion into any of the four Inns of Court ſhall be ingroſſed or written, the Sum of two Pounds.

on every Admiſſion into any of the Inns of Court, 40 s.

For every Piece of Vellum or Parchment, or Sheet or Piece of Paper, upon which any Regiſter, Entry, Teſtimonial, or Certificate of the Degree of Utter Barriſter, taken in any of the four Inns of Court ſhall be ingroſſed or written, the Sum of two Pounds.

and on every Teſtimonial of the Degree of an Utter Barriſter taken in any of the Inns of Court, 40 s.

II. And

The ſaid Duties to be under the Management of the Commiſſioners for Stamps;

II. And be it further enacted by the Authority aforeſaid, That for the better and more effectual raiſing, levying, collecting and paying the ſaid additional Rates and Duties herein before granted, the ſame ſhall be under the Government, Care and Management of the Commiſſioners for the Time being appointed to manage the Duties payable to his Majeſty, his Heirs and Succeſſors, and charged on ſtamped Vellum, Parchment, and Paper, by former Acts of Parliament in that Behalf made,

who are to appoint proper Officers under them, and provide ſuitable Stamps,

who, or the major Part of them, are hereby required and impowered to employ ſuch Officers under them for that Purpoſe as they ſhall think proper; and to uſe ſuch Dies and Stamps to denote the Stamp Duties hereby charged as they ſhall think fit, and to repair, renew or alter the ſame, from time to time, as there ſhall be Occaſion, and to do all other Acts, Matters and Things neceſſary to be done for putting this Act in Execution with relation to the ſaid Rates and Duties hereby granted, in the like, and in as full and ample Manner as they, or the major Part of them, are authorized to put in Execution any former Law concerning ſtamped Vellum, Parchment or Paper.

One new Stamp to be provided for denoting the ſaid Duties,

III. Provided always, and be it further enacted by the Authority aforeſaid, That to prevent the Multiplication of Stamps for and in reſpect of the additional Rates and Duties hereby granted, it ſhall and may be lawful for the ſaid Commiſſioners, inſtead of diſtinct Stamps, to aſcertain the Duties granted by former Acts and this Act, to cauſe one new Stamp to be provided for denoting all the ſaid Duties, from time to time, as ſhall by the ſaid Commiſſioners be thought proper or neceſſary.

Vellum, &c. ſtamped before 5 July, in purſuance of other Acts, and chargeable with the Duties of this Act,

IV. And be it further enacted by the Authority aforeſaid, That all Vellum, Parchment and Paper charged by this Act, with any of the Stamp Duties hereby granted, which hath been or ſhall before the ſaid fifth Day of *July* be ſtamped or marked in purſuance of the former Acts of Parliament relating to his Majeſty's Stamp Duties or any of them, ſhall, before any of the Matters or Things in reſpect whereof any Rate or Duty is hereby made payable ſhall be ingroſſed or written thereupon, ſuch Ingroſſing or Writing being at any Time after the ſaid fifth Day of *July*, be brought to the Head Office for ſtamping or marking of Vellum, Parchment and Paper, to be ſtamped or marked with another Mark or Stamp, over and beſides the Marks or Stamps put or to be put thereupon, in purſuance of the ſaid former Acts, or any of them; and that all Vellum, Parchment and Paper, which hath not been, or ſhall not, before ſaid fifth Day of *July* be ſtamped or marked in purſuance of the ſaid former Acts or any of them, ſhall, before any of the Matters or Things in reſpect whereof any Stamp Duty is payable hereby, and by the ſaid former Acts or any of them, ſhall be thereupon ingroſſed or written, ſuch Ingroſſing or Writing being after the ſaid fifth Day of *July*, be brought to the ſaid Head Office, and there marked and ſtamped with the proper Marks or Stamps, or Mark or Stamp provided, uſed or appointed, or to be provided or appointed in purſuance of the ſaid former Acts, or of this Act, to denote the reſpective Duties thereby and hereby reſpectively charged thereupon; and if any of the ſaid Matters and Things ſo to be ingroſſed or written as aforeſaid, ſhall be ingroſſed or written contrary to the true Intent and Meaning hereof, upon Vellum, Parchment or Paper, not appearing to have been duly marked or ſtamped according to this Act,

and ſuch as ſhall not have been ſtamped before the ſaid Day in purſuance of former Acts is to be duly ſtamped as hereby directed, before any Matter or Thing be ingroſſed thereon,

on Forfeiture of 5 l. over and above the Duties,

and ſuch Writing, &c. being unavailable in Law till the Duties and Forfeitures be paid, and the proper Stamp impreſſed.

that then, and in every ſuch Caſe, there ſhall be due, anſwered and paid (over and above the Stamp Duties payable hereby, and by the ſaid former Acts, or any of them) for or in reſpect of every ſuch Matter or Thing, the Sum of five Pounds; and that no ſuch Matter or Thing ſhall be available in Law or Equity, or be given in Evidence, or admitted in any Court, unleſs as well the ſaid Duty hereby charged in reſpect thereof, as the ſaid Sum of five Pounds, ſhall be firſt paid to the Receiver General for the Time being of the Stamp Duties, or his Deputy or Clerk, and until the Vellum, Parchment or Paper, upon which ſuch Matter or Thing is ſo ingroſſed or written, ſhall be marked or ſtamped, according to the Tenor and true Meaning hereof; and the ſaid Receiver General, and his Deputy or Clerk, are hereby enjoined and required, upon Payment or Tender of the ſaid Duties, and of the ſaid Sum of five Pounds, and ſuch other Sums, as by the ſaid former Acts are payable in that Behalf, to give a Receipt for ſuch Monies; and the other proper Officers are thereupon required to mark or ſtamp ſuch Matters or Things with the proper Marks or Stamps, or Mark or Stamp, required in that Behalf; which ſaid Sum of five Pounds is to be applied to the ſame Uſes and Purpoſes, as the Duties hereby granted are to be applied.

Receiver General, &c. to give Receipts for the ſaid Monies;

and the Stamps to be thereupon impreſſed.

Penalty to be applied as the Duties.

Duties to be paid into the Hands of the Receiver General,

who is to keep a ſeparate Account thereof, and pay over the ſame into the Exchequer;

and the Auditor is to provide a Book for entering the ſame ſeparately from all other Monies.

V. And be it further enacted by the Authority aforeſaid, That the Rates and Duties herein before granted, ſhall be paid from time to time into the Hands of the Receiver General for the Time being of the Duties on ſtamped Vellum, Parchment and Paper, who ſhall keep a ſeparate and diſtinct Account of the Rates and Duties ariſing by virtue of this Act, and pay the ſame (the neceſſary Charges of raiſing, paying, and accounting for ſuch Rates and Duties, being deducted) into the Receipt of the Exchequer, for the Purpoſes herein after-expreſſed, at ſuch Time, and in ſuch Manner, as any former Duties on ſtamped Vellum, Parchment, or Paper, are directed to be paid; and that in the Office of the Auditor of the ſaid Receipt ſhall be provided and kept a Book or Books in which all the Monies ariſing from the Rates and Duties hereby granted and paid into the ſaid Receipt as aforeſaid, ſhall be entered ſeparate and apart from all other Monies paid and payable to his Majeſty, his Heirs and Succeſſors, upon any Account whatſoever, and ſhall be applied in ſuch Manner as is herein after mentioned.

Commiſſioners and Officers employed in the Collection and Management of theſe Duties, are to obſerve the Direction of the Treaſury;

VI. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners, and all other Officers who ſhall be employed in the Collection or Management of the ſaid Rates and Duties,

herein

herein before granted, ſhall in the Execution of their Offices obſerve and perform ſuch Rules and Orders as they reſpectively ſhall from time to time receive from the High Treaſurer, or the Commiſſioners of the Treaſury, or any three or more of them for the Time being; and that no Fee or Reward ſhall be taken or demanded by any ſuch Commiſſioners or Officers, from any of his Majeſty's Subjects, for any Matter or Thing to be done in purſuance of this Act; and in caſe any Officer employed in the Execution of this Act, in relation to the ſaid Rates and Duties, ſhall refuſe or neglect to do or perform any Matter or Thing by this Act required or directed to be done or performed by him, whereby any of his Majeſty's Subjects ſhall or may ſuſtain any Damage whatſoever, ſuch Officer ſo offending ſhall be liable, by any Action to be founded on this Statute, to anſwer to the Party grieved all ſuch Damages, with Treble Coſts of Suit.

and no Fee is to be taken by them;

and neglecting their Duty, to the Damage of any Perſon, they are liable to make good the ſame, with Treble Coſts of Suit;

VII. And be it further enacted by the Authority aforeſaid, That the ſaid Commiſſioners and their Officers ſhall be ſubject to ſuch Penalties and Forfeitures for any Breach of the Truſts in them repoſed, or for diverting or miſapplying the Money received in purſuance of this Act, as by any former Law relating to ſtamped Vellum, Parchment or Paper are inflicted; and that all Powers, Proviſions, Articles, Clauſes, Penalties, Forfeitures, Diſtribution of Penalties and Forfeitures, and all other Matters and Things preſcribed, inflicted or appointed by any former Act or Acts of Parliament relating to the ſtamp Duties on Vellum, Parchment and Paper, and not hereby altered, ſhall be in full Force and Effect with relation to the Rates and Duties hereby impoſed, and ſhall be applied and put in Execution for the raiſing, levying, collecting and ſecuring the ſaid Rates and Duties, according to the true Intent and Meaning of this Act, as fully, to all Intents and Purpoſes, as if the ſame had ſeverally and reſpectively been herein enacted with relation to the Rates and Duties hereby impoſed.

and they are made ſubject to the like Penalties for any Breach of Truſt, &c. as are inflicted by any of the former Acts; and all the Proviſions, &c. in thoſe Acts, where not altered by this, are extended to this Act.

VIII. And be it further enacted by the Authority aforeſaid, That if any Perſon from and after the ſaid fifth Day of *July* ſhall counterfeit or forge, or procure to be counterfeited or forged, any Seal, Stamp or Mark, to reſemble any Seal, Stamp or Mark, directed or allowed to be uſed by this Act, for the Purpoſe of denoting the Duties hereby granted; or ſhall counterfeit or reſemble the Impreſſion of the ſame, with an Intent to defraud his Majeſty, his Heirs and Succeſſors of any of the ſaid Duties, or ſhall utter, vend or ſell any Vellum, Parchment or Paper, liable to any ſuch Stamp Duty, with ſuch counterfeit Stamp or Mark, knowing the ſame to be counterfeit; or ſhall privately or fraudulently uſe any Seal, Stamp or Mark, directed or allowed to be uſed by this Act, with Intent to defraud his Majeſty, his Heirs and Succeſſors of any of the ſaid Duties; every Perſon ſo offending, and being thereof lawfully convicted, ſhall be adjudged a Felon, and ſhall ſuffer Death as in Caſes of Felony, without Benefit of Clergy.

Penalty of counterfeiting or forging any of the Stamps to be uſed for the Purpoſes of this Act; or of ſelling any Vellum, &c. with ſuch counterfeit Stamps;

or of privately uſing any of the allowed Stamps, with an Intent to defraud, is Felony without Benefit of Clergy.

IX. And be it further enacted by the Authority aforeſaid, That the Duties hereby granted, and the Duties ariſing by virtue of the ſaid former Act, made in the thirty-ſecond Year of his late Majeſty's Reign, ſhall be, and are hereby made one joint Fund, for anſwering and paying, in ſuch Manner and Proportions as are therein directed and appointed, with reſpect to the Duties thereby granted, all ſuch Sums of Money as ſhall become due and payable from and after the ſaid fifth Day of *July* in purſuance of the ſaid Act, to the Puiſne Judges in the Court of *King's Bench*, the Judges in the Court of *Common Pleas* at *Weſtminſter*, the Chief and other Barons of the Coif in the Court of *Exchequer* at *Weſtminſter*, the Chief and ſecond Juſtices of *Cheſter*, and the Juſtices of the Great Seſſions for the Counties in *Wales*, for the Time being reſpectively; and if any Surplus ſhall remain of the Produce of the ſaid Fund, the ſame ſhall be reſerved for the Diſpoſition of Parliament, in ſuch Manner as any Surplus of the Duties granted by the ſaid Act are thereby directed to be reſerved.

Duties of this, and of the former Act of 32 Geo. 2. to be a joint Fund for paying the Judges Salaries;

and the Surplus to be reſerved for the Diſpoſition of Parliament.

X. And it is hereby enacted by the Authority aforeſaid, That if any Perſon or Perſons ſhall at any Time or Times be ſued or proſecuted for any Thing by him or them done, or to be done or executed in purſuance of this Act, or of any Matter or Thing in this Act contained, ſuch Perſon or Perſons ſhall and may plead the General Iſſue, and give the Special Matter in Evidence for his or their Defence; and if upon the Trial a Verdict ſhall paſs for the Defendant or Defendants, or the Plaintiff or Plaintiffs ſhall become nonſuited, then ſuch Defendant or Defendants ſhall have Treble Coſts to him or them awarded againſt ſuch Plaintiff or Plaintiffs.

General Iſſue.

Treble Coſts.

CAP. XXXVII.

An Act for veſting certain Lands, Tenements and Hereditaments upon the Sea Coaſts, in the Counties of *Kent*, *Suſſex* and *Southampton*, on which Forts and Batteries have been erected for the Defence of the ſaid Coaſts, in Truſtees, for certain Uſes; and for other Purpoſes therein mentioned.

Preamble.

'WHEREAS the Coaſts of *Suſſex*, *Kent* and *Southampton*, lay open and expoſed to the 'hoſtile Invaſions of his Majeſty's Enemies: And whereas our late moſt Gracious Sove- 'reign Lord GEORGE the Second, out of his paternal Affection, tendering the Welfare and Pro- 'tection of his dutiful and loyal Subjects, did order and direct the Maſter General and Principal 'Officers of his Ordnance, to erect and build ſeveral Forts and Batteries, at convenient Diſtances, 'upon the ſaid Coaſts: And whereas in purſuance of ſuch Orders, Forts and Batteries have been 'erected by and with the Conſent of the Owners and Proprietors of the ſeveral Lands herein

'after

'after-mentioned, on which the ſame are reſpectively erected; at *Little Hampton*, *Brighthelmſton*, '*New Haven*, *Blotchington*, *Seaford*, *Haſtings* and *Rye* in the County of *Suſſex*; and at *Folkſtone* 'and *Hyth* in the County of *Kent*; and in the Pariſh and *Iſland* of *Portſea* in the County of *South-*'*ampton*: And whereas it is juſt and reaſonable that the ſeveral Owners and Proprietors of ſuch 'Lands ſhould have proper Compenſation and Satisfaction made for their reſpective Intereſt there-'in, and that the ſaid Lands ſhould be veſted for ever in the Crown, or in Truſtees, for the Uſe 'and Benefit of your Majeſty, your Heirs and Succeſſors, after ſuch Compenſation made to the 'Owners and Proprietors of the ſaid Lands;' May it therefore pleaſe your Majeſty, that it may be enacted; And be it enacted by the King's moſt Excellent Majeſty, by and with the Advice and Conſent of the Lords Spiritual and Temporal and Commons in Parliament aſſembled, and by the Authority of the ſame, That all that Piece or Parcel of Land ſituate on the Sea Shore on the Eaſt Side of the Entrance into *Arundel Haven*, in the Pariſh of *Climpton* in the County of *Suſſex*, containing two Acres, twelve Perch and an Half, on which a Fort or Battery called *Little Hampton Battery*, with Gunners Barracks, and the Magazine thereto belonging, have lately been erected; and alſo all that Piece or Parcel of Land ſituate on the Sea Shore at the Eaſt Part of the Town of *Brighthelmſton* in the ſaid County of *Suſſex*, containing one Rood, twenty-ſeven Perch and three Quarters, being Part of the Lands of *Brighthelmſton* aforeſaid, called *The Eaſt Clift*, on which ſaid Piece of Land laſt-mentioned, the Fort or Battery called *Brighthelmſton Battery*, with Gunners Barracks, and the Magazine thereto belonging, have lately been erected; and alſo all that Piece or Parcel of Land ſituate on the North Side, at the Entrance of the Harbour of *Newhaven* in the ſaid County of *Suſſex*, containing one Acre, two Rood, and twenty-ſeven Perch, Part of the Lands called *The Caſtle Hill*, on which ſaid Piece of Land laſt mentioned, the Fort or Battery called *Newhaven Battery*, with Gunners Barracks, and the Magazine thereto belonging, have lately been erected; and alſo all that Piece or Parcel of Land ſituate in the Pariſh of *Blotchington* in the ſaid County of *Suſſex*, together with a Way and Paſſage five hundred twenty-ſix Feet in Length, and ten Feet wide, from the Weſt Angle of the ſaid Piece or Parcel of Land, to a certain Well ſituate on *Blotchington Down*, which ſaid Piece or Parcel of Land, with the ſaid Way or Paſſage, contain three Acres twenty-one Perch, and on which ſaid Piece or Parcel of Land, a Fort or Battery called *Blotchington Battery*, with Gunners Barracks, and the Magazine thereto belonging, have lately been erected; and alſo all that Piece or Parcel of Waſte Land ſituate in the Pariſh of *Seaford* in the ſaid County of *Suſſex*, containing, together with a Well at the Town of *Seaford*, one Acre, one Rood and ſeven Perch, being the greateſt Part thereof Waſte Lands called *Seaford Beach*, on which the Fort and Battery called *Seaford Battery*, with the Gunners Barracks, and Magazines thereto belonging, have lately been erected; and alſo all that Piece or Parcel of Waſte Land, ſituate in the Pariſh of *Saint Mary of the Caſtle*, on the Pier at the Weſt Side of the Town of *Haſting* in the ſaid County of *Suſſex*, on which a Battery called *Haſting Battery* has lately been erected; and alſo all that other Piece or Parcel of Land, ſituate on the ſaid Pier, on which the Gunners Barracks, and Magazine belonging to the ſaid Battery laſt mentioned, have lately been erected, which ſaid two Pieces or Parcels of Land laſt mentioned, contain together one Rood and twenty-five Perch; and alſo all that Piece or Parcel of Waſte Land ſituate at *Rye* in the ſaid County of *Suſſex*, containing one Acre, two Rood, and thirty-three Perch, called *The Gun Garden Battery*, where an old Battery formerly ſtood, and on which two new Batteries called the *Upper Battery* and *Lower Battery*, and the Magazine to them belonging, have lately been erected; and alſo all that other Piece or Parcel of Waſte Land ſituate at *Rye* aforeſaid, containing ſix Perch, being Part of the Waſte called *The Old Church Yard*, on which the Gunners Barracks, belonging to the ſaid Batteries laſt mentioned, have lately been erected; and alſo all that Piece or Parcel of Land ſituate at *Folkeſtone* in the County of *Kent*, containing one Acre, one Rood, and twelve Perch, being Part of a Piece of Land called *The Upper Bail Ground*, on which a Fort or Battery has been lately erected; and alſo all that Piece or Parcel of Waſte Land ſituate near the Town of *Hyth* in the ſaid County of *Kent*, containing twenty-one Perch, on which a Battery of five Guns has been lately erected; and alſo all that other Piece or Parcel of Waſte Land near the ſaid Town of *Hyth*, containg twenty-four Perch, on which the Gunners Barracks, and Magazine belonging to the ſaid Battery laſt mentioned, have been lately erected; and alſo all that Piece or Parcel of Land ſituate in the Pariſh of *Portſea* in the County of *Southampton*, containing four Acres, three Rood, and ſeventeen Perch, being Part of two Fields called *The Sixteen Acre Field* and *The Eighteen Acre Field*, belonging to *Lump's Farm*, in the ſaid Pariſh of *Portſea*, on which a Fort or Battery, called *Lump's Battery*, with the Gunners Barracks, and Magazine thereto belonging, have lately been erected; and alſo all that Piece or Parcel of Land ſituate in the ſaid Pariſh of *Portſea*, containing ſix Acres, two Rood, and twenty-one Perch, being Part of two Fields called *Lock's Puttock*, and the thirty Acre Field belonging to a Farm called *Eaſtney Farm* in the ſaid Pariſh of *Portſea*, on which a Fort or Battery called *Eaſtney Battery*, with the Gunners Barracks, and Magazine thereto belonging, have lately been erected, together with the Beach or Shingle between High Water Mark and Low Water Mark, contiguous to and adjoining the ſaid ſeveral Pieces or Parcels of Land, or any or either of them; and all other Rights, Members and Appurtenances, to them or any or either of them belonging or appertaining, ſhall be and are hereby veſted and declared to be in the actual and real Poſſeſſion and Seiſin of Sir *John Cuſt* Baronet, Speaker of the Houſe of Commons; the Honourable *Robert Fairfax*, Sir *Wyndham Knatchbull Wyndham* Baronet, Thomas *Pelham* Eſquire, *John Butler* Eſquire, the Right Honourable *Henry Bilſon Legge*, and Sir *Simeon Stewart* Baronet, their Heirs and Aſſigns for ever, in Truſt nevertheleſs

The Lands, with the Barracks and Magazines, whereon the ſeveral Forts or Batteries following ſtand, viz. Of Little Hampton, on the Entrance in Arundel Haven; Brighthelmſton Battery;

Newhaven Battery;

Blotchington Battery;

Seaford Battery;

Haſting Battery;

Gun Garden Battery, at Rye,

with the Upper and Lower Batteries there;

Folkeſtone Battery;

Hyth Battery;

Lump's Battery, at Portſea;

and Eaſtney Battery;

are ſeverally veſted, with the Rights, Members and Appurtenances thereto belonging, in the Truſtees herein mentioned,

vertheleſs for ſuch Perſon and Perſons, Bodies Politic or Corporate, Eccleſiaſtical or Civil, as at or immediately before the Time of making this Act, were the ſeveral and reſpective Owners and Proprietors thereof, according to their ſeveral Eſtates and Intereſts therein at the ſame Time, in Poſſeſſion, Reverſion, Remainder, or otherwiſe, until ſuch Eſtates and Intereſts ſhall be reſpectively adjudged and determined, and reaſonable and juſt Compenſation and Satisfaction ſhall be made for the ſame.

in Truſt for the reſpective Owners and Proprietors thereof.

II. And be it further enacted by the Authority aforeſaid, That for the better aſcertaining the ſeveral Owners and Proprietors of the ſaid Lands, and their reſpective Titles and Claims thereto, it ſhall and may be lawful to and for his Majeſty, by one or more Commiſſion or Commiſſions, by Letters Patent under the Great Seal of *Great Britain*, to authoriſe and appoint any Number of Perſons to be Commiſſioners to hear and determine all Titles and Claims that ſhall or may be made to the ſaid Lands, Tenements and Hereditaments, or to any Part or Parcel thereof; which Commiſſioners ſo to be appointed, or any five or more of them, are hereby authoriſed and required, and ſhall and may in a ſummary Manner proceed, act and determine, by and upon the Teſtimony of Witneſſes upon Oath (which Oath they, or any five or more of them are hereby impowered to adminiſter) Inſpection and Examination of Deeds, Writings and Records, or by Inqueſt of twelve good and lawful Men to be impanelled and ſworn in Manner herein after mentioned and directed, or by all or any of the ſaid Ways, or otherwiſe, according to their Diſcretion, all and all Manner of Rights, Eſtates and Intereſts, and all Controverſies, Debates and Queſtions which ſhall happen and ariſe between any Perſon or Perſons whatſoever, or any other Matter or Thing relating to any of the Premiſſes, or any Part thereof; and ſhall have Power to ſend for any Perſon or Perſons, and oblige them to produce their Deeds or Writings, upon Oath, relating to any of the ſame Premiſſes; and alſo ſhall and may, by Agreement with the reſpective Perſon or Perſons that ſhall be determined to be the Owners and Proprietors of the ſaid Lands, or by the ſaid Inqueſt of the ſaid twelve good and lawful Men to be impanelled and ſworn, inquire, proceed, act and determine, touching and concerning the true and real Value of the ſaid Premiſſes, or any Part or Parcel thereof, were or was of at the Time the ſame were firſt made uſe of for the Purpoſes aforeſaid: And the ſaid Commiſſioners, or any five or more of them, are hereby required to cauſe all their Judgments and Decrees to be entered fairly in Books; which Judgments and Decrees ſhall expreſſly mention and ſpecify the reſpective Number of Acres or Parcels of Land, with their ſeveral Abuttals and Boundaries, together with the Name or Names of every Perſon or Perſons intereſted reſpectively in the ſame; and the reſpective Sum or Sums that ſhall be ſo agreed for or aſſeſſed by the ſaid Jury to be paid for the ſame reſpectively; which Judgments and Decrees ſhall likewiſe be fairly ingroſſed on Parchment, and certified to the Clerk of the Crown in *Chancery*, and to the King's Remembrancer in his Majeſty's Court of *Exchequer*; and ſuch Judgments and Decrees made as aforeſaid ſhall be final, and ſhall conclude all and every Perſon and Perſons, Bodies Politic and Corporate, Eccleſiaſtical and Civil, their Heirs, Succeſſors, Executors, Adminiſtrators and Aſſigns reſpectively, notwithſtanding any Diſability or Incapacity whatſoever; any Law, Statute or Cuſtom, or other Matter or Thing whatſoever to the contrary notwithſtanding; Copies of which ſaid Judgments and Decrees ſhall be laid forthwith before both Houſes of Parliament, that a juſt and reaſonable Compenſation and Satisfaction may be made to the ſeveral Owners and Proprietors of the ſaid Lands, Tenements and Hereditaments.

His Majeſty impowered to iſſue Letters Patent, appointing Commiſſioners to hear and determine the Titles and Claims of the ſeveral Proprietors of the ſaid Lands, Tenements and Hereditaments, and their reſpective Intereſts therein: They are to proceed therein in a ſummary Way by the Teſtimony of Witneſſes upon Oath, Inſpection and Examination of Deeds and other Evidences, or by Inqueſt, &c. and they are impowered to ſend for any Perſons, and oblige them to produce their Deeds, &c. relating to the Premiſſes; and by Agreement or Inqueſt to ſettle the Value thereof: They are to cauſe their Judgments and Decrees to be entered in Books, ſpecifying the Deſcription and Boundaries of the ſaid Lands, with the Names of the Parties intereſted; and the Sums agreed for, or aſſeſſed by the Jury to be paid for the ſame. The ſaid Judgments and Decrees to be likewiſe ingroſſed on Parchment, and certified to the Clerk of the Crown in Chancery, and the King's Remembrancer in the Exchequer: The ſame declared to be final and concluſive to all Parties; and Copies thereof are to be laid forthwith before both Houſes of Parliament, in order that a reaſonable Compenſation may be made to the ſeveral Owners.

III. And be it further enacted by the Authority aforeſaid, That for the better carrying the ſaid Commiſſion or Commiſſions into Execution, the ſaid Commiſſioners to be appointed in and by the ſaid Commiſſion or Commiſſions, or any five or more of them, ſhall and lawfully may, and are hereby authoriſed and required to iſſue forth their Warrant or Warrants under their Hands and Seals, to be directed to the reſpective Sheriffs of the reſpective Counties wherein ſuch Lands, Tenements or Hereditaments ſhall lie, thereby commanding them reſpectively to impanel, ſummon and return, before the ſaid Commiſſioners, at ſuch Times and Places as ſhall be appointed in ſuch Warrant or Warrants, a good and ſufficient Jury of twenty-four good and lawful Men qualified to ſerve upon Juries, at the Aſſizes for the ſaid reſpective Counties; who upon their Oaths (which Oaths the ſaid Commiſſioners, or any five or more of them ſhall have Power to adminiſter) ſhall inquire into the true and real Value of the ſaid Lands, Tenements and Hereditaments, and every Part or Parcel thereof, and who reſpectively are the Owners and Proprietors thereof, and their reſpective Eſtates and Intereſts therein; and the better to enable the ſaid Jurors to make ſuch Inquiry, the ſaid Commiſſioners ſhall, and lawfully may, direct in ſuch their Warrant or Warrants to the ſaid reſpective Sheriffs, a View to be taken by ſix or more of the ſaid Jurors, of the ſeveral Lands in the ſaid reſpective Counties, at ſome Time previous to the Meeting of the ſaid Commiſſioners; and the Sheriffs of the ſaid Counties reſpectively, upon Receipt of ſuch Warrant or Warrants from the ſaid Commiſſioners as aforeſaid, are hereby required to impanel, ſummon and return twenty-four good and lawful Men qualified to ſerve upon Juries at the Aſſizes for the ſaid reſpective Counties, and in the mean Time to have ſix or more of the ſaid Jurors ſo impanelled and ſworn,

Commiſſioners impowered to iſſue Warrants to the Sheriffs for impanelling and returning a ſufficient Jury.

Jury to be ſworn: Their Duty.

Six or more of them may be directed to take a View of the Premiſſes.

Sheriff to impanel and ſummon a Jury accordingly, &c.

and at the Return of the Warrants, to attend with his Officers, the Commiſſioners, in order to prove the Service of the Summons;

to view the ſaid Lands in their reſpective Counties; and at the Return of ſuch Warrant or Warrants to attend the ſaid Commiſſioners, with his Bailiffs or Officers, to prove, if neceſſary, the Summons of the Jurors ſo to be impanelled and returned reſpectively, upon Oath, which Oath the ſaid Commiſſioners, or any five or more of them, ſhall have Power to adminiſter to the ſaid Sheriff, and his Bailiffs and Officers, or any or either of them: And in caſe the ſaid Sheriff or Sheriffs, and his or their Bailiffs and Officers, or any or either of them, ſhall neglect or refuſe, being duly ſerved with ſuch Warrant or Warrants of the ſaid Commiſſioners fourteen Days before the Return thereof, to impanel, ſummon and return ſuch Jury of good and lawful Men as aforeſaid, or otherwiſe refuſe to execute ſuch Warrant or Warrants, or ſhall not attend the ſaid Commiſſioners, with his Bailiffs and Officers, who ſhall ſummon the ſaid Jurors, at the Return of ſuch Warrant or Warrants as aforeſaid; then, and in either of the ſaid Caſes, the ſaid Commiſſioners, or any five or more of them, are hereby authorized and required to impoſe a Fine on ſuch Sheriff, Bailiffs and Officers, or any or either of them, ſo making Default, not exceeding twenty Pounds, nor leſs than ten Pounds for any one Offence; and in caſe the ſaid Jurors ſo to be impanelled, ſummoned and returned, or any or either of them, ſhall neglect or refuſe to appear at the Return of ſuch Warrant or Warrants, and to be ſworn for the Purpoſes aforeſaid; then, and in ſuch Caſe, it ſhall and may be lawful to and for the ſaid Commiſſioners then aſſembled and met, to impoſe a Fine upon each and every of the Jurors ſo impanelled, ſummoned and returned, and without lawful Excuſe, (to be allowed of by the ſaid Commiſſioners then ſitting, or the major Part of them) making Default or refuſing to be ſworn, not exceeding the Sum of ten Pounds of lawful Money of *Great Britain*; which Fine and Fines ſo to be impoſed and ſet, the ſaid Commiſſioners are hereby authorized and required to eſtreat into his Majeſty's Court of *Exchequer*, to be levied to the Uſe of his Majeſty.

Sheriffs or Officers neglecting their Duty in the Premiſſes, may be fined by the Commiſſioners in a Sum not exceeding 20 l. nor leſs than 10 l. for one Offence. Jurors neglecting their Duty, without lawful Excuſe, may be fined in like Manner, in a Sum not exceeding 10 l. Fines may be eſtreated into the Exchequer; and levied to the Uſe of his Majeſty.

IV. And be it enacted by the Authority aforeſaid, That in caſe a ſufficient Jury ſhall not appear upon the Return of the ſaid Warrant or Warrants to take the Inqueſt, it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, to adjourn the ſaid Inqueſt to any future Day, not exceeding fourteen Days, nor leſs than four Days from the Adjournment thereof, and to iſſue out their Warrant or Warrants for impanelling, ſummoning and returning an equal Number of Jurors to thoſe ſo making Default, who together with the Jurors before returned by the Sheriffs of the reſpective Counties upon ſuch ſecond Warrant or Warrants afterwards to be iſſued, or upon any future Warrant or Warrants, Adjournment or Adjournments, which the ſaid Commiſſioners are hereby authorized to iſſue and make, from Time to Time, until a ſufficient Jury can be had, ſhall enquire as aforeſaid.

If a ſufficient Jury ſhall not be found, upon Return of the Warrant, the Commiſſioners may adjourn the Inqueſt to ſome future Day, not exceeding 14 Days nor leſs than four; and iſſue their Warrant for ſummoning and returning a Number equal to thoſe making Default.

V. Provided always, That twelve good and lawful Men ſhall be ſufficient to take the Inqueſt aforeſaid; and that in caſe twelve or more (not exceeding twenty-three in the whole) ſhall appear and be ſworn to take ſuch Inqueſt, then, and in ſuch Caſe, the ſaid Commiſſioners ſhall continue and ſit from Day to Day, until the ſaid Inqueſt ſhall be taken; and after the Inqueſt ſhall be taken may adjourn to ſome future Day for making their Judgments and Decrees thereon.

Twelve deemed a ſufficient Jury. The Jury being ſworn, the Commiſſioners are to ſit from Day to Day, until the Inqueſt is taken; and may then adjourn to ſome future Day for making their Judgments and Decrees thereon.

'VI. And, to the Intent that no Perſon or Perſons may have any Cauſe or Pretence for not appearing to make out their Claims or Title to the ſaid Lands, Tenements or Hereditaments, or any Part or Parcel thereof;' Be it further enacted by the Authority aforeſaid, That five or more of the ſaid Commiſſioners ſhall give Notice in Writing thirty Days at leaſt before their Meeting at each Place, which Writing ſhall be affixed at the reſpective Doors of the Guildhall of the City of *Canterbury*, the Townhall of the Borough of *Lewes*, and the Townhall of the Borough of *Portſmouth*, and at the principal Gates of, and Entrances into the reſpective Forts and Batteries before mentioned; and ſhall likewiſe be publiſhed in the *London Gazette*: And if any Perſon or Perſons ſhall neglect or refuſe to appear, or when he or they ſhall appear, ſhall wilfully refuſe to ſhew his or their Deeds or Writings relating to the Premiſſes, that then the ſaid Commiſſioners, or any five or more of them, and the Jurors to be impanelled and ſworn upon ſuch Inqueſt, ſhall proceed upon the beſt Information they can get or have, to make ſuch Inqueſt, Judgments and Decrees as before directed; and all ſuch Judgments and Decrees, being entered and certified as aforeſaid, ſhall be final and concluſive.

Commiſſioners to give 30 Days Notice, previous to their Meeting for the Purpoſes aforeſaid; the ſame to be affixed on the Doors of the Guildhall of Canterbury, Townhall of Lewes and Portſmouth, and the principal Gates and Entrances into the reſpective Forts and Batteries before mentioned and publiſhed in the London Gazette. Where Perſons refuſe to appear, or produce their Evidence, purſuant to ſuch Notice, the Commiſſioners and Jurors are to proceed upon the beſt Information they can get; and the Judgments and Decrees thereupon made, are declared to be final and concluſive.

VII. And be it further enacted by the Authority aforeſaid, That immediately from and after the Time that Payment ſhall be made of the Sum and Sums of Money ſo to be agreed for or aſſeſſed by the ſaid Jury, and decreed and adjudged by the ſaid Commiſſioners, or any five or more of them, to the Owners and Proprietors of the ſaid Lands, Tenements and Hereditaments herein before mentioned, or to any or either of them, the Truſtees herein before mentioned ſhall be deemed and adjudged to ſtand ſeiſed of ſuch Part and Parcel of the ſaid Premiſſes as ſhall be ſo paid for, to and for the Uſe of his Majeſty, his Heirs and Succeſſors for ever, freed and diſcharged of and from all and all Manner of Right, Title, Claim and Demand whatſoever, that can or may be made by any Perſon or Perſons, Bodies Politick or Corporate, Eccleſiaſtical or Civil.

Upon Payment of the Sums decreed to the reſpective Proprietors, the Truſtees before mentioned ſhall be adjudged to ſtand ſeiſed of the Premiſſes, to the Uſe of the Crown for ever, freed and diſcharged of all Claims, &c.

VIII. And be it further enacted by the Authority aforeſaid, That it ſhall and may be lawful to and for the ſaid Commiſſioners, or any five or more of them, upon the Complaint of any Owner or Owners, Occupier or Occupiers, of any other Lands and Hereditaments adjoining to any Part of the Lands and Hereditaments by this Act veſted in the ſaid Truſtees, that he, ſhe or they have received any Damage by the erecting or compleating of any of the Works thereto belonging, to examine into and hear every ſuch Complaint, and ſhall make an Eſtimate of ſuch Damage, and ſhall return ſuch Eſtimate with, and in the Manner they are herein before directed to return, the aforeſaid Judgments and Decrees.

Commiſſioners, upon Complaint made to them of any Damage done to adjoining Lands, by erecting or compleating any of the ſaid Works, are to examine into ſuch Complaint, and make and return an Eſtimate of the Damage.

IX. And be it further enacted by the Authority aforeſaid, That no private Building or Buildings ſhall be made or erected upon any of the Lands veſted by this Act as aforeſaid; and that the whole Profits ariſing or that ſhall hereafter ariſe from the ſaid Lands, be and are hereby appropriated and applied for and towards the Erection and Reparation of the reſpective Fortifications of each Place, and to no other Uſe or Purpoſe whatſoever; and all and ſingular the Premiſſes ſhall be and are hereby enacted and declared to be unalienable from the Crown; neither ſhall any Part of the Premiſſes be demiſed or demiſable, otherwiſe than during Pleaſure only.

No private Buildings to be erected upon any of the Lands veſted as aforeſaid by this Act; and the Profits ariſing from the ſaid Lands are to be applied towards the Erection and Reparation of the reſpective Fortifications.

The Premiſſes declared to be unalienable from the Crown; and are not demiſeable, but during Pleaſure

X. Provided always, That no Commiſſioner who ſhall be employed in the Execution of this Act, ſhall be liable, for or by reaſon of ſuch Execution, to any of the Penalties mentioned in an Act made in the twenty-fifth Year of the Reign of King CHARLES the Second, intituled, *An Act for preventing Dangers which may happen from Popiſh Recuſants*; or in one other Act made in the firſt Year of the Reign of King WILLIAM and Queen MARY, intituled, *An Act for the abrogating the Oaths of Supremacy and Allegiance, and appointing other Oaths*; or in one other Act made in the Parliament holden in the thirteenth and fourteenth Years of the Reign of the late King WILLIAM the Third, intituled, *An Act for the better Security of his Majeſty's Perſon, and the Succeſſion of the Crown in the Proteſtant Line; and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and all other Pretenders, and their open and ſecret Abettors*; or in one other Act made in the Parliament begun and holden in the firſt Year of the Reign of King GEORGE the Firſt, intituled, *An Act for the better Security of his Majeſty's Perſon and Government, and the Succeſſion of the Crown in the Heirs of the late Princeſs* Sophia, *being Proteſtants; and for extinguiſhing the Hopes of the pretended Prince of* Wales, *and his open and ſecret Abettors*.

Commiſſioners exempted from the Penalties of the ſeveral Qualification Acts of 25 Car. 2. c. 2. 1 W & M c. 8. 13 & 14 W. 3. c. 6. and 1 Geo. 1. c. 13.

XI. Provided alſo, and be it enacted, That ſuch Commiſſioners as his Majeſty ſhall nominate for the Purpoſes in this Act, or any of them, ſhall not, by reaſon thereof, in any Sort be diſabled or diſqualified from ſitting in the Houſe of Commons, or their Election thereby become void; any Law or Statute to the contrary thereof in any wiſe notwithſtanding.

The Commiſſioners are not diſqualified, by being ſuch, from ſitting in the Houſe of Commons, or their Election thereby become void.

CAP. XXXVIII.

An Act for the more eaſy and ſpeedy Recovery of ſmall Debts, within the Town and County of the Town of *Kingſton upon Hull*.

" Preamble. Commiſſioners appointed. They are conſtituted a Court of Requeſts. Three impowered to hold a Court on *Wedneſday* in every Week. Their firſt Meeting. Buſineſs of other Courts held in the Guild Hall, *&c.* not to be impeded by their Meetings. Power and Buſineſs of the Court. Caſting Vote upon any Queſtion where there is an Equality, to lie in the Mayor, ſenior Alderman, or Commiſſioner who ſtands firſt on the Liſt. Method of Election of new Commiſſioners in the Room of ſuch as ſhall die, or refuſe to act. The Order and Rotation in which the Commiſſioners are to be ſummoned to attend the Court. Any Commiſſioner, though not ſummoned, or ſtanding in Rotation, may ſit and do Buſineſs in the Court. Creditors may ſue for any Debt under 40 s. in the ſaid Court; and on Application to the Clerk, who ſhall ſummon the Debtor, upon Proof of Service of the Summons, the Commiſſioners are to enquire into the Demand, and paſs final Judgment thereupon. And in the Courſe of their Enquiry may adminiſter an Oath to the Witneſſes and Officers of the Court. Debtor not appearing, Court may hear the Cauſe on the Part of the Plaintiff, and paſs Judgment thereon, with Coſts. Plaintiff not appearing, or being nonſuited; Coſts to be awarded to the Defendant. Upon Order of the Court for Payment of Money, Execution is to be awarded againſt the Body or Goods of the Party. Upon Execution iſſued againſt the Body of the Party, the Confinement is not to exceed 3 Months. If the Service, or Effects of the Execution, be prevented or evaded, the Court may award another Execution. Upon the firſt Default of Payment of any Money decreed to be paid by ſeveral Payments, the Court may award Execution for the whole Debt, with further Coſts. The Debt and Coſts to be marked on the Back of the Precept; and on paying in the ſame to the Clerk of the Court, before Execution takes Effect, with the Fees due to the reſpective Officers, &c. Execution is to be ſuperſeded. No Perſon exempted from the Juriſdiction of the Court on account of being an Attorney or Solicitor. Where Execution ſhall not have its due Effect, through the Neglect or Connivance of the Officer, ſuch Officer is liable to pay the Debt. Commiſſioners to take the following Oath, to be adminiſtered by the Clerk, and regiſtered. *John Baxby* Gent. conſtituted Clerk of the Court; with Power to appoint a Deputy. *John Mimby* appointed Serjeant. Vacancies of Clerk and Serjeant how to be filled up. Fees allowed to the Clerk and

" Serjeant. A Table thereof to be hung up in the Court. Penalty of demanding or taking greater " or other Fees, not to exceed 40 s. nor be leſs than 10 s. for one Offence; and to be paid to the " Treaſurer of the Guardians of the Poor. Clerk or Serjeant guilty of notorious Miſbehaviour in " the Execution of their Offices, the Court may inquire into the ſame, and certify the Particulars " to the Mayor, who ſhall thereupon ſummon a general Meeting of the Commiſſioners, and they " may ſuſpend or remove the Delinquent. A Commiſſioner who is a Party to, or intereſted in, any " Cauſe depending in the Court, is to withdraw, after being heard, till the ſame is determined. " the Clerk or other Officer, being intereſted in like Manner, the Court is to appoint another Per- " ſon to act *pro tempore*. Perſons who ſhall inſult or abuſe the Court, while ſitting, or any of the " Members thereof, going to or from the ſame, or ſhall interrupt the Proceedings, may be puniſhed " by Fine or Impriſonment. Where the Fine cannot be levied, the Offender is to be committed. " Application of the ſaid Fines. Copy of this Clauſe to be fixed up in the Court. Action for Debts " recoverable in this Court are not to be brought in any other. The Regiſters of the Court, or true " Copies thereof, deemed legal Evidences. Proceedings, *&c.* not liable to be removed into a ſupe- " rior Court. Specification of Debts, *&c.* not ſuable in this Court. Penalty of wilful and corrupt " Perjury. The reſpective Keepers of the Common Gaol and Houſe of Correction are to receive " and keep in ſafe Cuſtody, *&c.* all Perſons committed by order of the Court, on Penalty of for- " feiting not exceeding 5 l. nor leſs than 40 s. to be levied by Diſtreſs and Sale, and to paid and " applied as other Fines. No Attorney to be admitted as an Advocate in a Cauſe; nor to ſpeak in " the Court where he is not a Party or Witneſs, on Penalty of 20 l. nor to act as a Commiſſioner. " Witneſs being duly ſummoned, refuſing to appear and give Evidence, may be fined by the Court, " not exceeding 50 s. nor leſs than 10 s. to be levied by Diſtreſs and Sale, and paid over to the Party " injured. No Writ may be ſued againſt any Commiſſioner or Officer of the Court, for any thing " done in the Execution of their reſpective Offices, until they ſhall have been firſt ſerved with due " Notice thereof. Attorney's Fee for preparing and ſerving ſuch Notice. Defendant thereupon " may tender Amends; and if the ſame ſhall be found ſufficient, Verdict to be given for the Defen- " dant; if none or inſufficient Amends were tendered, *&c.* Plaintiff to recover Damages and Coſts. " If Notice as aforeſaid has not been given, Defendant to recover. Defendant may alſo Pay Mo- " ney into Court, before iſſue joined. No Evidence to be given on the Trial, but what is con- " tained in the Notice. Limitation of Actions. General Iſſue. Treble Coſts. Publick Act.

The END of the EIGHTH VOLUME.